



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 20th DAY OF DECEMBER, 2000 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales, Saltzman and Sten, 5.

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

On a Y-5 roll call, the Consent Agenda was adopted.

- *1827** **TIME CERTAIN: 9:30 AM** – Amend Intergovernmental Agreement with Port of Portland for North Marine Drive Improvement Project (Ordinance introduced by Commissioner Hales; amend Agreement No. 50822)

Disposition: Ordinance No. 175176. (Y-5)

- 1828** **TIME CERTAIN: 10:30 AM** – Amend Title 32 Signs and Awnings and Title 33 Planning and Zoning to rename Title 32, to move sign regulations previously in Title 33 into Title 32, and to clarify regulation of certain signs (Second Reading Agenda 1735 introduced by Commissioner Hales)

Motion to impound a sidewalk sign after three citations: Moved by Commissioner Saltzman and seconded by Commissioner Hales.

Disposition: Passed to Second Reading as Amended December 27, 2000 at 9:30 a.m.

- 1829** Amend Code to provide consistency with Title 32, Signs and Related Regulations (Second Reading Agenda 1736 introduced by Commissioner Hales; amend Code Titles 10, 16 and 17)

Disposition: Passed to Second Reading December 27, 2000 at 9:30 a.m.

- 1830** Update fee schedules for electrical, sign and awning permits, establish sign registration fees and replace fee schedules adopted by ordinances 174721 and 174722 (Second Reading Agenda 1737 introduced by Commissioner Hales)

Disposition: Passed to Second Reading as Amended December 27, 2000 at 9:30 a.m.

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CONSENT AGENDA - NO DISCUSSION

Mayor Vera Katz

- 1831** Extend the repayment date for the temporary loan from the Water Fund to the Special Finance and Resource Fund (Resolution; amend Resolution No. 35911)

Disposition: Resolution No. 35949. (Y-5)

- *1832** Pay claim of Calvin Gantenbein (Ordinance)

Disposition: Ordinance No. 175166. (Y-5)

- *1833** Amend contract with Motorola Communications and Electronics for 800 MHz simulcast trunking radio system services (Ordinance; amend Contract No. 27963)

Disposition: Ordinance No. 175167. (Y-5)

- *1834** Amend contract with W&H Pacific to provide Telecommunications Engineering and Consulting Services for the Office of Management and Finance, Communications and Networking Division, to extend termination date (Ordinance; amend Contract No. 31566)

Disposition: Ordinance No. 175168. (Y-5)

Commissioner Jim Francesconi

- *1835** Grant revocable permit to Children's Museum Project Executive Committee of the Portland Rotary Charitable Trust to construct improvements for a children's play area in Washington Park (Ordinance; amend Ordinance No. 174942)

Disposition: Ordinance No. 175169. (Y-5)

Commissioner Charlie Hales

- *1836** Amend Transportation System Development Charge Capital Improvement Project list (Ordinance; amend Ordinance No. 171301)

Disposition: Ordinance No. 175170. (Y-5)

Commissioner Dan Saltzman

- *1837** Appropriate funding for contract with TT/CMI, Inc. for calendar year 2001 (Ordinance; amend Contract No. 31948)

Disposition: Ordinance No. 175171. (Y-5)

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- *1838** Appropriate funding for contract with CMTS, Inc. for calendar year 2001 (Ordinance; amend Contract No. 31947)

Disposition: Ordinance No. 175172. (Y-5)

Commissioner Erik Sten

- *1839** Contract with Christmas in April for \$25,450 to organize and carry out a housing repair and renovation program in designated Bureau of Housing and Community Development target areas and provide for payment (Ordinance)

Disposition: Ordinance No. 175173. (Y-5)

- *1840** Increase agreement with Community Development Network for the Portland Community Land Trust project by \$71,721 and provide for payment (Ordinance; amend Agreement No. 33164)

Disposition: Ordinance No. 175174. (Y-5)

- 1841** Authorize an Intergovernmental Agreement, including financial participation, between the Bureau of Water Works and the West Slope Water District to develop an emergency operations plan and provide other technical services (Second Reading Agenda 1805)

Disposition: Ordinance No. 175175. (Y-5)

REGULAR AGENDA

Mayor Vera Katz

- 1842** Accept the Enterprise Zone Program and Annual Company Contract compliance Review (Report)

Disposition: Accepted. (Y-4; N-Sten)

- 1843** Approve the procedure for Enterprise Zone Precertification using a Model Enterprise Zone Precertification Contract (Resolution)

Disposition: Resolution No. 35950. (Y-4; N-Sten)

- 1844** Adopt procedure for the distribution of the Enterprise Zone Community Contribution workforce development funds (Resolution)

Disposition: Resolution No. 35951. (Y-4; N-Sten)

- *1845** Contract with the Portland Public School Police Department to participate in Police Bureau Department of Public Safety Standards Training (Ordinance)

Disposition: Ordinance No. 175177. (Y-5)

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- *1846** Contract with Portland Community College, Institute for Management and Professional Development, to render Special Custom Designed Educational Services (Ordinance)

Disposition: Ordinance No. 175178. (Y-5)

- *1847** Amend contract with Cascade Occupational Medicine Physicians, Inc. to include pre-employment medical exams for police officer applicants and to increase compensation to cover the additional examinations (Ordinance; amend Contract No. 33222)

Disposition: Ordinance No. 175179. (Y-5)

- *1848** Accept a \$1,268,441 grant from the Oregon State Police, Criminal Justice Services Division for the Police Corps (Ordinance)

Disposition: Ordinance No. 175180. (Y-5)

- *1849** Agreement with the U.S. Department of Justice, Drug Enforcement Administration for Police Bureau participation in a task force to address trafficking in narcotics and dangerous drugs (Ordinance)

Motion to correct a dollar amount: Moved by Commissioner Hales and gavelled by Mayor Katz.

Disposition: Ordinance No. 175181 as amended. (Y-5)

Commissioner Jim Francesconi

- *1850** Accept a \$51,000 grant from the Federal Emergency Management Agency (Ordinance)

Disposition: Ordinance No. 175182. (Y-5)

Commissioner Charlie Hales

- *1851** Accept a grant from Tri-Met for \$48,419, awarded as part of the Community Transportation Grants Program, to fund audible pedestrian signals at five locations (Ordinance)

Disposition: Ordinance No. 175183. (Y-5)

Commissioner Erik Sten

- *1852** Contract with the Portland Development Commission for \$9,445,584 to undertake housing and economic development projects that benefit low and moderate income residents and provide for payment (Ordinance)

Disposition: Ordinance No. 175184. (Y-5)

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Communications

- 1853** Request of Pam Allee to address Council regarding the Portland Police Joint Terrorism Task Force (Previous Agenda 1810)
- Disposition:** Placed on File.
- 1854** Request of Kathleen Jurgens to address Council regarding the Portland Police Joint Terrorism Task Force (Previous Agenda 1814)
- Disposition:** Placed on File.
- 1855** Request of John Maroney to address Council regarding the Portland Police Joint Terrorism Task Force (Previous Agenda 1816)
- Disposition:** Placed on File.
- 1856** Request of Patrick W. Norton to address Council regarding the Portland Police Joint Terrorism Task Force (Previous Agenda 1817)
- Disposition:** Placed on File.
- 1857** Request of Ken Spice to address Council regarding the Portland Police Joint Terrorism Task Force (Previous Agenda 1818)
- Disposition:** Placed on File.
- 1858** Request of Mike Dee to address Council regarding the Portland Police Joint Terrorism Task Force (Communication)
- Disposition:** Continued to December 27, 2000 at 9:30 a.m.
- 1859** Request of Cort Greene to address Council regarding the Portland Police Joint Terrorism Task Force (Communication)
- Disposition:** Placed on File.
- 1860** Request of Rachel Stein to address Council regarding the Portland Police Joint Terrorism Task Force (Communication)
- Disposition:** Placed on File.
- 1861** Request of William Harden, The Carpet Man, to address Council regarding Purchasing Bid No. 100193 and new carpet products (Communication)
- Disposition:** Placed on File.
- 1862** Request of Richard Koenig to address Council regarding the Police Internal Investigations Auditing Committee (Communication)

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Disposition: Placed on File.

- 1863** Request of Patrick Dinan to address Council regarding Police Bureau actions (Communication)

Disposition: Placed on File.

At 12:18 p.m., Council recessed.

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 20th DAY OF DECEMBER, 2000 AT 6:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales, Saltzman and Sten, 5.

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Linda Meng, Chief Deputy City Attorney; and Peter Hurley, Sergeant at Arms.

- 1864** **TIME CERTAIN: 6:00 PM** – Consider vacating a portion of NE Emerson Street between NE 33rd and 34th Avenues at the request of Nicholson Development Property, LLC (Hearing; Report introduced by Commissioner Hales; C-9982)

Disposition: Approved: City Engineer Prepare Ordinance. (Y-5)

- *1865** Vacate NE Emerson Street between NE 33rd and 34th Avenues, under certain conditions. (Ordinance introduced by Commissioner Hales; C-9982)

Disposition: Ordinance No. 175185. (Y-5)

- 1866** **TIME CERTAIN: 6:45 PM** – Amend Code to change the prohibitions relating to skates and skateboarding (Second Reading Agenda 1715 introduced by Commissioner Hales; amend Code Chapter 16.70.410)

Disposition: Referred to Commissioner of Public Safety.

- 1867** Amend Code to change the prohibitions relating to skates and skateboarding (Second Reading Agenda 1821 introduced by Commissioner Hales; amend Code Chapter 16.70.410)

Disposition: Passed to Second Reading as amended December 27, 2000 at 2:00 p.m.

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At 9:56 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.

DECEMBER 20, 2000
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 20, 2000 9:30 AM

Katz: We have a 9:30 and then a 10:30. Hopefully if we get through with the 9:30 sooner we'll move to the regular agenda if we have people in the audience that would be ready to testify on the items. We'll see. Let's start with 1827.

Item 1827.

Hales: Casey bloom is here to make a presentation, but ed also is. If your schedule is not too tight, perhaps we'll let stacy go first with a if I can presentation and then give you an opportunity. But if you're in a hurry --

Stacy Bluhm, Portland Department of Transportation (PDOT) : Good morning. My name is stacy bloom, the project manager with the office of transportation for the north marine drive improvement project. This length of marine drive falls within the river gate industrial district. The photo -- there's the photo. The photo is looking in the easterly direction. The project extends from the entrance to terminal 6 to 2.2 miles to the east where it ties into the marine drive improvements built in 1995. We're confident we've create add project that is providing significant safety and environmental enhancements. You may remember this project was first initiated in 1996. The last time the north marine drive project appeared before you was july 22nd of 1998. Jean i, the previous project manager, ask that you accepted the alignment and design features as described in the project development summary and staff recommendation. So why are we here? It was requested at that city council hearing in 1998 that this project be brought back before you prior to authorization of construction. As such, we're here to follow through on that commitment. Furthermore, we ask that you do indeed author construction funding for this -- authorize funding. Finally we -- we have a request to add marine drive to the sdc system development charges capital improvement list. Public involvement. Preliminary design was initiated in october of 1988. It had been agreed that interested members of the advisory committees would be invited to work with our design team to assist us in identifying the appropriate design solutions that were of most concern to them. A series of workshops were held between may of 1999 through september of 1999. Upon acquisition of our environmental land use permit we resumed design and our -- are expected to complete it next month. I'd like to talk about that design now. Let's talk about existing conditions. The existing roadway surface is in a marched state of deterioration. As you can see, you will find potholes and other signs of deterioration up and down the project length. As you can see from this photo, a basic safety feature like a center turn lane is missing on the east end of the project, not to mentioned fact there are no bike lanes, no sidewalks, no multiuse paths, no improvements to assist pedestrians in crossing the street, and no transit enhancements along the entire project length. For instance, in this photo you see a nicely maintained grass covered landscaped area. What you don't see is a paved surface for pedestrians to stand on while waiting for the bus. And buses have to stop in the travel lane which is a bit risky, given there are very high-speed trucks traveling in that very travel lane. Let's look at existing environmental conditions. When we -- let me show you a great photo to remind you what we're trying to preserve. This is the photo of the smith and bybee lakes wildlife area. Let me show you the condition of that environmental resource in closer proximity to the roadway. There's virtually no native vegetation to speak of, instead we see barren sand and weeds. We also find that vehicles are commonly parked within or driving through that area, which is easy to do, given there is no curb lied to restrict the vehicles to the travel way. Other existing environmental

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conditions include storm water from the existing roadway drains directly untreated to the lakes today. The storm water outfalls have no energy dissipaters to reduce erosion. In close approximate it to the roadway to the lakes contributes to noise intrusion to what should ideally be a serene environmental experience. Clearly our conditions beg for improvement, so let's talk about the good news. We're putting in center turn lane. Bike lanes, sidewalk on the north side, multiuse path on the south side, bus pull-outs, coupled with pedestrian refuges to improve safety for those who would like to cross the street, landscaping and trees and a traffic signal. And then we have our environmental improvements. Storm water from the roadway will be treated prior to entering the lakes. We'll see the permanent removal of some outfalls while those that will remain will be treated with energy dissipaters, and finally the hazardous spill containment vaults will be installed for roadway draining to the lakes. A unique feature we're including in this design is an eight-foot noise barrier that is half berm and half wall. You can see that we have the berm with a flat landing on top of that berm of which the multiuse trail sits on top of it. We then have a wall just south of that. This allows for discouraging intrusion into the sensitive environmental habitat area of which is considered sensitive turtle nesting habitat for the western painted turtle. Final touch is that we will --

Hales: Is that wall --

Saltzman: Does that wall have anything to do with the migration pattern?

Bluhm: Well, yeah, that would be an additional benefit, sure. Keeps everybody in their place. The final touch is that we'll provide native vegetation for all areas affected by our construction. George, our bureau of environmental services, watershed revegetation program has agreed to provide for revegetation needed along the south side of our project. So i've told you about all the great things we're going to do. Let's talk about when we'll do it. January we'll complete design. April, may we'll begin construction. We'll also have an open house to discuss construction staging and impacts, and finally we hope that by the fall of 2002 we'll end construction. So that's a 16-month construction duration. Total cost is 15.6 million. The port of Portland is to dedicate 11.7 to the project while the office of transportation is dedicating 3.9 million. However, 2.3 million is sdc monies, which we're actually trading for the 2.3 m-tip monies that had been granted to this project. We wanted to transfer the federal funds to the lombard project to remove the federal component from this project to save ourselves time and money. We also have 1 million road rehabilitation funds and .6 gtr contingency funds. Finally, I would like to make a few acknowledgments. First i'd like to start with the workshops participants. I'm always amazed at the dedication of folks in the city of Portland that are willing to participate on projects like these. Putting in their own personal time to sit in on meetings that were off than times -- oftentimes dry in nature. I would also like to thank the port of Portland. They've been great partners on this project. And our design time of ch2m hill provided great customer service for the project and finally, let's not forget our own city staff, who have put a lot of time and effort into resolving the many design issues that have come up before us.

Katz: Council person Washington.

Ed Washington, Metro Council: Thank you, mayor Katz. I -- before I read some short remarks, i'd like to say it was interesting this morning prior to waking up, I had a dream about testifying here, and I don't think i've ever dreamed about testifying anywhere in my nine years at metro. We ended up with testimony, and commissioner Francesconi and I had ice cream. And I was trying to figure out, what is that all about?

Katz: It's called the senior social.

Washington: I know he's an ice cream kind of person, but the only thing I could attach to it, obviously this project has been a piece of cake, and therefore he and I were enjoying the ice cream. I'm sure it has not always been a piece of cake, but let me tell you what we feel at metro this project really has been. The north ma rebound drive improvement project is an excellent example of regional corporation leading to a success story on a demanding and difficult project. The city of Portland, port of Portland and metro worked together with neighborhoods, businesses and environmental

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stakeholders to provide an open decision-making process. At the beginning of the marine drive public project -- public process there was much contention. The process included with mutual respect for all stakeholders and an opportunity to work together more efficiently and effectively on similar projects in the future. Metro transportation planning and regional parks and green spaces staff participated on citizen committees. Chris white of the port of Portland did an excellent job in administering the citizen committee meetings. City staff and consultants did excellent work in facilitating a complex process on how to best widen marine drive while protecting natural areas and encouraging all modes of transportation, such as bike lanes, sidewalks, and a portion of the 40-mile loop multiuse path included in the project. Along with much needed safety improvements. And the project has been designed in a manner that is sensitive to the needs of wildlife at Smith and Bybee lakes. The metro regional parks and green space department looks forward to continuing to work with p dot as a -- as the project moves into the construction phase. So in summary, this project will -- is illustrative of a number of metro values and the city of Portland values including access to nature, clean air and water, the ability to get around the region, stable neighborhoods, a strong regional economy, and resources for future generations. I just want to join the others in encouraging your support for this very, very important project. That's all I have to say, but I would like with your permission just to have a closing remark. And that remark is, I just want to thank all of you for being able to work with you over the past almost nine years for me. It's really been a pleasure. I've enjoyed it most of the time. I think we've had some very tough projects, but we've always managed to get through them. And I think that continues -- continued even up in the last week. So as I get ready to leave, I'm looking forward to what I'll be doing in the future, but I want to thank all of you for your excellent support and those who were here when I started, but who are not here, and Mayor Katz, to you, I want to say a very, very special thank you to you, the way you always treat people, and particularly all the council members, but you've always acknowledged us and you acknowledge us at meetings and I appreciate that very, very much. I will miss those kinds of things. I won't miss all the other stuff. [laughter]

Katz: Thank you, ed. On behalf of the council, thank you for all your years of public service. I know what kind of commitment that is, and all the challenges that it brings, and I appreciate the work that you've done. On behalf of your constituents in north and northeast Portland.

Washington: Thank you very much.

Hales: Also appreciate the way you've done it. The meetings can be tedious and tense, and ed has a talent for keeping people together and bringing a little common sense and levity to the mixture when it's needed most. We're going to miss you, although if you start having dreams about Portland city council, it probably is time to leave public office. But we're going to miss, ed. Thank you for all your comradeship on the issues.

Washington: Thank you very much. Jim, I will have ice cream with you. [laughter]

Francesconi: I got something else in mind for us, ed.

Katz: Thank you. Anybody else want to testify? Let's get the public testimony.

Susie Lahsene, Port of Portland Transportation Planning Manager: Good morning. Mayor, 60 commissioners. I'm Susie, transportation planning manager for the port of Portland. I'm pleased to be here to provide testimony on north marine drive improvement. While north marine drive is not a port road, but part of the city's transportation system, this is a facility we have a lot of interest in. It's the access to this region's international container terminal 6, it is the way over 900 plus businesses from this region and around the state access the global marketplace. It is also the main road for a number of rivergate businesses like Columbia Sportswear, Nordstrom's, Rodda Paint, to access their facilities and it also runs adjacent to a very important regional resource, the Smith and Bybee lakes area. North marine drive is currently under capacity for traffic using the system and poses a safety problem for the trucks, recreational and employees in rivergate. As Stacy reported, while developing a design to address the interests of all of the stakeholders was certainly challenging. I'm happy to report that after the extensive public involvement, value engineering and discussion among the stakeholders, we really

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have a good product. The final design of this project meets the objectives in the interest of the various stakeholders and I believe will enhance the transportation system overall for all modes as well as the Smith and Bybee Lakes natural area. Last week the port commission agreed the funding of this project was one of the highest priorities, and committed 11.215 million to the 15.5 million improvement. This is truly unusual for the port commission to put the access and their financial commitment to that access to our facilities to such a level of importance. However, I believe this is a reflection of the confidence the port has put in our partnership with the city of Portland. And a reflection of a value we place on the interest of the various stakeholders. I also want to recognize the excellent work of the pdot staff, pdot commissioner, Charlie Hales, and want to thank you very much for the hard work and working with the port of Portland as well as the stakeholders. I urge your approval of the intergovernmental agreement and thank you for the fine transportation work of your staff.

Sue Bullington, Nordstrom Distribution Center: 573 N. Marine Drive, 97203. I'm Sue Bullington, a resident of North Portland. I'm the shipping transportation manager at Nordstrom Distribution Center. I also was on the citizens committee for this project. Over the course of the project it was a real learning and growth experience to try to blend different people's viewpoints about what should happen in this area. Community, individuals, environmental, safety, business, all of us came together with different goals. And during the process that we went through, we all came to understand more about why each one of these was important. The final project has elements that address all of these things. It wasn't what we started out wanting, but I think we can all accept what's here. I evening courage approval of this so that we can get on with it. Safety, environment, community and business need this to happen. So I'm urging your approval.

Troy Clark, President, Friends of Smith and Bybee Lakes: Good morning. I'm Troy Clark, the president of the Friends of Smith and Bybee Lakes. I'm happy to be both on the technical and citizen advisory committees. Lots of very interesting process. If I had my druthers, I would somehow capture the whole process, distill it down and have Portland use this as an example of great public involvement process. It wasn't particularly easy. In fact, I believe this was one of the first times the port engaged in public process at this level. Maybe I'm wrong. [laughter]

Katz: At this level, he said.

Clark: But I would -- having been on other master planning committees, recognizing there are times when the public is given token involvement, will have an open house, but decisions have already been made, in this particular project, the public was actively involved. The product is a reflection of all the stakeholders having equal opportunity to have input in a real way. Nobody was absolutely satisfied with every aspect, but when the public environment is at this -- involvement is at this level, everybody recognizes the compromises that were made were necessary. There isn't any bad feelings, because we all recognize there'd had to be give and take. I think this particular process, and I want to thank the port and all their representatives that are here, it was really a -- something to be showcased as well as for city transportation. I hope that I can experience more processes in the future like this one.

Katz: Are you finished? I didn't want to interrupt.

Clark: I urge that we spend money. [laughter]

Katz: I am very happy to hear what you just said with regard to the public process. Because we learned a lot from the interstate urban renewal, which was very positive and worked very well, and we're now in the process of working with the state of Washington and Oregon on transportation -- major transportation issues. And we're trying to scope the work and make sure that citizens in the neighborhoods are involved as well as -- it's probably much bigger than marine drive improvements. But if the port is so good at this, it would be very nice to kind of fold that expertise in what we're going to be doing in the next 24 months. And for you, as citizens to be directly involved in that.

Clark: Can I say one other thing?

Katz: Sure.

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Clark: One of the most trying aspects of having this level of public process is the time necessary. And so when projects are already fast-tracked for whatever reason, projects get fast-tracked, decisions are made and the public is brought in after certain decisions are already made, it's very hard to regain the public confidence. It's the time element. If we can learn anything, it's been a four-year process, but I don't think there's any disgruntled people out there. I'm a postal worker, so you know what I know, when I use that word I know what I'm talking about.

Katz: I wasn't looking at four years, but closer to two. Thank you. Britta, anybody else? Anybody else in the audience want to testify? All right. Thank you, everybody. We'll -- roll call.

Francesconi: This is a terrific project. For a lot of reasons. Transporting freight, I think the exposure of our businesses to a global market and allowing that access, it's a critical issue for our whole community. Doing it in an environmentally responsible way, a way that encourage alternate transportation uses by -- but also completing the 40-mile loop, these are also terrific reasons. It's all good using the port's money to do it. But the bigger question I think it was hit on by Ed Washington's testimony, this is a model -- we need this kind of cooperation between the citizens, the environmental community, the city, and the port on even tougher projects upcoming. This issue of transporting freight, access to global markets, but doing it in an environmentally responsible way is the most important issue other than education facing this community. The partnership that we built here, it's much more important than even this road. So we need to do it as we address the issues facing the channel, as we look at the issues involving the airport, -- we need each other. And our citizens need each other. And this is a great beginning to the kind of cooperation and the give and take that it's going to take to keep this a vital community for all of our children. Aye.

Hales: Well, Stacy, thank you, and the rest of the pdot staff for your good work, this hearing really illustrates this has been a success story in terms of the design process for this project. And I really want to thank the port for their commitment, not just to the project financially, obviously this wouldn't happen for -- if it weren't for the port's willingness to support this project, but also your willingness to work with the community to get to a success for all of those objectives. And to the citizens who've rolled up your sleeves and spent a lot of time in meetings, thank you. It really worked in this case. Now our commitment needs to carry forward, and we want to ask you all for continued cooperation and help to get through the construction process successfully, work with everybody on the obvious and necessary disruption that comes when you are rebuilding a major street while people are using it. So let's keep this team working together on just this kind of positive basis until we finish the job and enjoy the results. Thank you very much. Aye.

Saltzman: This sounds like a really great project, and it's a real tribute. It's not every day we have citizens from north Portland who come in and praise us and urge us to spend money in north Portland. And praise us for our process. So this is definitely an exemplary situation. Kudos to pdot and the port, as well as metro and certainly councilor Washington's demeanor and ability to bring people together. And I'm pleased to see the environmental improvements that will be happening as well. Aye.

Sten: I also want to thank the port. It's a good piece of work. I remember a few years ago getting caught in a few meetings about this. It was pretty sticky, and I think the -- sometimes it looks like critical needs like the environmental issues, and this is a key roadway that needs to -- that's very important to transportation. They certainly were in conflict, and I think you found a way to make them not in conflict. Troy is an easy person to work with, but he's not easy on the issues, and if he's that satisfied, it's an incredible piece of work. He did used to be my mail person, so he had quite a bit of access to me. [laughter] and we've talked a lot about it. And he's had me out in a canoe looking at the turtles, so I know this spot very well. I think this bodes very well with the work we will do with the port, and I think this is a good sign we can work through these things. Thanks for all your hard work. Aye.

Katz: Is Troy still in the room? Commissioner Saltzman and I have not seen the painted turtles. Would somebody let him know we would like to go on a little trip to see the turtles? Thank you,

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everybody. We're on much bigger projects that we're working on with two states, and we'll need all the cooperation and all the hard work of citizens in north and northeast Portland. Aye. All right. Is stevie here? I don't have my staff here. For the 10:30. So why don't we move on and -- is the pdc, wsi folks here? You're here? Sheila, you're here? Rosie, you're here? All right. Why don't we take that out of order. If anybody else wants to testify on that item, we'll come back to it. Let me say a few words about this. This is another project that took years and years and years to get through. And it had starts and finishes where the council basically said, whoa, let's put this on hold, where we asked the northeast economic development alliance to be the voice of the neighborhoods and let us know when we should start again and what projects we should start again. We started this -- none of us were here, but this was started in 1986, and we reauthorized it in 1996. And we had a clear understanding about what the goals and values of the council were. Is that -- if we provide in the enterprise zone tax abatements to companies to expand or locate, then in return for those abatements, they had to increase jobs for residents in north and northeast Portland, they had to increase the health of north and northeast businesses in exchange also they had to provide child care, development procurement plans to increase the purchase of goods and services, because we identified that as a very strong possibility to enhance the economic vitality of any neighborhood if you continue the purchase of goods and services that are helpful to the specific businesses that you've targeted. And provide work force training and -- in helping us with hiring programs. So this program's come a long way. We've had a lot of debates today. You have three items on the calendar, and i'm going to ask Britta, before we start, to read 1842, 1843, and 1844.

Items 1842, 1843 and 1844.

Katz: What you're going to hear is a model contract that all of us have been wanting to develop, and -- an annual report on what actually has been happening in the north and northeast area, and a report on community contributions and what those community contributions have been used for. I need to tell you that some of us, including myself, have spent an enormous amount of time trying to work out some conflicts between the work force systems inc, and the northeast alliance and pdc, but after a lot of work and a lot of discussion and a lot of compromise, and i'm going to thank people later on, we worked through some of these very, very difficult issues. And i'll get to those a little later as we have discussion. But the gentleman that is sitting before you, and the lady that is sitting before you, have spent even more time bringing all of these three packages to closure. And I want to thank them and open it up for their testimony.

Felicia Trader, Director, Portland Development Commission (PDC): Thank you, mayor Katz, members of council, at the leash a trader. -- felicia trader. Over the last years in -- and particularly the last precertification application we had before you, the state's process as applied here has produced a few edgy meetings, and some concerns about whether or not the negotiations through a contractual process would produce the kind of public goals that you as a council would need us to meet. So last -- wanted us to meet. Last december you met with the pdc board, and at that point discussed the possibility of producing a model contract, which would provide you assurance once approved that as we meet with companies and talk with them about the program, that the goals that you've established are well known from the beginning of the negotiations and that there will be no surprises and the companies can proceed along this process as long as they agree with the model contract goals. So I think while it has been an interesting process to negotiate out the details and try to get agreement on the model contract language, I think it is beneficial and I think both you and the business community will benefit from the point where we are now. Bob alexander will go through the different items before you, and sheila holden is here from the alliance and kirby johnson is also as well.

Bob Alexander, PDC: I'm bob alexander, manager of the enterprise zone program. Before you have some resolutions on procedural changes to the enterprise zone program, determining how we process enterprise zone applications and how community contribution funds are distributed. I did want to highlight a few of the issues from the annual compliance report which indicate the benefits received

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from the enterprise zone program. The enterprise zone program is an active tool in 44 communities around Oregon. Which provides limited property tax exemption in exchange for agreements to locate in the zone. Throughout Oregon it is considered to be an entitlement program. That is locate in the zone -- the company is entitled to the benefit. In Portland our policy has substantially leveraged our tax exemption dollars to achieve a very effective program that achieves maximum public benefit while still being an incentive for the companies. The companies that have entered into the program since 1997 have a number of requirements in addition to the location and hiring requirements, which i'll review in a moment. The enterprise zone is one of the few incentive tools we have for companies expanding here or wish to locate here. The compliance report, you'll note that eight companies participate in the program, six out of those were expansion or retention of jobs in Portland, two of the companies were companies that chose to locate here from other places. This program benefits companies that have high capital investment and jobs, both of which we want to encourage in Portland. In addition, most jobs are primary manufacturing jobs that are good-paying jobs that we want to attract. Additionally, following the initial exemption period, a great deal of their assessed valuation comes on to the tax rolls to assist the cities, schools and county. We know some of these companies would not have expanded in Portland without this program, and therefore all their future taxes and jobs would have gone someplace else. This program provides us a tool to not only locate here, but leverage those other public benefits. Few of the highlights from the report, nearly 2800 of existing north, northeast Portland jobs are retained in the current -- by current program participants, more than 12 million was spent by the enterprise zone companies with north, northeast businesses. 32 to 40% of the 682 employees hired by enterprise zone companies during 1990-2000 were people of color. 21% hired by the enterprise zone companies were residents of the enterprise zone. I think there's some strong results from the enterprise zone program as a result of that, highlighted in the report. I'd like to go on to the resolution -- resolution first on process that is before you.

Katz: Can we ask -- are you going to come back to the annual report? There was one figure I want -- if you can expand on it.

Alexander: Okay.

Katz: It was more than 12 million was spent on the -- by the enterprise zone companies with north and northeast businesses. Is that the effect of the purchase of goods and services?

Alexander: Exactly.

Katz: Have we been able to --

Alexander: The procurement plan.

Katz: Have we been able to identify which companies in north and northeast have benefited from that? Are you able to go back and identify those companies?

Alexander: We have specific lists that we can go back and get from individual companies, from enterprise zone companies. We don't have that list now, but what we did do this last year, mayor, is provide a list to all the enterprise zone procurement companies, the purchasing managers of -- a database of all north, northeast businesses. That database will allow them to reference if they're looking for screw fasteners, they can look under screw fasteners and find which businesses provide those. So we're working in that process to assist enterprise zone companies to find north, northeast businesses. On the flip side, with the community contribution dollars, we're also -- we also have three contractors in the north/northeast who are looking to make matches between small businesses in the northeast and the enterprise zone companies. We have a top-down requirement as part of the enterprise zone, and then we're trying to innocent local businesses to do business with enterprise zone companies. We've already had one vendor fair, where we've had the four primary enterprise zone companies come in and explain their goods and services, and we had I think about 25 or 30 north/northeast businesses there to understand what is it that they might supply to these enterprise zone companies. We believe we'll have at least three or four matches coming from that process right now.

Katz: Okay. Go ahead.

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Alexander: In terms of the first resolution about procedure, as you had indicated as well as felicia had indicated, the process was somewhat lengthy previously, and there was some uncertainty by adopting this procedure it would be utilizing the model contract and the a model for source agreement. We would meet with the companies, the companies then to make sure they understood the process, they would be developing a procurement plan, we would then go before the north/northeast alliance, their subchapters both on work force and business growth, to discuss how the companies can meet those requirements. We -- then we would go before their full board on to our own staff, prepare comments and then go before the Portland development commission to approve a contract, following which we will notify the city council. We will also prenotify the council as soon as a precertification has been filed on any -- on any enterprise zone application. And i'd like to note here that the model contract, which is attached to the procurement -- to the procedure resolution, if there are any exceptions to that and our commission feels strongly that a company still should be considered for enterprise zone, we would bring that before you for your approval prior to adopting any exceptions to the contract. We expect that this process would take approximately eight to 12 weeks. The last enterprise zone company took close to six to eight months. That's too long of a process to really have an effective program. So I believe the solution that we collectively worked out, which is the model contract, will address that issue. In terms of the enterprise zone contract itself, the model contract calls for of course location in the zone, the fact that if it's an existing company they would increase their current employment levels by about at least 10% and main -- maintain that level throughout the period. Job quality would be specified that 85% of the full-time jobs must be 150% of minimum wage or greater. That benefits provided to employees be equal to or greater than the national average for companies of that type. That we have retention factor that 50% of all jobs must be retained for at least two years following the employment period. During the construction phase we've been using the minority women and emerging small business good faith program. We've actually strengthened that program and increased that requirement, and 10 to 15% utilization. We've also increased the eeoc certification from not only the prime but to the subs and their primes. We've also have in the contract specific requirement that they participate in the city's work force training and hiring program, or construction -- for construction workers during the construction period. Procurement plan, we discussed previously, but that would require each company to come up with a plan to determine how they were going to utilize north and northeast businesses and increase that percentage each year that they're in the program, and again, that has yielded tremendous results so far. And I expect that we'll continue to emphasize that program. Companies with greater than \$2 million worth of exemption, they must provide child care support and transit support. When we were before you about a year ago on a freightliner presentation, there was questions about what are the guidelines. Those guidelines are in this model contract and very specific. And they're there for your review. We also require transit support, 75% of the employees -- 75% of the employees' cost must be paid by the employer for transit benefits. Community contributions, if there was a limit that council had set previously of \$10,000 of exemption per employee hire during the period of the exemption, and that's specified in here, it's also specific now about when those community exclusions are due to us, and we've asked for two-thirds of those payments to come to us in the first two years of the program so we can use those for job training and for other improvements within the program so that we can maximize the community contribution dollars. There's a true -- at the end of the -- they must enter into a -- a source agreement with work systems inc and a model is attached. Also the city's cost of services covered, that was defined as 25% of the city's portion of the tax, and again, companies must either pay us that amount through their other fees, business license fees, utility franchise fees, and if there's not enough money generated there, they write us a check directly to office of finance and administration. Actually there's a new name. Sorry. It's the office of management and finance. So we're covering the basic cost of service as well. We also have a fairly lengthy remedy section, so each one of those categories are also covered. So that is the first resolution before you, which adopts the procedure and model contract. The second resolution

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before you deals with the issue of community contribution dollars from the work force side. We had determined earlier that there was roughly a 70/30 split between work force and business portion of the community contribution dollars. 30% of those funds have been distributed by a community-based group over the last year and a half, and has been a fairly successful model and as felicia had indicated, there's -- there was some issues involving how the work force portion of those funds would be distributed. So we have developed a procedure very similar to the business side, and it's a community-based process and organization which would determine how those 70% of funds would be distributed. And that is the second resolution before you. So with that i'd be happy to answer any questions.

Katz: Why don't we hold off questions and bring sheila and wsi, and don't disappear too far. As sheila is coming up, and as we hear from wsi, there were some concerns by the northeast community about the distribution of the funds that came from the enterprise zone. And I think they were legitimate questions that were raised. And so with the work that sheila did and our office, and bob, and felicia and bob, we came up with the resolution 1844 that's before you that sheila would like to address. So go ahead.

Sheila Holden, NE Economic Development Alliance: Good morning. My name is sheila holden, I chair the northeast economic development alliance. First of allied like to say thank you to mayor Katz, her staff, and to rosie and also to felicia and bob. It seems like there was a host of tens at least that were involved in making this happen. But those folks that I named were the critical people in helping us to reach some closure on the work force piece of the enterprise zone ordinance. The thing that is critical to the north/northeast community is, we want to have businesses that are located in the area that feel comfortable that they have quality work force choices among the people who actually live in the enterprise zone area. And in order for them to feel that comfort level and hire more people, we need to get that work force ready to be able to compete for those jobs. When the zone was established, we did not have always a good tie with knowing when the jobs were going to be there and getting the people ready to apply for the jobs. When we did the recertification, we worked very hard with pdc to come up with a way to ensure there would be dollars to assist with getting folks trained and ready. We had it all we thought set up and ready to go, and then wsi was introduced into the equation. With that, there were -- we had some expectations along with the spirit of the work that we had done in establishing the recertification of the zone that was going to go forward. When we went through the process to do the freightliner piece, we found there were some disconnects, and we made a real effort to work through those disconnects, because we took very seriously last october council's charge that you couldn't support the -- some of you couldn't support the zone if it didn't provide some real benefit back to the community. And for us, again, we felt like that was in terms of jobs, making sure that there were going to be jobs for people in the community, as well as businesses being able to take advantage of the procurement piece. The procurement piece went really well. The work force piece didn't. We ended up with was going to be a 90-day process turning into a ten-month process. So we really do feel pleased that we finally got closure, and it's something that the alliance feels comfortable with, and think will work. We now have a new advisory group that's going to be looking at how the contribution dollars are going to be spent. It is not going to be an automatic transfer over into wsi's coffers to be used as part of their general work force work that they're going to be doing. The community is going to have a say in how those dollars get used to work with residents to get them ready for enterprise zone company jobs. So we're pleased with that, and i'd like to thank the mayor and her staff for pushing to make that piece come together in a way that the community is going to be able to support. And we're anticipating we're going to go through a real honeymoon period with wsi, where all things are going to come together great for the -- I think there are three businesses that are out there waiting to participate, and we're going to see some real good results and we're going to get folks hired, as well as getting businesses doing business with zone companies.

Katz: Thank you. Wsi?

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Kirbee Johnston, Worksystems, Inc.: Work systems is looking for kirby johnson. Good morning. We're looking forward to the formation of a seven-member committee as agreed upon, and with the ratification or the blessing of a template, feel that we have everything in place so that this will be a much smoother process for everyone concerned.

Katz: Thank you. All right. Questions of bob and felicia? Anybody? You guys are making it easy. It was hard work. All right. Anybody else? Nobody signed up?

Hales: We have very good briefings.

Katz: Good. Good, good. If not, then we'll take a vote on 1842. I need a motion to accept the report and a second. Okay. Roll call.

Francesconi: I'm going to say a couple things, and i'll just say it once so it will address all of these. I'm very happy to be here and to be able to support these for numerous reasons. I guess I want to say sheila, pdc, bob, felicia, the mayor especially, thank you for listening to me. I was the only one because commissioner Sten was absent who voted against the tax abatement for freightliner because I felt there was not a specific benefit in front of me that I could measure. Yet the majority of the council did pass it, and you didn't have to do this. But I think the majority of the council and as sheila referenced, many people in the community wanted to have more defined, and I think even better benefits. So I guess I want to thank you for the work that you did on this. To present it in this form. I think it's better as bob alexander said for business too, because there's more certainty up front. And therefore, the process can be shorter. I think it was unfair, and unfortunate nature to put freightliner through that kind of debate that had here, and that will not bowed well for businesses -- bode well for businesses. Having said that, I do also believe that there have to be improved benefits, and this contract did it because of the hard work, primarily of bob, who spent a lot time not only negotiating with freightliner, but working to improve the public benefit. Education and training are better methods of closing the gap between two Portlands. If you look at the summary here before this contract was in effect, there are good things that have happened. The mayor referred to some of them. 85% of all enterprise zone companies exceeding 150% of minimum wage after a year, 12 million spent in the enterprise zone companies with northeast businesses, that 32 to 40% figure for employees of color hired, despite the hot economy, that's not the -- been true generally of people of color. The community contribution funds used to help support northeast businesses. These are all good things that have been done. But i'm not sure frankly those are enough to just identify the level of tax abatement in the pass. But now with a defined benefit up front as been done here, and improvements on the job quality side, improvements on the utilization of minority-owned businesses, improvements on the equal opportunity certification requiring subcontractors as well as contracts to benefit, improvements on the child care side, improvements on the transit side, and clear remedies if these things are not met, I do believe that this can be a tool in the toolbox for closing the two Portlands. And therefore, I can support this. And I want to thank you for your work in doing this. The last thing I want to say too is, on the work force -- I do think the job procurement side offers a lot of benefits for northeast businesses and people of color, and running their own businesses. I think on the training and technical assistance side, there still needs to be more work done by the city and by others in making this piecework. And I look forward to working with the mayor and sam adams on making that piece happen. On the work force side, I do think, and this is a subsequent resolution, this process is good, that we get a committee and that work force and pdc and northeast are working together. I do believe, though, that this needs more attention from the council. And i'm requesting an informal by which we sit down and have a discussion about work force in northeast Portland as to what's working and what's not working. I need to better understand the role of the community college, the role of the urban league, the role of the alliance, the role of the work force board and how this all fits. Because I believe that time has passed, and many residents, despite the good work of sheila and others, have not benefited, and we cannot allow this situation to continue any longer. So I want to do whatever I can to help in that situation.

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This is a day to celebrate, and this is pdc in particular, the mayor, and especially bob alexander deserve a lot of credit for this. Aye.

Hales: Good work. Aye.

Saltzman: Well, I was pretty new here when we voted on the freightliner contract, and I did have some discomfort about signing off on the enterprise zone abatement without really knowing the details to be spelled out later. Nevertheless, I did vote to support that agreement, but I feel much better about the products before us today and thank the mayor, pdc, sheila and all those for really developing a model contract that I feel very comfortable knowing up front now if we precertified identify an employer -- precertify an employer that we're going to have tangible benefits, particularly child care was important to me, the local procurement plan, and also the hiring outreach and hiring. Those were very important to me, and I feel comfortable knowing if pdc staff precertifies this company, under very specific terms spelled out here, we're going to reap tremendous benefits. And I know part of the controversy or part of the rap on enterprise zone or anything that deals with tax abatement is its corporate welfare. Well, I think this is the type of corporate welfare that we need in a portion of the city that has chronically underperformed, been the source of chronic low employment, and if this corporate welfare that can really help overcome what has been the role of public welfare, this is the type of smart decision-making, the smart partnerships that government really ought to be proud of. And we shouldn't be shying away from the banishment of the terms like corporate welfare. This is smart policy. It's been made smarter and it's been spelled out in tremendous detail that we can be very proud of the benefits we will reap under this policy. And not -- policy. It's not to say it's going to -- not going to require diligence. It's going to require diligence. When you show employers a contract like that, as we were talking about yesterday, their first instinct is, why I do want to sit down and look for this? I'm convinced the substantial benefits to us as a society and to the city in particular are there, so we're going to have to be diligent in marketing this to those prospective employers. Once they go through our process and go through our hoops, I think north and northeast Portland in particular is going to be a much better place as a result. Aye.

Sten: I'd like to start by complimenting bob and sheila and -- everybody, all the work you've done. This is an incredibly difficult issue. That being said, I think you've been assigned to make lemonade out after lemon and I don't think you've been able to do this. I'm not going to be able to support this. I think the evidence in my mind over the last ten years is this -- that this strategy hasn't worked, and I think this council is pretty quick to say this didn't work, and the response is always, let's reconfigure it, rather than let's try a new approach. I think the evidence is overwhelming that the idea of paying corporations with tax money that's going to go to the schools and others other places to move to northeast in and of itself isn't working and I don't think making the contract is going to work. The enterprise zone is bigger than what anybody thinks northeast Portland is when they think about it. Our biggest folks haven't hired anybody, and I actually think the fundamental argument that the way you help poorer and lower income people get better is by moving jobs into their neighborhood as -- has proved to be untrue nationwide. What you have to do is help people get skills rather than put money -- even at its best we get back a percentage of the dollar that the corporation resist given in tax breaks. We don't get anything close to a buck on a buck. And I think that buck ought to be collect and spent on services that directly help people and give them a choice where they want to work. A lot of people live in northeast and live in -- work in other places, and I think the argument that moving these companies into northeast, into rivergate is going to help people get employed has not worked over the last ten years, and I think we're being optimistic to think that by requiring child care and other things the strategy is going to change. I also think that it -- the stakes have gotten higher with the capped property tax requirement. Now our revenues are very, very constrained and what we're doing with this process is basically saying, if you meet these requirements you don't have to pay the taxes and you don't even have to come to city council to get out of this. And I think we've sold ourselves awfully short, and I think it's going to be something we ought to remember when we're scrapping for money for

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police and schools that Oregon steel mills, who is laying people off and is in very huge labor disputes nationwide is foregoing \$22 million in revenue. I think this is an ill advised policy, although I appreciate the work you've done to make it better. No.

Katz: Thank you, everybody. For putting this package together. During the campaign trail a couple of months ago this was one of the questions that came up over and over again and again, and you've heard both sides of the argument. It's not easy in a 30 or 60-second sound byte to describe all the elements of the enterprise zone and what we give and what we get in return. And so I hope that at least today for those who are listening and watching us that we could see that this is not just a giveaway program, that in fact the work force dollars coming from community contributions are the work force dollars that are being used to train the work force, which is correctly the issue that we need to address as a community. Thank you, everybody. I want to thank sheila, it was late, it's -- laid at your doorstep and you had to maintain the values and the issues important to the northeast community, as well as to see the realities of this situation from our end, and you are very -- you're a very wonderful partner in that. Rosie and bob and lynnly and felicia, thank you for trying to come up with solutions that finally worked. And everybody agreed. And wsi, we were waiting for the agreement to come from your end as well, and it finally did. And we will have a work session, because there are a lot of federal dollars as well as local dollars now being spent on work force. We just got a \$20 million grant over five years for work force in northeast Portland. Actually in the enterprise zone, because we have an enterprise zone, we got the money dedicated to the enterprise zone that includes the downtown low-income communities, specifically homeless young people. And there will be an outreach worker in the downtown now to try to bring young people into what we call yeo -- youth employment opportunity center. I think the council needs to here all of that and understand what we're doing here. Aye. 1843.

Francesconi: Aye. **Hales:** Aye. **Saltzman:** Aye.

Sten: One last piece. I would also say that I really hope that -- this has been a justification of this program that as this moves forward and hopefully i'm wrong, that we get past this idea that a good reason to give away taxes is to keep people out of the suburbs. We need a regional economic strategy. That's been put forth for about half of these. I think we really need to look at how do things work as a region, not how do we race to the bottom against other local jurisdictions. I hope we can have a discussion of that as well. I -- it is part of the justification for this program. No.

Katz: Aye. 1844.

Francesconi: Wait. We're having this little whatever here, we need a regional economic development strategy, we need an international strategy, actually, how we're going to get our citizens into this. And so I don't disagree with commissioner Sten at all on any of that. Nor do I disagree that education and training are the keys. The problem here is that the way our society has gone, primarily because of I believe education-related achievement gap types of issues, which are the fundamental thing we need to address, how to close the achievement gap in Portland public schools, which is the number 1 issue facing our community, but for those that we have not closed that achievement gap, do we write them off? No. We need some tools to address this. Using a targeted tax abatement to get more work force dollars procurement from businesses to hire people, those are strategies that we need to use in a very limited targeted way. That's what we need to do. It's not that you're moving people in just to hire employees in northeast Portland. It's getting the support and assistance to a group of folks that this economy is left -- has left behind. And we just can't write them off, okay? Having said that, we have to know up front ahead of time what the benefits are, and then if employee -- employers are going to take on the added burden, then giving them an incentive to do so is appropriate in a limited targeted way. And that's all i'm saying. Aye.

Hales: Aye. **Saltzman:** Aye. **Sten:** No.

Katz: Well, he raised the regional economic development strategy, and I wish I know you all wanted me to serve on impact with commissioner Saltzman, because you all had your turns and you decided that it was time the mayor and somebody else was a member of that committee. But one of the

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interesting sessions that we are having now is the fact that there is a regional economic strategy. It is not as firm as a lot of people would want it to be, but thanks to the work of ethan seltzer and Portland state university, people understand about clusters of industries and how those clusters work together, and have identified the clusters very similar to the targeted industries we identified and have shown how they work together on a regional basis. I also need to remind everybody that Portland development commission works very closely with the region. We get resources from Washington county, and I think from clark county -- clackamas county as well. So if we can't locate a company here because they need a different space, different environment, the phone call goes right out to Washington county and to clackamas county, and there's a very nice partnership between this region on economic development. Now, can it improve? Absolutely. Can we have a variety of different tools for the cluster of industries that we're looking at from basically the high-tech industries to creative services to the horticultural industry, which by the way is a major industry for this region? The answer is yes. And that's what we'll be doing through the work hopefully at impac and Portland development commission. I felt I needed to say that. But we will have work force discussion and robin, we can bring that piece of that discussion in as well. Aye. All right, everybody. 1828. Time certain, 1829, 1830. Since we are going to take amendments, we -- is stevie here? Stevie went around I think kermit must have gone with her, but -- yes. To all of you to identify the amendments that we heard. We had a hearing. I asked everybody to please share with us some of the changes you would like to see. You did that. Stevie and kermit outlined them very nicely, went back to you, and i've identified the amendments where they think there are three votes. I'm not going to take their word for it only, but what I am going to go is take the ones that they think they have -- they heard they had three votes, we'll talk about those first, and then i'm going to ask if anybody has any other ones they want to bring up for discussion. Is that okay with the council to proceed that way? Okay. So, i'm going to turn it over to you, stevie.

Olson: Shall I read all three of them together?

Katz: Yes.

Items 1828, 1829 and 1830.

Stevie Greathouse, Planning Bureau: On november 29th we brought a proposal -- i'm stevie will, bureau of planning. On november 29th we brought a proposal forward to the council to amend title --

Francesconi: You deserve a medal. I want to tell you ahead of time.

Katz: She deserves more than that.

Greathouse: To amend the sign regulations. We've prepared a list of amendments we do believe have the support of at least three members of council to this recommendation. I'd be happy to go through the amendments item by item.

Katz: Why don't you do that. There may be people watching and listening to have some interest. There are not that many of them. Go from -- quickly go from -- both. --

Greathouse: There are 14 amendments total. The first would take the recommendation that was put forward to allow 20 square feet of changing image signs and amend that to allow ten square feet of changing image signs. There is another option under that recommendation that would amend the recommendation to still allow 20 per' per site but allow a single sign with 100% changing image sign technology to be no longer than ten square feet, which we believe would offer more flexibility in terms of allowing marquee-style signs, scoreboards and that sort of thing that have electronic or changing image sign components as well as static zones signs.

Katz: We'll come back to the option and have a little discussion on them.

Greathouse: Amendment number 2 would allow portable signs to be up to eight square feet in the right of way. Opdr feels based on the existing size of portable signs in the right of way that allowing eight square feet would offer more of an ability to offer existing businesses registration of the signs that they currently own without having to require them to replace those signs with smaller signs.

Amendment number 3 would just be simply to include maximum dimensions for the portable signs as

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well as a maximum square footage so that businesses and the community would have more clarity in terms of what the parameters are for the allowed size for portable signs. Amendment number --

Katz: You have two options for us on that.

Greathouse: Yes. The two options for amendment number 3 are basically to -- just related to whether the council goes -- or to allow eight square foot portable signs. So we propose two different sets of dimensions based on those two maximum sizes. Amendment number 4 would allow temporary portable signs no larger than four square feet in size in all zones. This amendment addresses many concerns that were raised in testimony at the hearing about the typical practices of the real estate industry in terms of displaying open signs. The amendment would also allow signs with any other content that meet these regulations to be placed for a period of either the weekend or before one o'clock on tuesday, I believe is the amendment language.

Katz: Is that the wilsonville language?

Greathouse: : Yes, it is. Amendment number 5 would continue the existing prohibition of portable signs in the right of way in the hillsdale plan district. There was testimony requesting that we look at hillsdale and other town centers to see whether there was policy language and plans for those areas supporting a continued prohibition of portable signs. There was policy language in the hillsdale town center plan that would support this. We did not find comparable policy language in other plans for town center areas in the city. Amendment number 6 would allow opdr to create a system where they would be able to impound portable signs that were placed illegally and receive numerous citations. I believe they have this ability now, but I could clarify in the code that ability exist and when it should be used. Amendment number 7 would basically add a clarifying amendment to clarify that portable signs in the right of way cannot be attached to public property, trees, with chains or any other kind of anchoring devices. Amendment number 8 would allow temporary freestanding signs and temporary fascia signs. These are signs that are going to be allowed to be up to 32 square feet in size, would allow these signs for 280-day periods instead of the recommended, which was 220-day periods, and would allow these signs to have access to a registration program for a subsequent one-year period to allow more flexibility based on the testimony that represents received at the november 29th hearing. Amendment number 9 would allow temporary freestanding signs to be placed along more than one frontage on certain large sites. It would basically allow a property owner with a large site to place a temporary freestanding sign every 300 feet of frontage. This is comparable to the current regulations. Amendment number 10 would allow temporary freestanding signs to have two faces up to 32 square feet in size provided there was no more than a 90-degree angle between those faces. Amendment number 11 would allow temporary freestanding signs in the columbia south shore plan district, which currently prohibits these signs and this is basically a housekeeping amendment to collar thigh that temporary freestanding would be allowed in that district. Amendment number 12 would exempt the roads at the airport from title 32 comparable to existing public streets which are exempt from title 32. The roads at the airport are not currently mapped and maintained as public right of way, but function very much the same as public right of way and the sign code has not been crafted to apply to street signs and the types of signs we need to direct traffic along high traffic city streets. Amendment number 13 would continue to allow 32 square -- signs up to 32 square feet in size without design review. And amendment number 14 would simply amend commentary related to temporary signs and directional signs to clarify the legislative intent that these signs can gain access to permanent sign standards by applying terror for permits as permanent signs and thus can gain access to the adjustment process. And this is in response to testimony we heard at the last hearing about not being able to adjust the standards related to temporary signage. That in a nutshell is the 14 amendment that's are before the council today. We'd be happy to discuss --

Katz: Let me get a sense. Is commissioner Hales outside? I need him now just to get a sense from the council -- good. Have we moved in the right direction at least for the majority of the council?

Hales: I'm ready to adopt every single one --

Katz: We've got options, though.

Saltzman: I want to make an amendment.

Katz: Hold off on that. Let's get to option 1, which is the reduction on the changing image signs. Give us an example on the b option what -- where that would be used, for example.

Kermit Robinson, Office of Planning and Development Review (OPDR): Kermit robinson, opdr. We see that to be used in two locations. Primarily in the bright lights district where you would have a marquee type of sign. There's more to the sign than, say, the border bulbs that are doing the flashing, or in -- in the second area would be a scoreboard we'd see at a high school or at one of the city parks, where you have a larger sign and only parts of it are changing. If we go to option 1, or option a, we see that every scoreboard would have to go through an adjustment. We feel that's probably a little overkill.

Katz: What's the council's feelings on this one?

Francesconi: Option b.

Hales: I like a. Keep it simple.

Francesconi: I can't support option a, period. We lose score boards in the parks.

Hales: Are you sure?

Robinson: We don't lose them, but we would have to send every one of them through an adjustment.

Hales: In ones.

Francesconi: But let's -- we're trying to find the balance. I think we're getting there, between common sense and small business needs verse urban design. Option b clearly allows that. I'm not going to support option a, period. I may not support the whole thing if option a is in here. I don't think we want to go there.

Katz: I just want to remind everybody that we reduced from 20 to 10 feet. And so I would support option b as we do that. Because I think that even came from the industry representative who realized that we didn't like them at all, but we were looking for some kind of compromise. Commissioner Sten, commissioner Saltzman? B, a?

Sten: I'm no on either. I thought 20 foot was better. I have no idea how we had this big hearing on 20 foot cut in half.

Katz: That came up in discussions --

Sten: In private discussions after we had the hearing. We cut it in half.

Katz: No, no, no. That was discussed during the hearing.

Robinson: During testimony.

Katz: Commissioner Saltzman?

Saltzman: B. I can live with b. I'm not going to hold out --

Katz: I don't like every one of these recommendations. I was a no on a lot of them. But we're trying to get through this. This also has a long, long history. All right. So we'll take -- the amendment will include option b. Amendment 2, everybody all right with that?

Sten: I'm not voting for --

Katz: I understand.

Sten: Are you going to call roll call --

Katz: No.

Sten: I'm not voting for it with these objections.

Katz: We'll note the objections. Roll call item 1.

Sten: I don't care how you want to do it.

Katz: Roll call item 1. **Francesconi:** Item 1, option b. Aye. **Hales:** Aye. **Saltzman:** Aye.

Sten: No.

Katz: Mayor votes aye. Item 2, allow portable signs to be up to eight square feet in the right of way. Discussion on that? Remember the testimony was we wanted six but most of them are eight anyway. Roll call. **Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

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Katz: Mayor votes aye. Item 3.

Francesconi: I need help on this one. Before we vote, I need help on this one. What is it again? What are the options?

Robinson: It would basically -- since we voted for allowing up to eight square feet, it would allow portable signs to be no larger than 21/2 square feet wide by four square feet tall. It basically gives dimensions as well as square footage.

Katz: It tracks with --

Hales: Is it option a? Okay.

Katz: Anybody else want an explanation? If not, roll call. Option a for amendment 3. **Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Katz:** Did you want to vote aye? **Sten:** Yes.

Katz: Aye. **Sten:** I'm for signs.

Katz: You like signing. All right. Mayor votes aye. Item 4. Any discussion on that? Roll call.

Francesconi: This is the one that allows realtors some more flexibility with their signs, which is very mayor. So I'm glad you added this one -- very important. It's a way they need to advertise to do business. Aye.

Hales: Maybe just a comment at this point. I think maybe this is the last -- I guess we have other signs dealing with commercial realtors. I want to commend the Portland metropolitan association of realtors for their work on this issue, because we often get business groups with a point of view and a complaint but we don't often enough get them in here with a specific amendment proposal the council can consider perhaps modify and adopt. Not so much a message to you, but maybe other business groups, it really helps when somebody brings us a constructive proposal rather than just an objection. Aye. **Saltzman:** Aye. **Sten:** Aye. **Katz:** Mayor votes aye. There was a question on amendment 5.

Saltzman: Right. I'm very supportive, I just want to make sure this also allows other plan districts such as gateway lents and hollywood, should they include to choose this ban, they have that ability. We're not just doing this for hillside.

Robinson: It would not preclude them from requesting that. The comment tear we've placed in the report would make it clear.

Katz: Would it come automatically? Or would we have --

Robinson: They would have to have the code amended.

Katz: You'd have to notify and do is that? Let's not forget that, because if they do include it, we want to make sure that we include it in this code. Roll call. **Francesconi:** Aye. **Hales:** Aye.

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

Katz: I want to thank the hillside district. They're wise in their request of us and I hope we have a lot more neighborhood districts, town centers, main streets, that make the same request. Aye. 6.

Francesconi: What is it? Could you describe them just before we --

Katz: I will. Impound illegal portable signs after chronic offenses.

Saltzman: I think I was the one that suggested this idea. Rather than citation, citation, citation, let's take the sign. I appreciate the language here. However, it's still about when we would actually impound the sign. I would like to propose we revoke the sign after three citations. The director has the right to impound the sign or revoke the permit. Rather than after multiple citations. I think if they don't get the message after three citations, they're just having trouble understanding what our law is about. And it's obstructing people in wheelchairs and causing visible blight, so take the sign after three citations.

Katz: Fine with me. Do you want to make that as a motion?

Saltzman: Make my motion.

Hales: Second.

Katz: Roll call on the amendment. We'll do it on the substitute. Go ahead. Is that all right?

Olson: Amendment 6 with the three citations.

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Francesconi: Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Aye. That means I can't do it, right? 7, do not allowable -- allow portable signs to be attached to public property. Roll call. **Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. 8, allow temporary freestanding and temporary fascia for two 180-day periods and allow for a registration process for a subsequent six months. Kermit, did you have a problem?

Robinson: We actually -- the language that's in there as the amendment we proposed an additional 12 months if they register, not six months. Because that's what the real estate community will propose.

Katz: Stevie?

Greathouse: The matrix is a typo.

Katz: Okay. So it's 12 months. All right.

Saltzman: But the language is okay.

Greathouse: Yes.

Katz: What's the language in the amendment?

Hales: An additional 360 days. I see it.

Katz: Okay. Roll call. On 8.

Francesconi: This one also makes sense. It didn't make sense to have people have to hire crane and get out there and change it. That made no sense. Thanks for this amendment. Aye. **Hales:** Aye.

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

Katz: Mayor votes aye. 9, allow temporary freestanding signs along more than one street frontage on large sites. Discussion? Let me just -- if anybody in the audience -- we've heard all of this. This is not new. But if anybody has something -- we'll do it at the end of this -- they want to identify for us, we'll take that. Roll call on item 9. **Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. Item 10, allow temporary freestanding signs to have two faces as long as there is less -- kermit? Less than 90 degrees. Between the faces. Discussion? Roll call. **Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. 11, allow temporary freestanding signs in the columbia south shore plan district. Roll call.

Francesconi: Boy, are we micromanaging this. Aye. **Hales:** That's the code for you. Aye.

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

Katz: Mayor votes aye. Item 12, exempt private roads at the airport from title 32, similar to the public rights of way. Discussion? Roll call. **Francesconi:** Aye. **Hales:** Aye.

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

Katz: Mayor votes aye. 13. Continue to allow 32 square foot signs without design review. Talk a little bit about that?

Robinson: Code robinson. This is sort of -- in the design review areas, we currently allow signs up to 32 square feet without design review. Staff was concerned that there would be some cumulative problem here. That we'd get a bunch of little signs. When we thought about it after what the planning commission recommended that only the first 32 was exempt from design review, we realized that the second store owner, the third store owner, if their sign was ten square feet, 20 square feet, would have to do design review, because the first one was exempt. We'd rather keep it as a continual exemption at 32 or less.

Katz: [roll call] thank you. **Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. Item 14. Amend contemporary related -- i'm sorry. Amend common tear related to signs to clarify the legislative intent that these signs can gain access to permanent sign standards by applying for permits as permanent signs. Discussion in roll call. **Francesconi:** Aye.

Hales: Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. All right. Council members, anything new? If not, is there anybody in the audience that missed something, or didn't understand, or anything? If not, did you want to -- this is a

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new issue? Let's not do it from the audience. Before you disappear, kermit and stevie, the flags issue. Could you talk a little bit about that? I raised that and I think commissioner Saltzman raised it.

Robinson: Flags issue. We have in the definition that it is only a flag if we stay within a one-to-three dimension. A flag has to be -- is only attached on one side. If it goes to the larger dimension, our feeling from observation, the field of what's out there, that you really are into the banner realm, where you're into the advertising. And our -- it was just -- it was clear, and we have not seen examples of flag that's get further out of the dimension. The best thing we could do in terms of staying away from the content was to look at how the things were designed and hung, structured, and typical flags of countries, churches, whatever, the one by three dimension would adequately serve.

Katz: Okay. There's another issue? There was --

Saltzman: It was a concern about becoming a loophole for banners.

Robinson: Yes.

Katz: Did somebody else have their hand up? Come on up. Stevie and kermit, don't go too far away. I didn't have time to read their memo. Did you want --

Michael Hale, Elmer's Flag and Banner: Are we going to address flags?

Katz: We just did, but go ahead.

Hale: Okay. I signed up for testimony.

Katz: We're not having testimony. Didn't you testify last time? On flags?

Hale: Yeah. There was a sign-up sheet outside, however. My point is that as I brought up to the council before, there are many examples of flags which do exceed these dimensions. There are many flags which exceed these dimensions. This is clearly not going to stand up. A flag is a graphic image. My proposed definition. A graphic image made of fabric or other similar nonrigid material secured to a staff or pole along one edge. To make one allowance, for a rotating rod, which the city itself uses on its own flags outside its own buildings. The city will clearly be illegal when you pass this. I think we need to define -- kermit is correct. We need to define a flag by how it is hung. However, the -- define it that way and take out the dimension.

Scott (?), representing University of Portland: I'm scott howden. I was asked to provide testimony which I think you all should have, a letter from mr. Earl chiles with regard to the university of Portland. I want to make sure you had that. The issue here is that we've tried at the university of Portland, not myself, but the university has tried to refurbish their existing sign, but full into the changing image sign and the moratorium reprinted them from refurbishing it. They still haven't been able to do anything. What they're interested in is simply putting updated technology to put exactly the same mono crow ma tick display they had before up, so it mimics what was there before. They think the unique necessary of the university, its used as a major entertainment facility might somehow -- we could convince you that's a need for that area. We don't know if this is the way to do it, if we can get it into this process, but we wanted to bring your attention to this difficulty that's been going on and see how we might be able to address this.

Francesconi: I don't have your letter. Do you have an extra copy?

Scott (?), U of P: I do.

Katz: You're correct in identifying the issue. There was a moratorium, and we did -- we've spent a lot of time trying to rework some of these issues. You might want to have a conversation with staff. If I recall, I think you wanted the 20-foot sign. Is that -- what did you want?

Scott (?), U of P: We just wanted to replace what was there. The size -- i'm not sure what the size is.

Katz: Can anybody help this gentleman? And us?

Christie White, counsel for U of P: I've never met you before, but i'm christie white, counsel for university of Portland. Nice to meet you. I think we sent a memorandum to staff a couple of days ago. I think it was dated december 15th. Two of the options we put forward were to go with the existing structure of the amendments and then the two options for the university signage would be either to keep the university signage subject to the cn zone standards, which is now currently subject to, but also

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provide that this kind of sign, which is a major -- in front of a major event entertainment use, would then also be allowed to go through the adjustment process. Currently if you are subject to the cn zone standards, which a university and a residential district is, you're prohibited from having any changing image sign unless it is adjacent to and facing a sports field. So one option would be to broaden that exemption and also allow for major event entertainment use and send them through the adjustment process. Or take it out of cn zone standards for major event entertainment uses on university campuses.

Katz: But it's not only you, it's --

White: I understand that.

Hales: My recommendation is that you spend time with Margaret and staff. Margaret has some interpretational authority under the code. Let's deal with a one-site situation that way rather than trying to change the code now.

Francesconi: Wait. Before -- I guess we've kind of micromanaged this a little bit. Airport, hillsdale, so I need some assurances that we can handle this. Because this makes sense to me, to allow this sign. Can they be handled? I don't care how.

Saltzman: Didn't we adopt major event signage --

Margaret Mahoney, Director, OPDR: I think the underlying issue here is maintenance of existing signs. We have been working with Christie and University of Portland staff on their sign, and among all of us we thought we had a fix that met -- that technologically worked and met the requirements of the code. Because of the particular construction of their sign and the potential for vandalism that's not working. But I think the issue for the university and -- as some of you said, other people is what do we do with a maintenance of existing signs. So I'd rather take that issue out, work with them, and other owners and come back to you with whether we can fit the with an interpretation or whether we need to tweak some other language. But we can't really do it here in sort of committee discussion without some unintended consequences.

Saltzman: This doesn't fall into other major -- other language we put in?

Mahoney: No. Some of these existing signs are nonconforming in terms of those dimensions.

Katz: This is the same problem we had at the civic and they had to take the sign down and put up a completely different sign.

Mahoney: Yes.

Katz: So you may -- that may --

Mahoney: We're going to see it with other existing signs whether they're in ball fields or elsewhere. How do you maintain them, keep the sign and meet the technology changes.

Katz: Okay. Thank you. All right. Council, I think we're ready -- we're going to move all of this to third, but I think we're ready to move it to third. Yes?

Hales: Move adoption of the package of amendments in front of us now.

Katz: All right. We adopted them separately. And if there's no further amendments, I'm going to move 1828, 1829, and 1830 to third. And the next week we will vote on it. On the whole package. All right.

Ben Walters, Senior Deputy City Attorney: Mayor, I believe only 1828 was read previously. If the clerk could read --

Katz: Did you not read -- all right. Okay. Let's go back to the regular agenda, 1845. Come back next week for accolades, okay? All right. Anybody want to testify on 1845? Roll call.

Item 1845.

Francesconi: The more we do with the school police the better, including maybe even more as you're working on, taking them over someday. Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: We do have an interesting relationship with the school police. Aye. Mayor votes aye on 1845.

1846. Katz: Anybody want to testify on this item? If not, roll call. **Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

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Katz: Mayor votes aye. 1847. Anybody want to testify? No? Roll call. **Francesconi:** Aye.

Hales: Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. 1848.

Item 1848.

Katz: Come on in and tell us a little bit about what's been happening to the program since we started, what, three years ago?

Captain Dave Benson, Police Bureau: Actually the fall of 1996.

Katz: Four years ago.

Benson: Yes. Captain Dave Benson, Portland police bureau, on loan to the state of Oregon. This ordinance before you is a renewal of the ordinance that you approved last year. The Portland police bureau and the city of Portland help administer the Oregon police corps program by providing training and education to police corps cadets that come through the program. We also provide the cost in advance for housing and meals and this ordinance reimburses those costs. As a historical perspective, you will recall the police corps was authorized in 1994 as part of the Clinton violent crime control act. The police corps is designed to address violent crime by addressing by increasing the number of officers with advanced education and training assigned to community patrol and -- in areas of greatest need throughout our state. The program offers federal scholarships on a competitive basis to college students who agree to serve for four years as police officers or sheriff's deposit fist or state troopers. Police corps participants in our state receive 20 weeks of rigorous training at federal expense, a stipend of \$250 a week, during their training, and all meals and related expenses. This ordinance is just simply reimbursing the city of Portland for costs we incur in administering this program along with our personnel costs.

Katz: All right. Now tell us what the results have been.

Benson: The results have been in the state of Oregon we have awarded 106 scholarships to date, we have trained 75 police corps cadets that are serving at eight agencies in the state of Oregon. Will the largest share of which are here in the city of Portland, 49 police corps officers are serving as police officers since march of '97.

Katz: And their performance?

Benson: Has been exceptional. We did a review of training last year is that was published in August of 2000, and almost without exception the reports from field training officers, supervisors, their colleagues, their peers, all tend to indicate that police corps officers perform in -- at an exceptionally high level. They receive high marks from field training officers and supervisors, and chiefs and sheriffs alike. Everybody has been thrilled with the program in our state.

Katz: Questions? If you recall, council, the -- this came from a gentleman who lobbied congress that I happened to have met during the Robert Kennedy campaign in the '60s who just decided that what he wanted to do was make the police bureaus across the nation far more professional, well educated, in the hopes that that will result in better police officers. And we were fortunate to be -- how many states are involved now?

Benson: As of last month, there are now 30 states involved in the program.

Katz: 30. One of the first involved in that, and that's why I wanted not only a report, but to have the lieutenant share with you some of the results. Further questions? Anybody want to testify on this item? If not, roll call. **Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Olson: Do you want to take 1849?

Katz: Did I miss one? Yes. I'm sorry. 1849.

Item 1849.

Olson: This had a dollar amount that was incorrect. We need the amendment for -- they used a boilerplate. The dollar amount in item 5 is not 8,875, it is 9,212.

Katz: I need a motion.

Hales: So moved.

Katz: All right.

Captain Jim Ferraris, Police Bureau: Good morning. Jim, police bureau captain in charge of drugs and vice. This ordinance is a renewal of an agreement that we've had for several years between the u.s. Department of justice and the police bureau that provides for overtime reimbursement up to 25% of a federal gs 10 level employee, equates to a little over \$9,000. To reimburse us for overtime suspended by our officers assigned to the airport narcotics team out of Portland international airport that. Is a task force concept that is underwritten by the u.s. Drug enforcement administration and of course we participate as do the state police, u.s. Customs, gresham police, and the dea.

Katz: Questions?

Francesconi: There's an obvious need to participate in this task force, obviously. I just have a question, given some other issues about the oversight side. It says right here in the contract that we need to comply with civil rights act of 1964. Can you describe a little bit about what that is and what the oversight is? Do you know?

Benson: I don't know, commissioner. I know that's a standard -- pretty much a pro forma piece of any of the agreements, but I honestly don't know the details.

Francesconi: Thank you.

Katz: Further questions? All right. Thank you. Anybody want to testify? Come on up. Just nod, this is for specifically the airport?

Kathleen Jurgens: I'm kathleen jurgens, i'm already on the agenda. I didn't come specifically to speak on this, so i'll keep this brief. I really am concerned about these sorts of things are routinely being passed as emergency ordinances. There is a lot of different input from different segments of the community that you need to be hearing about. That you're not hearing today because those folks aren't here, because there's no public hearing. You folks need to be hearing from people in the drug and alcohol treatment community who could tell you what numerous studies including one by the rand corporation confirm, which is that every dollar spent on treatment is about ten or 20 times more effective than every dollar spent on law enforcement. And yet we're -- we -- there seems to be an escalating trend to bring in the feds. And I think you need to be hearing from people who've studied this issue and done research, and instead you're just hearing from me because i'm the only one who happens to be here. I just want to reiterate to you all, it only takes one vote from one of you to make this not be an emergency ordinance and to make there be a public hearing, which there needs to be. You all messed up on the joint terrorism task force. You massed it as an emergency ordinance. That was wrong and you all know it. Don't make the same mistake on this one.

Katz: Let me clarify the code. This is the public hearing. If we take the emergency off, it extends to another month, but there is no hearing at that time. There is a vote. So this is the public hearing. It's not on consent, it's on a regular agenda item. I just wanted to clarify the code. Go ahead.

Saltzman: Where we messed up on the terrorism ordinance, we put it on the consent calendar. So there was not supposed to be a public hearing unless somebody requested it. Which subsequently it turned out to be the case. But this is a public hearing on this ordinance.

Patrick Norton: I'm patrick norton, i'm also on the agenda later. Where you messed up on that was that you voted for it. And where you're messing up on this is, again, like she said, it's incredible waste of money and it end up putting people in jail that the whole tactic of dealing with the drug problem as only an enforcement problem, it end up putting people in jail instead of really attacking the problem, which is a social and health problem. I think it's ridiculous that a reactionary conservative corporation like the rand corporation, a think tank has put out a lot of really reaction area -- reactionary paranoid right wing studies in the past. They helped drive us into the vietnam war and keep us there, and a lot of other terrible things like that. And the idea that it takes them to point out how ridiculous and fruitless the current strategy on drugs in this country is -- and you're not inviting people to come down and testify on this. This is a very important issue. You can't just put it in little business journal in town and expect there to be an open, you know, discussion on this. You have to actually work with the

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community and go out to find people who have a stake in this and have expertise in this, and bring them down and have them testify, and beforehand have a proper public hearing where you're not going to vote on it at the end of the hearing and you've already decided what you're going to vote on anyway. And which way you're going to vote. I think it's really ridiculous, you know, to call that democracy. That's all I have to say.

Cort Greene: My name is cort greene, and i'm also speaking here later today on another subject that is dear to my heart. You all brought it up, and i'd like to talk about oversight for a second. I think there's ample evidence, whether congress, or maybe some of the people you even admire, mayor, that the dea, along with the fbi and the cia, the nsa, nsc have been bringing drugs through this country for decades. Before you vote on something like this, you should research it and I think you should end this relationship with the dea and investigate the problems that these agencies by bringing in cocaine and heroin into this country create. You all sound and give these great platitudes, okay, all the time against drugs, but you don't want to go after the source. I urge you not to vote for this, because it's the same agencies that are bringing in the drugs. Thank you.

Katz: Thank you. Anybody else want to testify? All right. Roll call. **Francesconi:** Aye.

Hales: I'm going to vote for this, particularly because the term runs through september 1st of next year. But I want to signal another issue we really haven't talked about with respect to these task forces, and that is take a look at item number 6 in the agreement that refers to the fact that dea will pay for overtime up to 9200 dollars per officers. The issue -- the issue I want to raise is more of a budget issue. When we get into the budget, i'd like us to take corporately at how many of our officers are assigned to special purpose task forces as opposed to the basic mission of community policing. The reason I raise the issue is i'm hearing rising concerns from neighborhoods about not enough officers on the street doing police work. I think there's something like 108 positions authorized and 75 filled. I'm talking about a displacement in resources question here, not a question of politics or policy. But I don't know how many of our officers are assigned to the gun task force, the gang task force, the -- I don't know that. And as member of this council I should know that, and it's a budget and resources issue. And obviously these are glamorous jobs. And there's extra money assigned to them. So I would suspect that there's a tendency in the police bureau, human nature and income desires being what they are in all of us, there's probably a real pull towards these task force assignments. You can make more money and do more glamorous work than patrolling a neighborhood or walking a beat. And if we're having the neighborhoods say, I want somebody walking the beat in my -- what happened to community policing on my main street, and we have more and more officers serving on task forces, we may have a resources problem. So I just want to raise it. This agreement runs through september 1 of next year. Only three months into the next fiscal year. When we do the budget for the next fiscal year, I want to know as an oversight function of the council's part, how many of our officers are assigned to task forces at a time when our work force is below authorized strength. Aye.

Saltzman: I echo those points by -- but I also think that feeds into the discussion we need to have, and I know chief kroeker is urging us to consider, and that is creating a higher status position within the notion of a neighborhood community policing officer along the lines of the master community policing officer to attach more status and the task force salary to that. I think that's something we also need to take a look at. Aye.

Sten: Well, I think there's a lot of issues that have been raised by a couple people testifying today as well as the communications we're about to have. And I think all of the issues of oversight policy and process come together, and so I think what happens is -- as we get -- we have people frustrated and trying to wrap all of these together, and my hope is we're going to be -- I also believe on the fbi task force that we should have set it over and I was culpable of that. On this one I am comfortable with this, but what I do hope we can do is move from I think the communication process, and I think people are totally right to use the communication process, but it is an awkward process to try and figure out in this meeting format, and my hope is in january, and i've spent some time -- I this is going to come up

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later -- talking with mayor Katz and I think this -- there is a strong intention from her office to frame some discussions, particularly around the piiac issues which are kind of how do we oversee things with the police as well as what are the policies. I think all of these pieces fall into it, and it's hard to address all of them on a scatter shot basis. I think she's working pretty hard to figure out how can we frame a discussion. In this way I strongly believe that a lot of -- in this case I believe our drug policies are not working. It doesn't make me a particularly brilliant person to come to that conclusion. And I think if you look at all of the things like, say, the recovery association is doing in Portland, there's evidence that we're under investing in recovery projects and we're under investing in treatment. And I think more money in those areas will do a whole lot of good. At the same time, I think given that drug law resist what they are and given that the dea is investigating and has a task force at the airport, it has -- makes sense to make one of our officers part of that. I don't think we cannot enforce drug laws without all kinds of wholesale changes. So these are very complex questions, and I don't think we should be in a position of you simply don't enforce drug laws and do treatment, or you enforce all laws and ignore treatment. I think there's a lot of pieces to it, but I appreciate the points people have raised and I think you get at some real big fails on this approach. But I think to make this piece responsible for the lack of treatment doesn't work quite for me either, but I appreciate people trying to get the discussion broadened. Aye.

Katz: Let me respond. First of all, commissioner Hales, i've asked that question already and we'll have that information at budget time for the same reasons you all addressed. I'm as concerned as anybody about proliferation of the use of officers in certain task force and not having them on the street. Though that excludes the gang and the ygat, but it does include others. If you look at the numbers and you look at vacation days and you look at disability, and you look at a lot of other issues, you really come down to a relatively small number and it's always been a concern of mine, and especially now as we -- as everybody around the country is having difficulty recruiting police officers. So that's not a new issue, and it will be reviewed again, and again. I'd like to suggest that the -- that many of us, and many others citizens who are concerned about the drug policy in Oregon hone their attention to the legislature. Other states around the country, legislatures have in fact limited the use of law enforcement for drug and alcohol offenses. And have used the resources that normally would have been used for prisons or jails for treatment. Arizona is one, I think california passed another one, the adds just read recently, the reviews are too early, they don't know if it's working, but what people are seeing is people getting caught up in the cycle over and over again, and then the issue arises, what kind of drug treatment -- what kind of programs do we have? Do they work? Most of them don't work. Some of them do. There is a difference in how you treat people based on ethnic backgrounds. We've found some programs work for caucasian, don't work for african-americans, and vice versa. The county now is seriously looking, since they're the entity that is responsible for drug and alcohol programs, at what best practices are and which programs have the biggest impact. So that's where the attention ought to be spent. In addition to the legislature, to have them rethink the law enforcement relationship with alcohol and drug offenses. This is a measure just to pay and get the overtime reimbursed. Aye. Okay. 1850.

Item 1850.

Katz: Anybody want to testify on that? If not, roll call.

Francesconi: I'm going to vote for this. I'm also going to comment on the prior item. The idea of looking especially to units is appropriate. The idea though that we're going to take police officers from drug and vice and put them on the street, I don't think commissioner Hales -- you were raising the larger issue. We're not going to take them out of this unit, that's clear. That's been done by police officer police chiefs and that's not the direction we're going to go. Aye. **Hales:** Aye.

Saltzman: Aye. **Sten:** Aye. **Katz:** Mayor votes aye. Item 1851.

Katz: Anybody want to testify on that? I have one in my neighborhood. They're -- especially for disabled citizens, they are a wonderful tool. Roll call. **Francesconi:** Aye.

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Hales: I'm a believer. I went out on national white cane day with the chief and we both blindfolded ourselves and crossed the street. It would come in handy. Aye. **Saltzman:** Aye.

Sten: Aye. **Katz:** Mayor votes aye. 1852.

Item 1852.

Sten: The mayor -- this is -- both our local dollars we put into housing and our federal dollars which actually in good news in congress, I don't know if people have caught this, the low-income housing tax credit was up by 40% over the next two years, which is very, very significant. A great act that slipped through kind of unexpectedly to me at the end. This is the money that fuels all of our housing programs in the Portland development commission is the one that does the hard work. Right now we're focusing on two areas that are not new, but I think more direct areas of focus. One is housing at zero to 30% of median income, and that's people who are disabled and not working. And the big change that the council has made in the last couple of years is in the past, that same work was done but it was targeted at zero to 60% of median income. There's a big difference between 60% of median income, 60% is basically a working person at low wages, and 30% which is generally somebody on disability. And so what we found is that despite the fact our programs are targeted at 0 to 60, most of the work got done at 60 because that housing pays a little more rent. So this year we're -- we have pretty innovative work and i'll be doing an update in january to the council of what's happening there. The other piece that's beginning to take off with this money, and it will be difficult, I am excited about the work, but also daunted by the challenge -- is work on antidisplacement in northeast. We've just had a request for proposals that went out to community groups and have had I think 20 community groups respond and are going to contract with them to do literally door-to-door organizing and try to link people who are not linked up with these housing programs and help them I hope get a chance to buy a piece of property where possible before the prices go up any further, and also help people link to affordable rentals. Because what's happened is we've done I think a reasonably good job, although there's more to do, in investing in affordable housing but we're not always linking the people who need it most to those opportunities, and clearly we need to do more on the chance to acquire property for working families. And that's probably the strongest way to stay in place, is to own where you stay and also to keep doing community-based rentals. That's really this year's focus, and there's other things going on, but that's where the bulk of this money will go. It's very exciting to me.

Katz: Anybody want to testify? Roll call. **Francesconi:** You're going a good job with it, commissioner Sten. Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Katz:** Mayor votes aye..

Francesconi: I'll be back in 30 seconds, I promise.

Katz: When we're finished with items 1853 to 1863, i'd like to read something in response to what I said I would get for the council, so i'd like everybody that's here this morning also to hear it. It's very preliminary, but it's at least something that I would like to read. Okay. 1853.

Item 1853.

Pam Allee: Good morning. Thank you very much. My name is pam allee. I have two items before I read my short statement. Excuse me. One is that because this is a clumsy process, I haven't missed three days of work. I've missed 120 days of work. I'm a merchant seaman, I work out of a union hall and this is important enough for me to miss 120 days of work. Some of us feel somewhat railroaded so we'd like to present you, mayor Katz, with this railroad hat. Regarding the joint terrorism task force, legitimizing any connection between an out of control police force and an uncontrollable federal agency known for its use of dirty tricks against citizen activists, usually especially the real progressives, is the only terrorism I see here. Do any of you remember fred hampton, leonard pelteir, and judy barry? Two of those people are dead now. One of them has been in jail for a very long time. You have given this monster cart blank to create what you fear by their usual and well practiced methods which include but aren't limited to agents -- smear campaigns, outright murder. The fbi will continue to do, as they always have. When and how they please. For now this is a perennial given. But we must not acquiesce to this blatant obstruction of justice, for the short-term profit of a few

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against the long-term health of our entire society. You five individuals, Portland's elected officials, have acquiesced to a subversion of our as-yet imperfectly realized democratic ideals and you did it behind our backs. You are supposed to work for all of us, even if we have brown skin or tattoos, and piercings or thin wallets or progressive beliefs. Please rescind the so-called agreement. Please convenient open hearings. I for one agree neither to racial nor political profiling. This task force on terrorism really terrifies me. Thank you very much.

Katz: Thank you. Please put the signs down. We don't permit signs in this body. It's a quasi judicial body. Thank you. Katherine Jurgens, 1854.

Item 1854.

Kathleen Jurgens: Well, just imagine my surprise to find out that what happened just a few minutes ago was a public hearing with three random people from the audience who happened to be here on another matter. It didn't seem to me "the Oregonian" agreed that that was an adequate process for a public hearing, and "the Oregonian" editorial board is hardly a bunch of raving leftists. As regard to my testimony on the joint terrorism task force agreement, I have racked my brains trying to figure out a way to get the big old Portland city counsel to listen to little old me, since the people have been ignored throughout this process. And so I decided I was just going to have to make my testimony more interesting. So I borrowed this piece of testimony from malvina reynolds. \m\m it isn't nice to block the roadway. It isn't nice to go to jail. \m\m there are nicer ways to do it but the nice ways always fail. \m\m it isn't nice it isn't nice, you have told us once you've told us twice \m\m but if that is freedom's price, we will pay. Feel free to sing along. Where were you when dicky dow got suffocated by a cop. Did you pass legislation did you try to make it stop? No: You were timid just like mice, now you say that we're not nice \m\m is that law and order's price? We say no. \m\m it isn't nice to get surveillance or go on some secret list. \m\m it's not nice to be harassed by cops and scald a terrorist. \m\m it isn't nice it isn't nice, we've told you once, we've told you twice \m\m must repression be the price of speaking out? \m\m it isn't nice to doubt the government when they're setting up a sting. 'Cause i'm sure they'll be as nice to us as they were to dr. King. \m\m well, maybe i'm not being nice, but it's just like rolling dies. \m\m giving up our civil rights to the fbi. \m\m it isn't nice to treat constituents like we're the enemy. \m\m secret programs you call this democracy. \m\m we are citizens not mobs, it's our rights this contract robs, so if you want to keep your jobs, you'd better be nice. And I also want to say railroad hat was from all of us.

Item 1856.

Patrick Norton: My name is patrick norton. I like the song very much. Last week the city council passed a measure intending to protect the rights in the transgender communicated this. Measure was support the by many, opposed by some as not going far enough. I agree with the latter analysis, although I believe the problem lays with the council's bias towards employer privilege. Rather than immune -- a mean spiritedness. At least I believe that. In light of other events maybe that's too generous. The measure did have at least some measure of public input and due process ending with a public hearing, even though it was clear the council had already decided it would pass a measure no matter how many people pointed out its flaws. There was also press coverage which can be seen cynically, but even though, is considered a basic part of any form of democratic government. It provides the mayor also with an opportunity to try -- trot out her police chief posing -- as a civil libertarian. I think that's really sickening. All of the above seems to me the sort of run of the mill problems in -- and mediocre government we expect from a system dominate the by money and by false choices. We -- the complete disregard for public input in the manner of the joint terrorism task force, note it doesn't say antiterrorism, leads me to believe the worst of all of you. Since the council and mayor seem incapable or unwilling to keep their own police force in line despite large public support for a review board, and even the u.s. Congress has not been able to stop or find out about the most outrageous abuses of the fbi, even when they're in a political climate in a mood to do so, I find it highly unlikely that a small city government such as we have could or would stand up to an organization as

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large and well funded as the fbi. Considering the history of the police in this city of persecuting people of color, gays, the poor and homeless, in -- and attacking and spying on nonviolent law abiding dissidents, even against the rulings of a judge, don't you think you have your hands full already? It seems naive for us to believe this is anything other than an attack on our civil liberties when you enacted this so-called emergency ordinance when no -- with no public input, no meaning full notice to press or public without even explaining the nature of the emergency. If any of you need education about the history of the fbi and its attempt to destroy the civil rights movement, including trying to get martin luther king, junior, to commit suicide, to destroy the american indian movement, the labor movement, the peace movement, the feminist movement, and the reputations and marriage and health of people we now call heros, in honor of street names and national holidays -- the counter intelligent program of the fbi. This history did not die with the j. Edgar hoover, but is very much still alive with us. If the city council has the courage to deny the rubber stamp to the paranoid and the world view of men with wires in their ears without honor in their hearts, they would need far less courage than those civil rights leaders the council gives lip service to now that they're safely dead.

Katz: Thank you. 1856.

Olson: We missed john maroney. And I didn't read patrick's.

Item 1855.

John Maroney: John maroney. This is sort of water over the dam at this point on the antiterrorism task force, but just as a sunday school teacher, it just -- it's hard enough when you're trying to inspire your youth group kids to take a stand on issues and to stand up for what they believe in. There's enough fear in terms of the consequences that we all face if we stick our neck out a little bit and stand up for our beliefs. And we can teach about the lunch counters and martin luther king shall but when it comes down to inspiring teens and their parents to do the right thing in completely of course always nonviolent civil disobedience, it's very difficult. When we introduce these other layers, unnecessary layers of fbi working with the Portland police and so forth, it just makes our job that much harder. I think one of the issues is that we're not mean people, we're not necessarily against the police, but in order to change public policy, in order to generate enough political will to do the right thing, often you need to be on television, you have in your campaign it's necessary to maintain a certain level of drama and conflict and story to stay in the media, and to over time, you know, work for free trade or whatever the issue might be. And part of that conflict and maintaining that sense of drama does involve misdemeanors, criminal violations of the law, which might by some standards involve extremists, which if sitting in the street and having pepper spray applied to your eyes or sitting in an intersection in the rain for several hours is extreme, that would sort of fall under the reworded criminal extremist activity. So I just -- I just think that next time if we would realize this has a real impact at our churches or history teachers and just keep that in mind before we rush these through emergency ordinances. Thank you.

Item 1857.

Katz: Ken and I have been e-mail partners.

Ken Spice: My name is ken spice. Shame on you for trying to sneak this past the public in the first place, and even more shame on you for railroading this thing ever since. I'm here today finally to stand in opposition to the Portland joint terrorism task force. I'm here to ask you to immediately rescind the emergency ordinance creating the task force until the many important questions that have already been posed to you have been answered publicly and the public has had the opportunity to consider the merits of spending a half million dollars a year in local tax money alone on political spice. -- spies. It has been proven the fbi has engaged in force and fraud to sabotage constitutionally protected activity through spying on, harassing, infiltrating and discrediting political groups. This has been going on since there was an -- since before there was an fbi. Literally. The fish's precursor organization, the general intelligence division conducted the palmer raise. In march 1971 a group, the citizens committee to investigate the fbi break into an fbi office and removed large numbers of classified

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documents. The term cointelpro ceased to be a government secret and became synonymous with the fbi. The fbi in cooperation with local police targeted new left groups, socialist and communist groups, the united farm workers and many others. Particularly in tense operations were launched against black and puerto rican activists. Organizations in these communities were subjected to attacks by the fbi and local police including political assassinations that were so extensive, vicious and calculated that they can accurately be termed official terrorism. The fbi officially state the all operation been terminated and that it would refrain from using such programs in the future. This was only half true and very misleading. The word itself no longer appears in fbi documents. The cointelpro operations have never stopped. Just a few of the better known examples include the alf and elf. Within months of taking office president reagan pardoned the only two fbi officials. He then signed an executive order which legalized much of what was done outside the law. For the first time in history, u.s. Government infiltration has received official sanction and this applies not only to the fbi, but also quote to anyone acting on its behalf. If you have no read these documents, please do. You will find the threshold for opening up investigations is very low. It requires only that the fbi receive information whose responsible handling requires some further scrutiny. To the council, plenty of significant questions and concerns have already been brought to your attention. Please rescind this ordinance today and schedule public hearings. To activists, be smart. Establish security protocols appropriate to your group. If the fbi stops by, just say no. Then let others know. This is a time for serious community building and finally, to the public, benjamin franklin said it best -- give up essential liberty did I to --

Item 1858.

Olson: He asked to be excused. He didn't feel well.

Katz: 1859. If he wants to come back next week, he doesn't need to make a request.

Item 1859.

Cort Greene: Before I start to make my statement, i'd like to you look at the addendum i've added since december 7th. I've been in communication with the mayor's office trying to get the fbi background check on chief kroeker, and numerous questions I have about chief kroeker's role when he was with the lapd. And also there's an article from the toronto globe from december -- november 11th talking about the terrorism of the fbi in concern with leonard pelteir of the american indian movement and their illegal kidnapping of him. My name is cort greene, a resident of Portland. Human being, trying to live in an inhuman world, and i'm also a communist. I'm here to demand that you rescind the emergency ordinance and all ties with the fbi. Governments, city council people, and even mayors come and go, but the police remain the same. They act to protect and restore the so-called law and order of the state and that of the corporations. And -- an occupation army against the have-nots. Since 1908, the fbi, the extra legal police has repeatedly spied on, murdered, kidnapped, slandered, and have used political repression against workers, people of color, peace and justice activists and freedom-loving people everywhere. They've even killed presidents. John f. Kennedy and your hero, robert kennedy. Most of our citizens and media have a social amnesia concerning these abuses and it seems like you do too. The city council and the mayor have ultimately shown that you are unwilling to do your fiduciary responsibilities for overseeing the police and intelligence communities. Before you find yourselves in a position of being caught foolishly surprised and full of a public display of guilt, end this charade of democracy and the sham ordinance and do us a favor -- resign. By your actions, you have shifted away from valuing liberty to embarrassing a -- embracing a fascist police state. The threat of history often breaks and a new -- a new knot must be zone. And we'll help you sew it. Thank you.

Item 1860.

Rachel Stein: I hope rachel -- I hope that because 3 hours last time that cost me at work that you'll give me an extra minute of my three minutes to speak. I'd like to speak to you today about the Portland joint terrorism task force. I want to say those two worse again together, because it's so funny to me. Portland terrorism. Very recently the sound of chief kroeker's name just keeps buzzing and buzzing about town. In such a short time he's been able to make such a vocal name for himself in the Portland

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police. What a coincidence that again as a disconcerted citizen stands up before the city council to speak that his name comes up once again. Is it really coincidence that after tens of thousands of people in Seattle begin to say no to unfair treatment of all world people and to corporate domination over their everyday lives, and to government business being done behind the people's backs, that we begin to see our government wanting to hear us stop speaking. And as people start to awaken and begin to see the need for a better humanity, and they begin putting their feet to the ground in protest to march nonviolently for workers' rights, for equal treatment of all human beings and protection of the environment, that we see a renewed interest in the word "terrorism" in Portland? And like all the others who hit the streets before them, Gandhi, Martin Luther King, we're beginning to say no. It reminds me of 1773, when some people were throwing tea crates overboard saying, no taxation without representation. That's the foundation of our country, democracy. Democracy is defined in the dictionary as government by the people, exercised either directly or through elected representatives. The council, elected representatives. It describes democracy as the common people, considered as the primary source of political power. Government by the people for the people. So why, just as the people begin to say no to all these injustices and begin to ask their public officials for change, why does our -- their elected government back background deals to spy on the citizens they're supposed to represent? Here in Portland the FBI and the Portland police and now even our own elected mayor have decided it is best for the people of Portland to create a joint terrorism task force that pays out hundreds of thousands of dollars of salaries in public -- with tax pay -- public taxpayers' money in the best interest of the people to sign memorandums of understanding in a dark sealed room in city hall? Now, I would like to know why, if it is such a pertinent thing for the people of Portland to have a terrorism task force, does this have to be decided behind closed doors? If it is something that the people so desperately need, and can't live without, why does it take three weeks for a person to even be able to take three minutes of city counsel's time to speak about this issue? And how can the rest of the city council sit by and watch the mayor sign away the privacy of hundreds perhaps even thousands of our citizens' rights without so much as a word. -- people -- activists, not terrorists, Portland is not the city of task forces. I think we all know that. I'll be quick. I think we all know that and I think the FBI and Chief Kroeker knows that. I'm sitting before a group of people that not only need to, but are required by our laws to represent the will of the people. The will of the people of this Portland community is not a terrorism task force. If it was, the mayor and the police chief would not be afraid to hold a public hearing and let the will of the people be heard. So on behalf of democracy and the people of our community, I request that the idea of this task force be brought forth in a public hearing, otherwise we are living in a dictatorship, not a democracy. One last quote. To quote you, Mayor Katz, this week in the "Oregonian" speaking about Neil Goldschmidt and the park blocks, hopefully he'll respond to the will of the community. I suggest you follow your own advice. Thank you.

Item 1861..

Olson: He dropped his request to speak.

Item 1862.

Richard Koenig: Good morning. My name is Richard Koenig, and I appreciate everybody that's just spoken. But I'd like to focus on what we've been working with on PIIAC. I'd like to talk about an educational opportunity for the police internal investigations auditing committee, citizen advisors in particular, and submit a bid today for that opportunity. The PIIAC citizen advisors have frequently articulated a need for further training during their public meetings this past year. The mayor has been in attendance at citizen advisor meetings and displayed a distinct lack of knowledge of due process. I've recently taken a complaint against Captain Smith of internal affairs for untruthfulness off the PIIAC calendar pending education of the citizen advisors. At the same time, as withdrawal of the matter from the calendar, I offered to spend the necessary time with the citizen advisors to assure the proper performance of their duties. I'm not the only or the best person to offer this educational opportunity. I'm ill prepared to volunteer this service free of charge. However, the citizen advisors have an urgent

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need to become informed about how the constitutions of the united states of america, the state of Oregon, state law, city ordinance, and general orders governing police conduct affect their official decisions. As a community partner, I am committed to doing what I can. I'm here to propose a quid pro quo. I provide education to the citizen advisors, and the city reimburses me for the effort. Anticipated time for delivery, two to five hours, depending on the amount of interaction, desired by the advisor. Currently the delivery time -- delivery is restricted to three-minute segments imposed by public input time limit. At this rate many hours of travel time will have to be taken into consideration. The sad part of this picture, the saddest, is that the citizen advisors will continue to lack the necessary knowledge over a prolonged period, and of course the risk of city liability will remain higher longer. If the instruction could be delivered in one or two -- one to two-hour sessions, a couple of them, the cost of the program could be significantly decreased and the risk of city liability reduced in a fraction of the time. I'm submitting a bid based on the extended delivery plan of \$2500. And a bid providing that we can do it in a more expeditious manner, a couple of sessions, of \$1,000. We have attachments here which outline the curriculum that I propose to the citizen advisor last week when they met. They were sadly lacking at the time. They couldn't even understand the basis of probable cause in the case they heard. I expect your response to my bid. I think it should be an open bid situation. I think you should probably take bids from other people. One way or another, though, the education has got to be provided. Maybe some people here will dedicate three-minute segments of their public time to the process. Thanks.

Item 1863

Patrick Dinan: Good morning. Happy holidays. I come before you today seeking answers. Two weeks ago I shared three minutes and let you have a quick overview of my disapproval toward city council's lack of respect at offers in attitude and actions. One meeting with the -- meeting as the police internal auditing committee, piii. In october captain smith of iad avoided answering your direct police piii committed question. This about whether there was a written exclusion on me lawfully denying me public access to the northeast precinct. His reply was yes. Dr. Hess, who happens to be here today, sent me a letter stating on august 21st, 2000, what you should have in your packet from piii, and i'm quoting, in your letter of august 8, 2000, you asked for a copy of an order trespassing you from the northeast precinct in may of 1998. As I told you, I do not have a copy of such a document. Under those circumstances, would there be a better way to handle his, captain smith's misconduct before you than to initiate an investigation under general orders 330, which you have a copy, and it states very clearly that what has to be done. During the balance of my time, please take a couple minutes and give we, the people, an answer.

Katz: Thank you. Thank you, patrick. All right. As I said, i'd like to make some statements. Let me give you an update on the issue on the terrorist task force. Thank you, patrick.

Dinan: No reply? Will -- when will I expect a reply?

Katz: We're not going to have a discussion about it right now. Concerns have been raised regarding the ordinance passed by the city council authorizing an agreement between the Portland police bureau and the fbi for a joint task force on terrorism. At the time of the council members and I acknowledged the valid questions had been raised and I would get answers those questions. I've asked the city attorney to work with the Portland police bureau and the fbi to provide answers to the following questions that some of you raised. One, when was the task force created. How does this memo differ from what they have been doing in previous years. If we did not pass this ordinance, could they do the same work they have been doing. Two, if the task force -- is the task force authorized to investigate political activity. Three, concerns were raised regarding civil liberties, what are the fbi standards for the protection of civil liberties, how will individuals be identified, will group members be targeted for prosecution because of past experience with an organization, or because the name of the group sounds suspect, how does the task force protect first amendment rights? Four, a judge marcus decision in 1996 requires the city attorney to audit ciu files every two years. Have they done that? Five, in 1998, ciu

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acted as undercover agents at a demonstration sponsored by justice works and the irac affinity group. This -- is this a violation of judge marcus's ruling. What is the definition of terrorism used by the fbi. What kind of criminal activities are they interested in? Jay walking, is that considered criminal activity and will those engaged be viewed as terrorists? Those were some of the questions that -- could you please put your sign down? Thank you. Those were the questions that were asked. Based on the research of the last couple of weeks, let me give you some preliminary information about these issues. First of all, regardless of what the media has covered, this task force is not new. It was created in 1997 in anticipation of any threats to the nike world master games. Since the inception in 1997, the fbi has joined in memorandums of understanding with its state, local and federal partners to farm lies relations and increase resources. This year's task force has full-time participation from the Portland police bureau and part-time participation from the Oregon state police, eugene, and the beaverton police. These task forces now include 30 across the country, and somebody e-mailed as to seattle, and if my information is correct, I think seattle has two of them. The fbi follows the attorney general's in this case janet rebound 0's guidelines on -- janet reno's guidelines, and I quote under general authority, this is a quote, a domestic security terrorism investigation may be initiated when the facts or circumstances reasonably indicate the two more persons are engaged in an enterprise for the purpose of furthering political or social goals wholly in part through activities that involve force or violence and a violation of the criminal laws of the united states. C, in the absence of any information indicating planned violence by a group or enterprise, mere speculation that force or violence might occur during the course of an otherwise peaceful demonstration is not sufficient grounds for initiation of an investigation under this section. And this section is the ag's guidelines. Again, I quote, members of the groups will not be targeted for prosecution because of any past experience with an organization or because the name of the group sounds suspect. The ag established safeguards for group investigations of special sensitivity, including tighter management controls and higher levels of reviews. Under the federal definition of terrorism, quote, the unlawful use of force of violence against persons or property to intimidate or coerce a government, the civilian population or any segment thereof in further ordinance of political or social objectives. In other words, terrorism is criminal activity. Fbi does not investigate protests. Protesting are protected under the first amendment activity. Jaywalking, using a bull horn is not a federal crime. Nor not the type of crimes that are investigated. Let me read the types of crimes the terrorist task force has been investigating around the country. Though some of them probably -- around the country. Theft or explosive or precursor chemicals, use of or threats to use weapons of mass destruction such as chemical, biological or nuclear devices. Plots to disability or destroy public facilities. Violations of the animal enterprise terrorism act. Arson or attempted arson. Actual or attempted bombings or bomb threats. And I will give the council examples of what has been investigated around the country. I also want to read the ors 181.575. No law enforcement agency may collect or maintain information about the political religious or social views associations or activities of any individual group association, organization, corporate business, or partnership unless such information directly relates to an investigation of criminal activities, and they are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct. There's also a Portland police general order. The respect for constitutional rights, no person has the right to violate the law, neither may persons be deprived of their constitutional rights merely because they are suspected of a crime. Officers may within the scope of their authority may reasonably -- may make reasonable inquiries, conduct investigations and arrest on probable cause. When officers exceed their authority by unreasonable conduct, the officers violate the sanctity of the law they are sworn to uphold. I wanted to share these preliminary findings with you today as I stated earlier, I think it was two weeks ago, final answers to all of these questions will be available by the end of next week. And I look forward to -- this is directly to the council to get those answers back to you, but I wanted to get these answers on the table today. Let me conclude by restating where I stand today. I think I can say probably where the entire council stands today. I believe all of us on the city council are passionate

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about upholding an individual's rights under all of the local, state and federal laws and the constitution. We swear to uphold those rights. But I also take seriously the responsibility to help protect this community from act of crimes and terrorism. And I will finish responding to the questions I think the league of women voters and others of you have asked. Thank you very much. And we stand adjourned until 6 o'clock tonight.

At 12:18 p.m., Council recessed.

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6:00 PM

[roll call]

Katz: We have two items that we're going to lock together. 1864 and 1865. Will you read those?
Items 1864 and 1865.

Katz: I have emergency ordinance, but the other will have to come back for an ordinance. Do you want to -- I have a star on it.

Hales: On the -- which one?

Olson: The original agenda.

Katz: 1865. Do you want to do both of them together? Do you want to vacate --

Hales: We want to do them both together.

Katz: Because you'll have to come back and prepare an ordinance. All right. That's why you have -- all right. Good. Let's -- did you want to say anything?

Hales: We have a staff report here, and heidi will go through that with us. I just want to say at the outset that I really appreciate the good work that's been done here not just by pdot staff, and this was the case where we made a process that's normally very slow a little less slow, and it's appropriate actually that the street vacation process be slow, because we shouldn't could this -- do this very often. There are very few cases that pass muster in my opinion where we should be moving pieces of the city's street grid. In this case it is a good idea, and I really want to thank our staff for making some -- getting the old dog of the process to do a new trick and do it a little quicker. I also want to later thank some of the folks in the neighborhood and mickelson, who have been so effective at working together on negotiating these issues. But I think heidi we're prepared to make a presentation --

Katz: Let's come up and make a presentation.

Heidi Ware, Transportation Engineering, PDOT: I'm hey did I ware, office of transportation. I'm heidi ware. Mickelleson development is proposing to vacate this portion of emerson between 33rd and 34th and rededicate a new connection to emerson between 33rd and 34th to the north. So it maintains that connectivity and the functionality of the street grid in the area while still making the pedestrian crossing across third -- 33rd a lot safer for our citizens. Like charlie said this, has been pretty fast and -- but the developer and the petitioner are here if you have any further questions.

Hales: We might want to have them come up and give us a brief presentation about why we're doing this and what's going to be accomplished as a result of the 33rd street vacation. I'm not sure who --

Dan Taylor, Nicholson Development Properties: I'm dan taylor from mickelleson development properties. We started working with pdc about 21/2 years ago in trying to create a site that would have a grocery store, a drugstore and some small shops, and at the outset, the drugstore took the lead and the -- as they faded away, we were fortunate to have new seasons market come to look at our site and feel that that was a good home for them, and in the meantime I think we've had a very good working relationship with the neighborhood. What we're proposing in the vacation is to create enough space on one end of the site so that we can get a sufficiently sized grocery store for the neighborhood. It's approximately 29,000 square feet, and will be a full-service grocery store nor the -- for the neighborhood, not just a convenience shop. Excuse me. A convenience type of store, but a full-service grocery store. So new seasons is here if they'd like to add to that.

Katz: Can you -- come here, I want to get you to think about opening up another one in my neighborhood. [laughter] we've got an opportunity for you:

Hales: Brian is a busy guy.

Brian Roder (?), New Seasons Market: I'm brian roder, the president of new seasons market. Mayor, we'd love to come to your neighborhood. We want to do a good job on the stores we're working on now and make sure we take care of those before moving to new ones. We're aware of the opportunities in your neighborhood.

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Katz: The most dense community in the city.

Roder (?): I'm aware of that, thank you. If anybody has any questions I'd be glad to answer them. We're excited to open. We have been very gratified at the strength of the neighborhood association and the work they've done to facilitate this process. We're also very appreciative as commissioner Hales said about the -- how the time frame has been adjusted to meet the needs of the neighborhood and meet our needs and we appreciate -- particularly want to point to department of transportation has been working very closely with us and been very flexible. Jillian detweiler has really facilitated us also. We want to acknowledge those individuals and the department of transportation too. Thank you.

Katz: Thank you. Anybody else want to testify? I saw two hands earlier. Come on up.

JC Kizak, Chair, Concordia NA: I'm the current chair of the concordia neighborhood association. I'm speaking on behalf of concordia neighborhood association and myself. Concordia neighborhood association has been working with the development company and our neighbors ever since mickelson has acquired the property. So 2 1/2 years we've been in an ongoing relationship with them. The neighborhood has held several meetings with the neighbors to discuss the issues surrounding this development. And c & a as an entity approves developing the site as a full-service grocery store for the neighborhood. Through our land use and individual meetings, I believe we've come as close as we can to reaching consensus on, yes, let's go forward with this. We want the street vacation and the rededication to occur. We want the grocery store to open in mid-summer of 2001. We have establish add good working relationship with the tenants for the site, new seasons. C & a will continue to work with the tenants and the developers to ensure we continue to have a good working relationship. And we appreciate the planning commission's recommendation to approve the street vacation, and city council's timely consideration of this matter. I'd like especially to thank hector and ann, along with other land use committee members who basically spearhead and kept this process moving forward. We know this will benefit both concordia and other neighboring areas, not just us. So we're really excited about it. I'd like to thank especially charlie Hales and his staff, jillian detweiler, and mayor Katz, who's been aware of this process from the get-go way back. Concordia neighborhood association appreciates the support. I'm personally looking forward to shopping at new seasons. I'll be about four blocks away and it will be great to be able to walk there. I visited sellwood store, I'm very pleased with the shop, the service and the good splice at new seasons markets. Thank you for this opportunity to speak for the street vacation and rededication.

Gail Booher, Concordia NA: I'm gail, I reside at 5105 northeast 30th avenue, 97211. I'm here to speak as a resident in support of vacating the street and bringing the store in. It has been a real inconvenience for those of us in the neighborhood not to have a store there, and it has definitely been a hardship for many. And I'm just really looking forward to bringing it in and I hope you'll do your best to expedite it. Thank you.

Kizak: And I'd like to interject, gail is the chair electricity for concordia.

Katz: Congratulations. Anybody else, Britta?

Hector Roche: 5314 NE 35th Pl., 97211 Good evening, I'm hector roche, Portland. I'm here as the chair of the land use planning commission. I don't have a lot to add. What I would like to say is that in those meetings we held with the neighbors, we broke them out by involving the immediate neighbors first, those that would be the most impacted by the street vacation, and then involved the entire neighborhood as well. We've collected a list of issues, some of which have already been addressed, but we've got the list of issues so as the project continues and develops, we will continue to work with the developers and with the owners of the market to make sure that the neighborhood concerns are addressed adequately, including a plan to have a good neighbor agreement with both the developer during the construction phase and the new seasons market once the process is finished. I would also like to add my thanks to jillian and charlie and pdot for moving this process along. We've been without a grocery store for about 6 1/2 years now, and I agree with charlie this, is a project whose time

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has come for the neighborhood, and there really is support for having this go through from the neighborhood association. So thank you.

Susan Strayer: My name is Susan Strayer, I live at 5430 northeast 34th. Right behind the old dead store, I have become an active member of the land use planning committee in response to this project. I'm speaking tonight as a person who will be directly impacted by the impending construction and the new coming store. I favor the street vacation and rededication. When I've thought about what to do with the street, I really thought about whether we want to close the street off or to move it. Although I have neighbors on my block who are interested in closing the street, in the previous proposal there was a proposal to close the street, have the store cover the street, which I oppose, because they didn't want to see neighborhood assets being given up to a commercial enterprise and you couldn't see any benefit to me. And in particular that's my preferred method of getting in and out of my house. I would lose that personally. There is some concern we're going to be seeing more traffic moving more quickly. It's going to be ending up in the neighborhoods' front yards. When I've looked at where the street is going to end up, it looks like it's going to be between the two houses furthermore, I believe between the existence of the store and the dog leg that's going to be created I think we're going to see a slow-down in traffic, which will be a benefit. So personally I really support moving the street. When we saw the first designs for the new seasons project, there was some plans to include some designs in the street in the pavement itself that would also add to slowing down the street and showing clear pedestrian movement from the parking lot across the street into the store, which wasn't approved by the bureau of design because the developers do not own the street and can't design that part. I'm very interested in seeing some design elements being included to help slow the street down and improve safety for pedestrians who will be going to the store from the parking lot. And I'm expecting that would be part of the ongoing process as we go forward with this. On the other hand, arguments for moving the street are it gives us a nice size store on the lot, which is currently a parking lot just under 30,000 square feet. Big enough to give us a variety of selection, without being so big that I need food and water for a week to go from one end of the store to the other. So I'm looking forward to that size of store. And specifically I'm looking forward to seeing new seasons in, because I have been into the stores they have at Raleigh Hills and Sellwood. I like the prices and the selection. I also have really appreciated the contacts I've had in the various meetings we've had in the neighborhood and with land use planning, it looks like they're going to be good neighbors. I've talked to people who used to work for the people of new seasons when they were running Nature's, and it sounds like they're going to be good neighbors for a number of different reasons, economic reasons as well as life impact reasons, and good business neighbors. So I'm very interested in seeing this project go forward to get these good neighbors in for us. Thank you very much.

Hales: I'll move we approve the report and the ordinance is already in front of us, or that's the second item? We don't have to bring back an ordinance, it's here?

Katz: It's here. And it is an emergency.

Hales: I'll second it.

Katz: Do I hear --

Hales: I'm getting used to the expedited process.

Katz: Good for you. We'll do -- there was a second. Any objections? We'll do a roll call on 1864.

Francesconi: Vacating a street for community grocery store. You're right, commissioner Hales, you and Jillian deserve the credit for this. It's a terrific thing. I live 20 blocks away, so I've driven by there and seen this eyesore. So the business now is going to Nature's and other places, so this is a good developer to create a very good store. Vacating the street is a logical thing to do. This neighborhood and those citizens deserve it. Aye.

Hales: Well, I want to thank everybody involved in this long sometimes frustrating process here. It has been 6 1/2 years, yeah, that's right, since that grocery store closed and since this neighborhood started putting up with plywood and wind-swept empty lot instead of having a neighborhood grocery

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store. And I want to thank jillian detweiler. I want to talk more about her role in this. Jc, you and the neighborhood leadership, all of you have done a great job and we're very fortunate to have business people like dan taylor and brian roder to work with. I want to commend you all for not only getting a good result, but working so well together as neighbors, and that bodes very well for the long run of having this store there. I think there's a lot to learn from this experience on several levels. One is how do we as a city deal with some of the megatrends out there. Remember right before you and I got on the council, vera, the council approved a huge fred meyer store in sullivan's gulch as a way to get groceries to neighbors. I was -- that wasn't a good solution. It was a spaceship set down in an urban neighborhood and it doesn't fit. Although it's easy to be critical, that was the trend at the time -- the giant grocery store. The neighborhood stores started falling away. So that was part of the struggle we dealt with here. How do we as a city, which is a small part of the national marketplace, deal with these big retailing trends? We've dealt with the big box issue and other things. So this case may have some lessons there. One is if we have a clear plan about what we want, and it has a shot at economic feasibility, and we push and hang on and push and hang on, and we get lucky and the right person comes along, we can make that work. Secondly, there's -- we use that phrase public-private partnership all the time -- I think the advocacy that -- the issue that pdc put into this, all the way along helped encourage mickelson and new seasons to make this big investment and take this big risk. So thanks for good work from your folks at pdc, and thank you jillian. Jillian lives a few blocks from the belmont dairy and shops there. And she's -- she has been an advocate of the radical notion that city residents do eat, and that they'd like to eat well and they don't want to have to buy to the suburbs to buy good food. Now we have a business or two in town, and that's great. Finally the other lesson I think we learned from this, the public-private partnerships matter, that's one. The megatrends are a problem, but we have to figure out a way to surf this through them, and this is one example of how to do that. This is a neighborhood that knows what it wants. They're for something. It's easy as a neighborhood to figure out what we're against. They're always there's to -- threats to the neighborhood, there's always problems. This neighborhood knew what it wanted. It wanted a grocery store on this site. It's willing to have other development on this site too, but I want -- it wanted a grocery store. They were crystal clear about that from the beginning. And then they worked hard to get that result. I hope this is a lesson to other neighborhoods as well. If you know exactly what you want and work for it, and build partnerships, you just might get it. So thank you for providing a great example for how grass-roots activism can produce a great result. Aye.

Saltzman: This is a tremendous success story. I have the pleasure of going on a neighborhood tour last summer, and certainly I understand the need to have some more retail and particularly to have a grocery store and all the more fortunate to have one of the caliber of new seasons. I've had the pleasure of serving on a panel recently with brian to talk about issues of food security and i'm well aware of his commitment to the local community to the local agricultural community and in particular to promoting and making sure that organic farming and organic produce are available to urban consumers and that the people producing this produce have -- are paid price that's allow them to make a decent living. So it's really great to have somebody of his caliber and I understand brian, if you get five stores here, and we hope that fifth one is on northwest 21st, maybe that's your third or fourth one, I understand if you reach that critical mass of five stores, your organic prices will basically be competitive with nonorganic produce prices. That's something we all look forward to. So anyway, it's a tremendous win-win situation here, and it's nice that something as simple as a street vacation is going to make so much happen in this neighborhood. Aye.

Sten: It's a great project. I've driven by that thing for years too, and it's delightful to see it. I want to thank commissioner Hales and his staff and the neighborhood activists and the developer. I'm looking forward to seeing it and I suspect i'll be shopping there too. Aye.

Katz: We learned lessons late in life, and I learned a couple of months ago how fragile a very strong neighborhood is in northwest Portland. Fragile. Within a couple of weeks, we lost one little

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restaurant, mcmenamins got burned up, ira's just closed overnight, and thrifty closed. And so a very strong neighborhood all of a sudden felt the casualties that occurred around it. And I talked to neighbors about what are we going to do without a grocery store. So I -- my heart goes out to all of you and to all the citizens who suffer from this and who want to walk to a grocery store as opposed to getting into a car, which is something that i've done my entire life. So I know what you felt, I knew before thrifty closed, I really do know now. I want to thank you for your persistence and I want to thank the developer and certainly the grocery store. You're going to have wonderful neighbors. They will shop there, and only there, and hopefully will come to northwest Portland where we'll greet them with open arms. Thank you, everybody. Jillian, I know the kind of work you do, it's first class. I appreciate it. Thank you. Aye. 1865. **Francesconi:** Aye. **Hales:** Aye.

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

Katz: Mayor votes aye. Thank you. Thank you, everybody. Good luck. We have a time certain at 6:45, so we'll take a recess until then.

Item 1866: [Referred to Commissioner of Public Safety]

Item 1867.

Hales: We extend the privilege usually to elected officials to testify first. We know there are a lot of people who want to testify. But we have -- give them an opportunity for first up. I guess i'd like to start by trying to inject a little reality into what has become almost a surreal debate here in this community about skating. And talk about intent and effect of this proposal if it goes forward. My intent is I think pretty clear. I think skating is a legitimate recreational and transportation choice. I want the Portland police bureau to focus its enforcement efforts on ensuring safe and responsible behavior on the streets, and on the sidewalks, not on the choice of how to move around on the streets and sidewalks. Skateboarding and inline skating are not crimes and should not receive \$300 tickets based merely on being in the wrong place at the wrong time on the wrong set of wheels. Next let's talk about safety. Right now in the city of Portland, at least in theory, a 10-year-old can ride a skateboard down hawthorne boulevard in traffic during the day without a helmet and without obeying the rules of the road. That's the law today. The new ordinance actually imposing the first safety requirements for children who skate or who ride scooters in the city. So this ordinance will improve the safety prospects of our children who are skating. There's been a lot of wild talk about my alleged desire to encourage children on skate on our downtown streets. That was not and is not my intent. I want to open the downtown streets to older teenagers and young adults and college students and workers who commute by skating and we'll hear from some of them tonight, and adult inline skaters who choose to skate safely and responsibly. Children should skate in their neighborhoods, and they do. Adults can choose to skate downtown. And they already do. They just have to watch out for the police bureau. We're not relieving parents of their responsibilities, and they are not asking us to relieve them of their responsibilities. Parents aren't any more likely to send their 10-year-old downtown to skate than they are to bicycle, and again, in theory, a 10-year-old could come down and ride around downtown on a bicycle today. Finally, let's inject context into the raging debate about the alleged dangers of skating and the injury rates involved. An average of four skaters a year die in the united states, at least that's been the average since 1992. Contrast that with the following death and injury rates. 45,000 americans are killed every year in automobile accidents. 817 bicyclists were killed in 1997. 5200 -- 5220 were killed -- pedestrians were killed in 1998. 620 children under 15 are sent to the emergency room every year for injuries sustained playing sports. So in context, skating is not particularly dangerous. Is this the most dangerous activity an adult or child can try? No way. In -- on another level, these are the policy levels. There's another level to this discussion, and that's about acceptance. And I just want to read a statement that was given to me by a 17-year-old that I think says this better than I can. This is not an issue of whether or not it's safe for skateboarders to be on the streets after dark. If it were, all we would have to do is look at the fact that bicyclists are allowed on the streets after dark and the argument would be ended. This is an issue of how the infrastructure treats its youth.

There seems to be a common assumption that teenagers are a problem. Something that needs to be contain and controlled. They seem to assume all teenagers are inclined toward a criminal lifestyle and can't be trusted to act as responsible citizens of this city. This is neither an accurate nor fair analysis of the role of teenagers in Portland. Teens represent a huge portion of the volunteer community in this city. Fund-raisers and artistic events provide a large portion of Portland's vibrant culture. Teen purchasers keep commercial districts alive. This viewpoint extends to cover and brand in particular skateboarders. The assumption is made to extremes. Skateboarders have always been perceived as rebels and lately as criminals and drug users. I think it's time to put an end to an overly broad stereo type on Portland's young people. I think it's time to prove Portland is a forward-thinking city. Portland -- again, better words than mine. I appreciate it. With that I think we have commissioner diane linn and david bragdon here and I want to give the council copies of letters from senator kate brown and former commissioner mike lindberg. So diane and david, if you're here, come on up and then we'll open up for public testimony after that.

Katz: I'm going to ask everybody to limit your comments for two minutes. Even our elected officials.

Diane Linn, Multnomah County Commissioner: Thank you. Again, my name is diane linn, I serve on the Multnomah county commission. Thank you charlie for your introductory comments. This is my son joshua. He'll speak for himself about his experiences as a skateboarder in the sellwood neighborhood. His friends are here too and you'll hear from them. My message will be brief. I have spoke to you about this before. I do want to start with saying I am terribly concerned about the safety issues you all have been grappling with and I think I -- that you've made great improvements to the ordinance, and I appreciate that. I agree with the decision to exclude kids under the age of 16 on downtown streets. And would not have allowed my son to do that nor would he have chosen to do that. So safety always comes first and I appreciate your concerns about that. I think if we pass this ordinance there are more safety provisions than there are today. As I got drawn deeper into this public discourse at times by the way beyond my wildest expectations, the issue really became for me what the gentleman in the letter referenced. It's about what we expect from our teens and how we expect them to respond. I am heart sick that something I thought would be a fairly simple tweak or update to the city ordinance has become something of a polarization. Businesses and the police bureau on one side, kids and parents on the other side. Why do we use strict regulation to manage a recreational activity of kids? Are we really trying to protect them, or are we afraid of what they might do? Would you want your child to learn the art of dodging the cops in a city where you thought that we were practicing some of the most progressive community policing practices in the country? I am trying to teach my children to understand that police officers are here to protect and serve them, and that they care about us and our neighborhood. I want kids in our neighborhood to take care of areas that businesses owned and be watchful of other people and how they're -- their activities are impacting other people. I don't believe kids want to break the law and I assure you don't want -- don't want my child to break the law. But when restrictions are so site and the interpretation and enforcement seems harsh at times, we send a terrible message. Why can't the adults in our community talk with these young people? Treat them like they're capable. Like they're a part of the community. Is that so hard to do? I don't believe -- is that two minutes? I don't believe we can regulate this problem away. I think it's going to continue. These kids are here to stay there. Will be more of them. Let's deal with the problems and communicate better. This ordinance sends the right message. It moves us in the right direction. I urge you all to please honor our kids and expect the best for them. Let's deal with the problems appropriately and pass this ordinance tonight.

Francesconi: I just have one question. First commissioner I want to thank you for your advocacy for children in general. Were you aware before this ordinance was ever introduced or discussions that the police were already talking to the city attorney about lessening the fines and perhaps even decriminalizing the behavior?

Linn: I was not aware of that.

Francesconi: Okay.

Linn: Thank you for sharing that.

Hales: What they were working on was expanding the ban.

Francesconi: Expanding the ban to lloyd center and decriminalizing it and lowering the fines.

Katz: I just need to share with everybody who's here. The -- maybe the dialogue would have been lower if the safety aspects of the ordinance were in the original form. Some of us had to introduce the safety aspects. That could have cooled the dialogue a little bit.

Linn: I respect that. Thank you, mayor. I appreciate that.

Katz: Go ahead.

Josh Springer: Hello. My name is josh springer. I'm the son of diane linn. I'm a freshman, 14 years old going to cleveland high school. And my hobbies are, like, soccer, track, I like music, I play instruments, and last is inline skating. It's one of my favorite things to do after school. It's a great activity. I don't want to be thought of as a criminal in my own neighborhood for doing something I love to do. It's a great thing to do after school. It keeps me out of trouble, it's better than sitting at home on, like, watching tv and stuff. And it's a great way to meet new friends and now in the winter, since it gets dark so fast, you know, around 4:30, this law prohibits me and my friends to skate any time after it gets dark. And that's not our judgment, it's the, you know, local policemen's judgment, like, 4:30 could be light to me, when the street lights are just starting to dim out, and the street lights are coming on, but it could be completely dark out to a cop and I can't afford to pay a \$300 fine or a \$150 fine if the fines were lowered. I get out of school at about 3 o'clock every day and my commute time to get home takes about 45 to half an hour minutes, you know. And I don't have that much time to skate anymore. It's really discouraging to think my city thinks of me as a criminal instead of, you know, a citizen. And both my friends and I can't, you know, skate any time after dark, even if it's four blocks to another friend's house. I mean, we don't want to have to -- we don't want to be forced to walk somewhere, you know, to the video store 11 blocks away when it's pitch black. We feel more comfortable skating there. And, you know, now I feel scared and uncomfortable just to skate because I don't want to have to, you know, fear cops in my neighborhood. I like to have good relationships with them instead of being scared of them. And, you know, skating is a great sport. The stereo type -- we're not out there to make trouble, we're just there to make fun. Transportationwise, I won't use it literally as -- to get, you know, from my school, which is, like, two miles away from my house, but I will use it when it's dark outside, you know, 20 blocks away to the video store or a friend's house. And like skiing, it's a great sport, and inline skating, and a great physical conditioning and, you know --

Katz: Thank you. Finish your sentence. I cut you completely off. Thank you. All right.

Hales: Is councilman bragdon here?

Katz: Let's open it up for public testimony. And the original ordinance has been amended to you might want to address some of the amendments too and let us know how you feel about those as well. Okay. Gary, why don't you start.

Dr. Gary Oxman, Multnomah County Health Officer: Mayor Katz, members of the commissioner, i'm dr. Gary oxman, Multnomah county health officers. Thank you for the opportunity to come and testify this evening on this issue. I'm going to make a couple of points and I hope very briefly. I think the council is right to be concerned about the potential for injuries related to this ordinance, but at the same time we need to look at that potential in light of some of the benefits of encouraging physical activity in our community. In reviewing some of the information on skateboard and inline skating injuries, what i've found is there's roughly 95,000 inline skating injuries requiring emergency room treatment in the country each year, and roughly 60,000 skateboard injuries. When you look at these I think commissioner Hales really spoke to where these injuries sit in severity and -- in comparison to car-pedestrian accidents, et cetera. They comprise a very small amount of serious injury. If we look in more detail what's going on with these injuries, we see similar patterns, whether we're talking about inline skating, skateboarding or even the new push scooters which I understand are not part of this

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ordinance. Most of these injuries involve younger children and adolescents, 5 to 14 years of age, about a third of them involve 15 to 24-year-olds. Most of the people who have these injuries are male, and when you start looking at the nature of these injuries, they are mostly mild to moderate injuries, even the ones that show up at emergency rooms, which is what we're talking about. 74% of them involve injuries to the hand and arm and wrist, and frankly most of them are wrist sprain and fractures. There are some injuries to the neck and head. Those mostly happen to younger children under the age of 5. And serious injuries and death as commissioner Hales pointed out, occur rarely. So the information I had was very comparable to what commissioner Hales found in the neighborhood of two to four deaths per year from skateboard injuries. The thing I think you need to take into consideration, what we don't know about these is when they really occur. I think it's very easy for us to make the assumption these occur in relation to street activity, but I believe most of these injuries probably occur in recreational settings very near home and around the home and not in transportation kinds of settings. And I'm -- I've requested additional information on that and I will give you a follow-up on that when we get more information. The other thing I think we need to look at in terms of balance is the important role of physical activity. Okay. Just to summarize, there is a small risk of injury. It's real. There is a real imperative for us as a community to offer environments so people can have healthful physical activity. That's a real problem, where 55% of our society is overweight. Very -- we have many risks of chronic disease from inactivity.

Ric Gustafson: My name is rick guff staff son.

Katz: Excuse me, your name needs to be called.

*****: I'm james brian. My name was called.

Katz: I'm sorry. I apologize.

Gustafson: Does this come out of my two minutes?

Katz: No. [laughter] I just thought you saw an empty seat and -- seat and decided you were going to come in and sit down and have a good time.

Gustafson: Thank you. I'm here to support this ordinance. But I have to confess my conflict of interest. I own a roller skating rink outside of seattle. I'm on the board of the oaks park, which is the oldest operating roller skating rink in the united states in Portland. It's -- I'm a national champion racer. I own five --

Katz: You used to be.

Gustafson: I was. That's right. [laughter] it's a little different now. Used to be. I have skated downtown in the past 20 years probably over 100 times. Three times actually with a police escort because I was testing out different ways to set up a race from mt. Hood community college to downtown Portland. But I actually I'm most disturbed about your ordinance keeping us off the transit mall, because that's the best place to do the racing in downtown. But more seriously, I did actually on occasion about once a month commute to metro by a roller skates when I was at metro. And channel 2 and 8 both have footage of me skating in downtown. Because they followed me when I did it. But roller skating or inline skates, all those activities are obviously have helped aspects -- health aspects to it, and with good training and practice you can be quite effective. I continue to do that at the oaks, mostly indoors rather than outdoors, although I have outdoor skates. Lastly I'm a managing partner of the project called fifth avenue court, which is the landlord for cal skate. So I'm amazed at how many times I've become involved in roller skating through all the different kind of things I've been involved in. I think it's a healthy sport. It's been something for our family that's been very important, and would urge you to look at this more seriously and sort of -- instead of the nature of what I might have faced and what I think adds up to about \$30,000 in fines for the number of times I've roller skated in downtown.

James Bryan: My name is james brian, I'm a 35-year-old college graduate from lewis and clark counsel -- college and I have three children and I'm a business owner downtown. When opening our second burlingame pizza downtown, in the spring of this year, I realized that the parking and

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commuting situation downtown, i've dabbled in skateboarding with my 10-year-old son and I decided to pursue it to the point of efficiency. Now how I get to work is I either ride from my home in the burlingame area on my board or I will park on barbur and commute downtown, which as you know is all downhill and I simply take the bus back home. I personally have never seen any discrimination from the police against me, although i've heard about it from employee that's do ride to work on a skateboard, get off the bus and ride. It is far as a safety issue is concerned, far more observant than most motorists on the road. When i'm -- when I look around and I see the motorists, they're not looking from side to side at pedestrians, bike riders, any of that nature. So i'm simply here to say I would like to continue to ride my skateboard to work as I choose and I don't see the public at all outraged by it. In fact I see a lot of people encouraged by it and i'm constantly asked about my five-foot-long skateboard and what it does, and is it fun, and is it a viable option. And for me it is.

Katz: Thank you. We'll take these three and three more, and we didn't have two sign-up sheets, so there are people who want to testify in opposition and we'll give them an opportunity to do that as well. Okay. Ladies, who wants to start?

Nancy Hartman: 8165 SW Landau. Hi. My name is nancy hartman. I'm a 36-year-old working married mother of two. I'm also a certified inline skate instructor with the international skating association. I'm also a member of the Portland inline skating association. I'm here representing responsible adult skaters and we're not criminals. We are well educated professional business people property owners and taxpayers. We're also working overtime preparing for christmas and have families. We do not skate from our home down major highways and roads. We drive close to town, park and ride the buses and utilize our skates to transport officially within an area. The misleading investigation of skaters are cruising along in traffic is unrealistic. I'm not giving up my car. But I am being healthy and efficient whenever possible. In many cities skaters are included under the bicycle laws. Treating these two groups simplifies legislative and enforcement tasks as well as budgetary policy. It's a simple solution. We want to be able to skate downtown to enjoy events, runner lands, participate positively in downtown businesses, and tour the beauty of our city with our friends. We are also proud to be part of the city. We are volunteers for the Portland rose festival association. We have participated on inline skates in the grand floral parade and star light parades for the past two years. The partners, city of Portland maintenance bureau, pge, solv and the association for Portland progress commend us as quoted. You have helped the city of Portland save more than \$50,000 a year on the cost of cleaning up after our parades. The Portland inline skate association has added a sense of fun to the clean-up effort while always performing in a safe responsible fashion. Because of your ability to move quickly you have added to the efficiency of the distribution and pickup of the special trash bags used for the parades. The whole reason we do it is to gain respect of the city. Many major cities are host to weekly night skates and we travel as tours to join these skates. We sightsee, shop, dine, we never rent a car or have a concern for the cost of gas or parking. It's a vibrant healthy social activity, a means of transporting within a city and -- and it's a growing urban trend. We'd like to be able to share our city with other adult skaters and invite them to tour Portland.

Penny Wagoner: 14149 NE Eugene Crt., 97030. Good evening. My name is penny wagner. I'm here representing several groups, first of all the international inline skating association as a -- as a level 2 certified instructor. Also -- i'm also the excavate for kicks skate school. I'm also the director of the Portland branch of the national skate patrol, and i'm here as a member of the Portland inline skating association. Our excavate club. And I play roller and ice hockey as a defenseman. I'll be addressing three issues for you today. Public safety is first on the agenda. I want you to know our industry was as concerned then as you are today with the consumer product safety commission's 1995 report stating that inline skating injuries were on the rise. The number of inline skaters were -- was also on the rise at that time. Late in 1995 the director of the cpsc honored the association publicly honored them for their efforts to communicate teach and reinforce safety through the gear-up take a lesson program. Our industry's efforts are predicated on the supposition that most injuries to skaters are not accidents. They

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are predictable and therefore preventable. The cpsc also says that an inline skater is far less prone to minor injury than a bicyclist and injuries to inline skaters are rare. In fact, actually among the lowest of major sports activities. And testimony coming from local trauma departments have confirmed these facts. No mode -- mode of transportation is risk-free. Injury comparisons of popular sports by the national sporting goods association indicates there are more injuries per thousands to persons playing hockey, football, baseball, basketball, soccer, bicycling, roller skating, horseback riding and volleyball than there are to inline skaters and skateboarders. Skating in areas outside the skate ban zone has not resulted in lawsuits children in traffic or problems with road surfaces e. To our knowledge. The mayor's office could relate no specific lawsuits from injured inline skaters in any part of the city. We don't have a death wish. And clearly death and injury is not a common outcome of skating as the media would recently have us believe.

Jean Pierson: My name is jeanne peerson. I'm here to advocate for young people and for alternative forms of transportation. I'm proud to live in Portland which is famous for encouraging alternative forms of transportation. I ride my bike to work as much as I drive my car. And I really appreciate the efforts of the city to make that my commute, you know, safe and enjoyable. There's a growing number of young people who use their skate boards as a form of commuting. And they're upstanding citizens, they're using it as a serious means of transportation to get to work or school. It's a good form of transportation. It's faster than walking, it's portable and it melts well with our tri-met system. A lot of the people are financially challenged and this is their way to get to work. I think the fines are excessive. I think the fines for those people are like us paying \$3,000 for a minor traffic violation. With our car. I think that needs to be changed. I think the city of Portland is setting up roadblocks instead of enhancing this alternative form of transportation. I think we need to, period, support alternative forms of transportation. We've made room for the bicycle and I think we can make room for the skateboard. I think what's holding us back are our attitudes and our fear and our biases. I want to read from "the Oregonian." I don't have my reading glasses. I'm aged visually challenged. Mike bell, traffic division, commander for the Portland police bureau, quote, we think skateboards and inline skates are more correctly classified as personal fitness device and in some cases mere toys. We don't see these devices as serious transportation vehicles. There's a huge reality gap here. If the city level official feels this way, because people are using this as an -- a form of alternative transportation and we need to support that. And I think if in our hearts our attitudes are to exclude and stop, we'll get nowhere. We'll stay in the problem and never get any solution. And I think we can find ways to make it safe for everybody involved. But I think we need to --

Katz: Thank you. You can talk to mike bell, he's sitting in the back, when you're finished. All right. Keep going.

Brett Baylor: My name is brett baylor and I live on southeast lambert street. I'm a database administrator for tri-met and the member of the coalition of school funding now. My son is a sellwood roller blader and under the current ordinance a potential criminal. My son and his skating buddies are honor students at cleveland high school, jazz band members and jv soccer players. They're additionally the very same kids who helped organize our measure 26-2 awareness day last spring, the same kids who turn out for school funding rallies in salem, and the very same kids who this city council has fought so passionately for again and again whose schools each of you have worked so hard to save. Yet on their own neighborhood streets they're threatened and harangued merely for moving about with small wheels attached to their feet. Or for skating in front of their own houses or in a public park. This is due to the breads of our current ordinances. How can we battle for a better future for our children while simultaneously shoving some of our best and brightest toward a possible criminal record? Would it be better for our city for -- to have these kids sitting in a dark room and munching on pork rinds or blowing people away on a video screen? [applause]

Katz: We do not allow that in this chamber. We'll cheer the claim per in that continues. So please. This is a quasi judicial hearing.

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Baylor: Sorry. Wouldn't it be a better idea for us to be -- to build a world-class skate park and provide a safe environment for them to skate in as so many of our own suburbs have already done? I want you to know we've always tried to make it understood with our children the importance of respect for the rights of others and that includes their property rights. And the importance also of not judging others based on their appearance or differing beliefs. It's a tough sell to make to a teen who is so often viewed through fearful eyes. It's up to us as a community to ensure our laws extend that sense of fair news even to our youngest members, who struggle for acceptance and search unglaringly for adult honesty and respect. Thank you.

Greg Fiske: Hello. My name is greg fisk, and i'm 14 years of age. And i'm recently -- i'm a progressive roller blader and i've been pulled over several times by police and just for skating around after dark or grinding a handrail I wasn't supposed to, and pretty much I don't think -- see -- think there's anything wrong with it. I don't think there -- you should get pulled over after skating after dark. Just because, you know, it's -- it's kind of hard to say. But I hope this law passes. And that's pretty much it.

Katz: Thank you.

Jev Asher: I'm jeb asher and I attend cleveland high school. I am also friends with greg and josh who spoke earlier. I have been pulled over by cops for not doing almost anything, and threatened with \$300 citations that I could not afford, and that's all I have to say.

Katz: Not doing almost anything?

Asher: Not -- i'm -- just skating. I'm not -- I don't think i'm -- I don't think i'm trying to abuse anything.

Katz: All right. Thank you. Just so everybody knows, you can skate today in your neighborhood and on the streets and on the sidewalks, you just can't do it at night. So I just want -- in areas in the downtown. All right. I want -- who's here in opposition? Why don't we get three people to come up, because we haven't separated the names. Come on up. I don't care who it is. Somebody come on up. Carlos, why don't you start.

Carlos Rivera, Police Bureau Chief's Forum: Mayor Katz, members of the council, my name is carlos rivera and i'm here as a member of the chief's forum and we're here to -- i'm here to read a letter that we voted on at our last chief's forum meeting. Members of the chief's forum are opposed to the proposed city ordinance to allow skateboarding and inline skating in the downtown city streets. We have serious concerns about motorists pedestrian and skater safety in our concerned about damages and injuries at most certainly we'll be caused by accidents involving skaters, pedestrians, and motorists. Information that skaters would be governed by the same regulations governing bike riders provided forum members no comfort. The chief's forum urges the city council to reject the ordinance as a matter of what is best for the community at large. We -- relaxing the ban may benefit a small number of skaters and their families who feel stigmatized engaging in illegal behavior in downtown Portland, but allowing activity will result in personal and property consequences but will certainly lead to eventual city liability. The forum discussed this issue at our december 18, 2000, meeting. At the request of a downtown residents in attendance. The forum decision was unanimous with 17 in favor, zero opposed, and five abstentions by city employees. We thank you for this opportunity for expressing our opposition to a proposed change in the law designed to provide comfort for a few but not beneficial to the majority of the citizens in the city of Portland. Thank you.

Hales: Quick question. That's a nice word for them. Who did you invite to make a presentation on this -- the ordinance before you took the vote?

Rivera: There was no one there to talk about the ordinance.

Hales: So you didn't ask anyone to explain it before you took a vote?

Rivera: We had the newspaper articles and we had the statements from the police bureau.

Hales: Thank you.

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Lili Mandel: Willie mandel, 1511 southwest park avenue. This again i'm going to reiterate this. This is a public safety issue, not a senior safety issue. I'm quite upset when I read it's only the old people who are against the skateboarders. One person states, when skateboarding, you're not thinking about the elderly person in front of you. Well, the skateboarder is capable of hitting an infant in a carriage, a young chimed, a teenager, young adult, and someone middle aged as well. I don't get it. This is not a war between the ages. Another quote. The opposition is mostly old people who are not really willing to open their minds. I am willing to have an open mind, but not so open that my brains fall out after being clobbered by a skateboard. I don't have this written, but I heard this young man over here say aggressive -- he does aggressive skating. And he doesn't know why he's getting tickets. Well, I just read "willamette week" today, and they explained to me what these young people -- they weren't doing anything, what is meant by "aggressive skating." And this -- these are not my words, if I remember correctly, the words they called them "ruffians" and they were vandalizing one of the benches, but that was their description. All we hear is, we don't know. We haven't done anything. And all these bad terrible cops are coming and giving us tickets for nothing. And it's costing a lot of money. Well, I think we ought to have what is it, affordable fines so it doesn't cost too much money. This kind of discrimination -- I feel i'm discriminated against. I may have to file an age discrimination suit.

Irwin Mandel: That's a tough act to follow. Erwin mandell. I want to talk to you about the south park blocks, specifically. What i'm going to ask you to do is to include the south park blocks, the center pathways as part of the sidewalks that skateboarding and skating is banned in downtown. I mean from market down to salmon. Let me describe for you some of the activities that do go on in the south park blocks, since I live right there. Days unlike days like today, we have children from two day care centers that are out in the park, running around, playing. We have bus loads, literally, dozens of buses at a time, of school children going to the museum, having their lunch, and waiting to return to school. And also bus loads of children going to pcpa for special performances. I see people coming out of their offices to enjoy their lunch, sitting and walking on these blocks. There are literally droves of people shopping at both the saturday and wednesday markets. People come in from all over Portland to come down there and walk the blocks and shop at the saturday markets. People arrive also from all over Portland to attend other event that's occur in the south park blocks, such as indian art northwest, the homowa festival and the outdoor practice sessions of the Oregon ballet theater and other events that occur on these south park blocks. And in general, people on decent weather are just sitting there sauntering, schmoozing as well. What i'm talking about is a safety issue for these crowded blocks at times to be kept free of skateboards and roller bladers coming down. It's a great downhill run from market to salmon. And some of the speeds that i've seen people come, granted they have to stop at jefferson now because it's a park ordinance, but nevertheless, some of the speeds that are capable of being obtain there'd make your head spin. I would ask commissioner Hales, as a terrific former parks commissioner, and commissioner Francesconi, as a present parks commissioner, to join together to amend this ordinance to exclude the center pathways on the south park blocks. Thank you.

Lester Hood: My name is lester hood. I'm a resident of the inner northeast in Portland, and i'm downtown a lot and in the inner southeast as well. I'm one of those strange individuals, a native Portlander. In all the years I have lived here, I have never felt threatened or at risk because of skaters or a skateboarder. The times I feel at risk is because the motorists run red lights and they make you -- illegal turns. I just am amazed and outraged that you haven't passed this ordinance a long time ago. I can't understand why you would even consider fining the young adults in the community these kinds of fines and then expect them to grow up and become supporters of a society that believes in just laws. It's ridiculous. I can't believe that you're doing this. The question even came up. I had no idea that there were three-figure fines being assessed against some of these young people. The only difficulty that i've ever had has been with motorists. And my experience with the skaters and skateboarders has been that they have -- if anything they've asked if I needed help opening a door or getting up steps or

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getting on a bus. And again, I can hear them. I don't have any problems with them. I turned in the one-page sheet that said basically the same thing. That's about all I have to say.

Howard Weiner: Thank you, mayor, council. My name is howard winer, i'm the owner of cal skate skateboards. Some of you might have seen me before. This is an issue that's dear to my heart. At -- I first want to start with dealing with the premise that business owners are against having skateboarders or inline skaters coming into the downtown core area. I didn't have much time to put this together, but in a few hours' time I gathered 25 business owners in the inner city of downtown and some on the lower east side that support lifting the ban on skating and whose customers come to their businesses on their skateboards or inline skates. I also have a list of 49 employees of those businesses that also signed on, and i'd like to enter those into the record. Then i'm going to read what I wrote to skate Portland, which is a local dot com on skateboarding. Then pass it on to someone else. Since the spring of 1976, skateboarders in Portland have been labeled criminals by the discriminating ordinance that was passed making it a crime to skateboard in most of this city. The largest city in the state of Oregon, a state that leads the country on issues such as open beaches, our bottle bills, our death with dignity laws and our mail-in ballots should be in the lead to promote alternative forms of transportation, and in this case, a freedom of expression. I support charlie Hales, I thank him for taking up our cause. We now have an opportunity to change the law and possibly more. It is within our ability to organize and prevail and lead the country in moving the barriers that punish, not promote skateboarding in all of its forms. 24 years ago, I stood before this city council in a different room. Today I stand as a contemporary with all the -- with all that believe as I do to have the ban on skateboarding be lifted, have a new era prevail where all forms of alternative transportation, ie people-powered transportation are promoted in earnest. Thank you very much.

Katz: I'm sorry, I was dealing with -- we didn't have the amended ordinance in front of us. Who were you again? Were you -- you own a skateboard store?

Weiner: I still am who I am. [laughter] god only knows. My name is howard winer, and i've owned cal skate skateboards for 25 years and I opened up across the street from city hall 25 years ago and testified at the first hearing.

Katz: Do you still own a skateboard store?

Weiner: You 57a.

Katz: We amended it to require lighting in the front and in the back to parallel bicycles.

Weiner: I think all the issues of safety you're discussing really are legitimate issues. I think the big picture really is, do we criminalize or decriminalize these -- the use of skates?

Katz: Set that issue aside, because if that's what we wanted to do, that would have been easy to do without doing a lot of the things we're doing now. Is it technically possible to do some of the safety aspects?

Weiner: Yes.

Katz: That's all I wanted to know. Okay. Thank you.

Rhonda Brown: Hello, my name is rhonda brown. I'm just a mom of a skateboarder. I was sitting here tonight listening to the testimony and trying to figure out what I could say that would change your mind. I'm not really sure exactly what it is that is keeping you from making this decision. Except for the fact of safety. I really believe that you really are concerned about safety. But as a mom, I am too. It's just that my son grew up as a skateboarder since he was 5. And I think I have a little bit of an insight on the way they work and the way they think. And he's almost 18. He's very adept at maneuvering around, and I think possibly too there might be a view that we're picturing skateboarders in the middle of traffic changing lanes with cars downtown. And I just don't think that's going to happen. I don't think they want that. I think they like -- necessity want to get from point a to b. They're like that. They -- they're in a hurry to get to a spot, but not where they would dart out -- they have a high respect for cars. You ask any of them. The hard-core skaters, they'll say they have a great respect for cars. They know they don't have brakes. The cars do. And oftentimes if there's a close

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call, which I never hear about, they tend to think it's their fault. That's their mentality. They don't like busy streets. They don't like crowded streets. They -- crowded streets. They don't like bottlenecks. They will try to get from point a to b on a street that isn't very crowded. They don't like the dark. They don't like to skate where it's not lit very well. These are just some things. As a mom, this is what I've observed, and I think part of the thing that's keeping us is, like this lady said before, is the fear of what could happen. I totally understand that. From all of you. You're responsible. You feel the responsibility. So do I. But I also see that these kids are our citizens. They are growing up in the city, and I guess I want them to be able to say, I can skate downtown, because I know how. I know how to get here and there without causing problems. That's all. I don't know what else to say.

Francesconi: I am struggling with the safety. So the issue of safety downtown with vehicles devices that don't have brakes, putting them on buses, that's one issue. The other problem I'm having is allow a 10 or 11-year-old to skate down McLoughlin or Hawthorne at night. Along MLK. I'm having trouble with that.

Brown: I have trouble with that too. Where are the parents, 10 and 11-year-olds? But mostly I'm thinking of the downtown area that's off limits adults can't even skate.

Francesconi: I understand that. I appreciate that. But this ordinance is a lot broader than that.

Brown: I know. But I'm still saying that -- well the 10 and 11-year-old resist not usually out without their parents. Usually.

Francesconi: So why should I allow other adults let their kids to do what I wouldn't allow my children do do?

Brown: I am not -- as a parent of an older child that knows how to skate, that's what I'm talking about. The younger kids that don't know how to really don't know the ropes or don't really -- the skaters under 16 are still working their way into the code of whatever you call it, the culture of skateboarding. And when they get to a certain age, they just -- I don't know, there's a kind of a culture in themselves where they just -- they are kind of -- you can't really combine them with bicyclists, and they're just kind of their own, you know that. I'm struggling to try to explain to you that all I'm asking, this is what I'm here for. I would like not for them to feel like they cannot put that skateboard down on the ground in the city of Portland without a fine. And where they can feel a little burden lifted from their backs where they can kind of say oh, okay, we can skate downtown but only here and there. That's great. Let's start there. But when you take a citizen and say you're not allowed -- when you ban --

Katz: Wait a minute. We aren't banning skateboarding.

Brown: When you're banning skateboarding downtown, you're banning the skateboarder. Because they're attached. Okay?

Katz: The issue for me, it's the nighttime issue. On busy streets, fighting the automobile. That's an issue for me. Maybe you don't allow your child out at night on busy streets, but I have some concerns about other parents who --

Brown: You're talking about downtown?

Katz: I'm talking about downtown, other busy streets in the city.

Brown: On the other side of the river they skate on the sidewalks, but like I said, they really do avoid, try to avoid the busy areas.

Katz: We'll see.

Brown: They don't like crowds.

Katz: We'll see. Thank you. Let's take three more. Then we'll take three more in opposition.

Kim Ensley: My name is Kim, I am over the age of 25. I am a Wisconsin level 2 instructor, part of the national skate patrol, part of the Portland inline skating association and I have a day job as a cartographer. [technical difficulties -- suspension of captions for approximately two minutes] fatalities are not skateboard fatalities. As I said, skateboarding is already permitted on streets everywhere else in the city, and skateboarders are not getting flattened, even in dense areas. Nothing, I mean nothing concerns me more than my children's safety. Of course skateboarding and roller blading carry risk. As

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does nearly every physical activity or sport. However, there is absolutely no evidence that skateboarding is inherently more dangerous than other commonly accepted activities like football, bicycling, skiing, soccer and so on. And we don't make those illegal. In fact, there are typically fewer skateboard injuries than any other sport category, and the injuries accrued result almost exclusively from doing tricks off road, not from traffic accidents. A number of major cities do not have any ban. Lifting this ban in no way means that suddenly I will allow my 10 or 12-year-old to be loose on the streets downtown on their board as suggested by some. They are not allowed to bicycle alone downtown yet either, even though it is legal. They're too young to walk around downtown unsupervised regardless of skating. In lifting this ban we'll not suddenly see a surge of kids on downtown streets that age. To address the 10 and 12-year-old question. I don't think parents will suddenly lose their senses. You cannot write enough laws to cover all the safety measures that we take with our children every day. It would take volumes and it would still be incomplete. Lifting the ban on downtown streets is really going to -- -- skilled at negotiating --

Jake Bortnick: 6226 SE Ash. My name is Jake, and I'm 12 years old. I've been skateboarding for almost three years. I think the ban on skateboarding downtown makes no sense. People should not have to pay such huge fines simply for skateboarding. Even though -- even if they're safe not hurting anything. I ride my skateboard around Mt. Tabor and down on Hawthorne. When I come home from school, it is dark sometimes and I ride my skateboard on the sidewalks, but this is illegal, and I don't see why.

Katz: Okay. Thank you. Let's have three people who are in opposition. Come on up. Go ahead.

Gregg Kantor, Association for Portland Progress (APP): Good evening. I'm Gregg Kantor, chair of the Association for Portland Progress, I'm here tonight on behalf of the association. I'd like to start with an observation that we have tonight a room of very passionate group of people. And we agree with their basic message that skaters and skateboarders shouldn't be treated as criminals. But frankly the majority of downtown users are not in this room tonight. And while they may not have the same passion that those who are here do, they do care, and they do care about the outcome of your deliberations. Among them are pedestrians. Retailers. Bus drivers. Light rail drivers. Commuters. Property owners. And residents of downtown. APP believes the interests of these constituencies, of these downtown users ought to be part -- considered in part of your decision-making tonight. We do not believe that skateboarders are criminals or that they should be treated poorly by the police and frankly I believe our organization would support the reduction in the amount of fines. But we also don't believe that people who jaywalk are criminals in the worse sense of the word, or those who park overtime at the meters are criminals in the worse sense of the word. But we do believe that they should be fined, because they damage the accessibility and the mobility of downtown. This ordinance will allow an activity that is inappropriate and unsafe in the downtown core. There is little question that people will be hurt. Skaters, pedestrians, and I can report to you that APP has had one of its clean and safe cleaners hit and hurt by a skateboarder on the sidewalk. And we believe that again, this activity will hurt and damage the accessibility and the mobility in downtown Portland. We hope that as you decide on this ordinance, that you'll ask yourself whether this ordinance makes sense for pedestrians for the majority of commuters, for bus and light rail drivers, for downtown businesses, for those parents who do fear for how their kids are using skateboards and in -- skateboards and inline skates. For those who were more reckless than they should be, or for the police who already have too many ordinances they can't enforce. We think the answer to that question is, it doesn't make sense and we hope you reach the same conclusion.

Hales: I'm sorry to hear about the accident, or the injury as you know, Seattle chose to legalize skating on downtown sidewalks. We took a different approach. Would the accident have occurred if that skater were in the street?

Kantor: Our view is that it's naive to believe that if you allow skateboarding in the streets of downtown that you won't have additional people skating on the streets to get -- on the sidewalks to get

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into the street or coming off, that they'll be going up the ada approved ramps, that they'll be coming down off them, jumping the curb and going into the streets, going back and forth, and in that inactivity, you will have pedestrians hurt. Maybe we're wrong.

Hales: With had those arguments about bicycles. I don't see them --

Kantor: We shouldn't allow them on the sidewalks.

Hales: We don't.

Kantor: The question is whether you've got the same kind of mobility with skates and skateboards as do you with bicycles. Frankly I went to a college that had 15,000 bicycles and they banned them on the campus because there were too many of them and people were getting hurt. If it is a safety issue, bicycles -- if the evidence shows people are being hurt by bicycles we ought to consider it. We ought to consider changes to how we allow them operate. Cars, same thing.

Anne Gardner, representing Schnitzer Investment: My name is anne gardner, i'm representing schnitzer investment. We have an interest in numerous downtown properties. I'd like to first echo diane linn's comments regarding the tone of the conversations. I think it's unfortunate we -- it appears we're pitting the business community and our senior citizens against skateboarders and I think it's very unfortunate nature. Speaking on behalf of several downtown businesses, we do know what we want. And support. We want and support light rail streetcar better bus service, pedestrian friendly street escapes, and specified bike lanes. We support a vibrant downtown, 24-hour people friendly city. Today we do not believe that skateboards and inline skaters work well with the city. Specifically we're concerned about safety, the size of these devices, the ability of the riders to be seen, there are no mechanical brakes, we're concerned about the condition of the streets. We know about our maintenance shortfall and we're concerned about the utility rates. We changed those to accommodate bicycles, i'm not sure what the cost will be or if we'll take any steps to change utility rates to accommodate skateboards and inline skates. Yes, reduce the fines. Yes, decriminalize. Let the kids skate more, but please remove from this ordinance the provisions that would allow skating, inline skating and state boards on the downtown streets until we have more conversations a better understanding of what this will mean, we can bring together the police, the businesses, and the skaters to look for negotiated solutions.

Katz: Thank you. Is.

Sue Meyer, Downtown Retail Council: I'm sue meyer. Tonight i'm representing becky flint, the president of the downtown retail council and I want to read into testimony a portion of her letter. The retailers are not able to be here, given the time of year they're obviously busy trying to make their living for the year. What she says is downtown streets see a lot of transportation activity on a daily basis, buses, light rail trains, the streetcar, auto bicycles, and pedestrians all share the same space. The introduction of other devices makes us concerned that the ordinance will be making our streets more dangerous. We urge you to conduct further research on the ram if I indications of implementing this ordinance. And have discussions with the community, including the drc. Before implementing any further action. They'd also like to add that this is a particularly inopportune time for the retail community to participate in this public discussion. For colleagues and who are totally focus order the holiday season, as it is this time to determines our profitability for the coming year. It is for that reason that she asks that you reconsider taking this ordinance to city council at this time.

Art Lewellan: 3205 SE 8th. Good evening, mayor. Counselor, I am art, and my asthma is kicking in. I am going to try and get through my comments briefly, and I am afraid that I will be talking like that guy on malcolm in the middle, say two words, take a long breath. But, I don't want my comments to sway your decision. I want to differentiate my particular concern as being, not regarding inline skates but skateboarders. I have to agree that they are not a safe vehicle, they don't have any brakes and they are very hard to steer. You have got to consider the safety. Safety is the whole thing. I have concerns about the use of the skateboard as a recreational vehicle to do stunts with. Jumping on, jumping to cross a street, to jump into the street, to, and then jump the curb as

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you are going across as kind of a recreational stunt, that is dangerous and results in probably a lot of the falls. At night, it has got to be even more dangerous for that kind of accidents to happen. I think that it is a fine sport. I am a real fan of that performance-type skateboarding on what I consider to be the city, my landscaping, my masonry, the seats, little rails, and things, took a lot of labor and investment that the city didn't have to make, but did because you are giving something back to the city when you make the city nice. I mean, a place, like a home, like a neighborhood, like your personal, like it is -- and I haven't found that skateboarders who do that kind of stunt work even understand what this scarring, the little brickwork means, and it doesn't mean anything to the people that I have said, please don't do that. You know, there's been some real damage with that. So, I like to say that skateboarders rule -- oops. Because they get on the skateboards and they go somewhere and that's their object. They don't try to knock themselves out --

*****: The record should reflect that all the girls and women in the audience liked that.

James Schrom: 1614 Cellars Ave, Vanc., 98661. My name is james, and I am 28 years old, and I am from vancouver, Washington. I am an avid inline skater. I started when I was a young kid, and of course, I have always had the supervision. I have always skated indoors. I have always skated in, inland areas and I have always taken the safety of precaution because I didn't really want to spend my parent's money, the insurance costs of breaking a bone or whatnot. Aggressive skating, to me, means having a great time and not destroying property, not destroying curb, benches, or whatnot. I tend to skate ramps, and that means getting six, ten feet up in the air, and hopefully, landing on my feet. In one piece. And this band with the skating downtown is quite of a concern in regards to letting people travel and transportation. Kids that are out there that are 6 and 10 years old, let's have places that are lit. Let's have areas that have lights so that they can see and so that they would be able to skate. And if we are concerned with safety precautions, let's have some type of monitoring system. I am pretty sure that the older kids wouldn't mind, just watching over an area. I have no problem with wherever I skate, at any time or any place, I tend to watch out for the rest of the kids. If there is a problem, I will pull them to the side or, you know, I will just say hey, this is what I think you should do. And a lot of times, they look up to me because I am also a skater, and maybe we should do something in regards to that frame. Thank you.

Audrey Weintraub: 3603 S. 262nd, Kent, WA 98032. Good evening, I am audrey, and I am from seattle, Washington. I am a business owner. I am a member of the southwest king county chamber of commerce, the seattle sports and events council, the american business women's association, international association of fitness professionals, I am a member of the international inline skaters' association. Seattle's national skate control at green lake, and I am a skate owner and also a single mother of twins. One of the places teach inline skating is in schools, private and public. And I understand your concern for safety, and the potential injuries. I am here to offer a concept that safety, education in schools works. In today's age of increasing obesity in a nation's use, I would like to encourage you to let us give them the choice to participate in physical activities of their choice. Choices that they can take into their adult lives. In some of the physical education classes, we can teach you the, the rules of the road. We can teach them how to skate safely, and where they can skate. I ask that we find a way to work together to educate our youth and safety to assist them in becoming responsible youth. I have brought some safety equipment along and there is ways to learn how to properly fit the helmets, and one of the concerns is for night visibility. There are many products on the market today, flashing lights. Small, blinking lights. With larger visibility. The skating industry has responded very positively to the understanding that people are skating at night. There is skates that are now being designed with additional reflective material. I do have a pair of them here, if I may. This is the new 2001 skate. It has additional reflective material on the back and on the sides. It is very visible. I don't have a flashlight right now that I can show you how visible this piece of equipment can be. So again, going back to children, if we want them to learn how and

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where they can skate, let's educate them in the schools, in the physical education classes, and if we want visibility, know that the industry is responding to inline skating. Thank you for your time.

Doug Klotz, Willamette Pedestrian Coalition: Hi, I am doug, 2630 southeast 43rd avenue, Portland. One of the founders of the willamette pedestrian coalition. The wpc, has informally been discussing this and we have no problem with this ordinance. The amount of skating that will occur on the sidewalks will be the same now as it is with the, when the ordinance passes because it is still banned downtown and still allowed in the neighborhoods. The only difference is allowing it in the neighborhoods at night, and we don't see that this would really be a problem. The streets are lit. For walking, they would be -- the sidewalks would be fine. As far as pedestrians are concerned with the skateboarder there at night, too. As far as the safety of skateboarders on the street downtown, I haven't ridden a skateboard in a while, not since 1960 but I have ridden my bicycle out on hawthorne boulevard, on belmont, and downtown, and I feel safer downtown. Traffic goes slower. It is going 14 miles per hour downtown, whereas on hawthorne, they are going 30 miles per hour. I would think if you are going to skate in the street, downtown would be the safest place to skate. And another related issue, as a pedestrian advocate, as a pedestrian advocate, I am sensing here, maybe I am wrong, but I am sensing what sounds like a bias in the police traffic department against forms of transportation, other than the car. Pedestrians have been asking for enforcement of right-of-way laws on hawthorne, what we get instead is proclamations of health, the pedestrians should wait until the cars go by. I have talked to them, and somehow, I think that besides passing the ordinance, we would also have to work with the police department and make sure that they understand the desire of the city to make the streets and sidewalks accessible to everyone and that laws should be enforced evenhandedly so that it all isn't biased in certain directions, but I think that on the whole, that the ordinance is a good one, and I think that as the folks here have been describing, you are not going to get little kids skating downtown on the streets any more than you get them skating in the middle of hawthorne now. So I think that this ordinance is a reasonable response to the requests.

Katz: Absolutely amazed, doug, but go ahead. Go ahead. No, go ahead.

Celeste Grewe: 4019 NE 29th, 97212. I live in northeast Portland and am senior at grant high school. And I am working on the old-town skate park committee. I am here today, once again, to ask you to lift this ordinance and the ban on skating in Portland. I am not a skateboarder myself but I am surrounded by my friends, family, and my job in downtown Portland. I come here with an understanding of what it is to be a youth today in Portland and/or skateboarder. We are not thugs, as some of the articles have recently said. And if you look around today, the kids who are here, and young adults, or whatever, they don't look like delinquents, and I don't perceive myself to look like a delinquent and I don't think that you five think that I am a delinquent. I wouldn't be here today if I was. But yet, when I am with friends who have a skateboard, I can often -- I often get hassled, whether it is from the police, from property owners. My friends don't have to be on the skateboard, they just have to be holding them, and I think that there is something wrong with that. I lived all my life in Portland and I lived here loving the city. I live in. And I have always thought it to be youth oriented. I have tried to respect my elders and officials in Portland. And I have always felt that the city and this council has shown that respect back. However, in the past month since I last testified on this ordinance, I have come to feel that as a youth in Portland, the people of Portland don't return that same respect that I have shown to them. Now it is your turn to show the youth of this city and hopefully the future of this city, that this council appreciates our choices and will give us the chance to show that we won't terrorize the streets and we will show this by, by wearing reflectors at night and not running over the old lady, and I am sorry, I am referring to the Oregonian article, but any other pedestrians on the sidewalk, like the downtown retail council seems to believe that we will.

Maria Sworske: 914 NE 69th, 97213 I am maria, and I am from northeast Portland. I am a member of the east metro association of realtors, Oregon entrepreneurs forum. I am a real estate investor, a volunteer with the Portland rose festival foundation and a founding member of the inline skate

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association. As a business person, and a tax paying citizen, I don't think that I should be made to feel like a criminal when I pursue my favorite activity, inline skating, in a safe and responsible manner. Why skating? It is a great way to have fun and not even realize you are exercising. It is an extremely healthy activity and lifestyle. It is a comfortable and healthy way to socialize, and then you might ask why, at night. We are busy adults who have jobs and families. Most of us cannot get together to meet before 7:00 p.m. On a weeknight and on the weekends, we have other activities or we work. It is usually daylight when we start, but sometimes it gets dark when we are still out. In the fall and the spring, it is hard to skate when it is not dark, part of the time. We come prepared with reflectors, flashlights, blinking lights, and we strongly promote the wearing of protective gear for outdoor skating any time. And we watch out for traffic. Always allowing them the right-of-way. We choose routes where there is an extra lane, a bike lane, or not much vehicle traffic. And then there is the concern, what about the effect on business. Many of the skaters are small business owners, or self-employed. And there is much encouragement to respect and support businesses. When I lead a social skate event, I make it a point to encourage stopping at businesses that we know will allow us to spend our money there. And if it is a business we have never tried before, we always ask permission before we enter with skates. Most business owners don't want to turn down a group of hungry and thirsty customers. As part of the social aspect of skating, in addition to take being refreshment breaks, many meet afterwards for a snack. How do pedestrians, drivers and onlookers react? They love to watch us. We hear many comments, like, I wish I could do that. People smile and give us many looks of approval and admiration and many ask how they can get involved in skating. We get many words of encouragement. We avoid congested areas and if we have to skate in traffic or near a business, we are extremely cautious and slow. We make it a priority to not disturb others.

Katz: Thank you. Anybody else in opposition that's here before we go ahead and -- we didn't have two signup sheets. All right. In opposition. Go ahead.

Paul Verhoeven: 922 SE Lambert, 97202. Good evening, mayor Katz and commissioners, I live in Portland. I also work downtown as executive director of Portland Saturday Market, and I serve on the central precinct advisory committee. So, I have seen this issue from quite a few sides, and I have a 14-year-old son who is with me here today, and I think that's probably the big reason why I am here. Ever since he was little, he's loved wheels. He got a bike when he was real small, then he moved onto roller blades. When he went to school at Metropolitan Learning Center, there was times when he would skate from our house in Sellwood to Metropolitan Learning Center. I used to think that that was a pretty good thing. Now I am wondering if maybe it wasn't. Maybe he was breaking the law when he did that. When you can get a 12 or 13-year-old kid to skate four or five miles in order to go to school, I don't think that that's something that we want to say is against the law. The other night, he was outside with some of his friends, probably maybe 5:00, 5:30, in front of the house, skateboarding in the street. The local police officer came along, wanted to see all their ID and they came in and got me, and he was waving his ticket book around, and I think that it is just a real terrible situation to put kids in the neighborhood just trying to live and enjoy their lives, not on a busy street. There is not any traffic. I am not blaming the officer. He's doing his job. He's an -- he's enforcing the law, and that's what we want him to do, but I think what we need to do is change the law so it fits with what we, as a city, want to do. Thank you.

Charles Kidwell: I am Charles and I live at 14466 S. Hawthorne Crt. in Oregon City. I am an architect and I've been an architect in the downtown area for about 24 years. I took up roller blading, inline skating a little over 4 years ago and found it to be really an enjoyable thing. It is a good, healthy activity. And over the last three years, I've been regularly skating from my office to a couple of construction projects that we have going on, and so far, I have had virtually no problem. Nobody has ever confronted me, really. I had one Portland Progress person indicate that it was banned in the city, and I was shocked that I couldn't skate in downtown Portland because to me, it is just an

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alternative form of transportation, and I think that if it is done responsibly, it is a viable, legitimate, alternative form of transportation, from my office to the jobsite, takes me about a half an hour to walk there. I can be there in ten minutes on my skates. And everybody that I work with seems to think that it is a great way to go, and as far as the kids are concerned, I think the main thing is, as long as they are not behaving recklessly, the safety measures in this ordinance seem reasonable, and I would support lifting the ban for inline skating in downtown Portland.

Dave Fitzpatrick: Hi, I am dave fitzpatrick, I am 27 years old. I've been skateboarding since I was 12 or 13. I think it is really good that we have so many people attending this meeting. It speaks highly of the maturity of our sport and our lifestyle, basically. I want to start right off and debunk this whole thing that I have heard so much talk about the fact that we don't have brakes. The first thing you learn on a skate board is to stop, otherwise you get badly hurt, guaranteed. It is really easy, you put your weight in the heels, you kick the back leg out, you start traveling forward, you and the board stop. That's the first thing anybody who ever skateboards learns. In the last 15 years riding a skateboard, i've been spit out at car windows, tried to be beat up by angry janitors, physically accosted, told I am an idiot. I drive a truck 40 hours a week, I go to school at night. Pay my taxes. It is ridiculous that I can't skateboard down the street. I brought two skateboards tonight. You see a lot of these around. These are for tricks and that's why they are covered with scratches and scuffs. These are like this. A big, long board, fast, for one thing. Riding on the street, going to get my groceries, doing whatever it is I want to do, it doesn't involve me being, you know, I don't know, a trick skateboarder, for lack of a better term. We live in a state that goes on and on about their wonderful recreational lifestyle and clean waterways and everything, why, then, is it illegal for me to do something that's not going to pollute the environment slightly. Mike bell said something earlier in the Oregonian today, something about serious transportation device. I rode that ten miles before. It is as serious as you want to make it, and that's basically what I am trying to get across to you guys. Skateboarding is grown up. We are all here to stay. I've been doing there sport for years, and nothing could induce me to stop, not laws or broken bones, and I broke plenty of those, too. So that's really all I have got to say. We are here to stay and I hope you take the initiative and change this law and stop making me feel like a criminal for doing something I love.

Katz: Okay. Keep going. We are going to check in at 9:00, I don't think I want to go beyond 10:00 tonight. Sorry. We have had long days and nights. Go ahead. Okay. Why don't you start, sir, with the camera.

Michael Dukes: 9350 SW Tangela Crt., 97219. My name is michael dukes. I am the editor of the local skateboarding magazine, skatePortland.com. And I just wanted to read a letter that I had e-mailed into the council in regards to my opinion. Basically, it says that I would like you to seriously consider reforms proposed by charles Hales to the current anti-skateboarding laws. Our city, unfortunately, maintains many skateboarders and parents feel that the efforts administrative by Hales are long overdo, and Portland would benefit more if pursuing real criminals rather than harassing local youth. Many people believe that if you continuously treat a person like a criminal, even if he or she is not, they are more likely to take on the qualities and attitudes of real criminals. This kind of unjust treatment often seems to insight rebellion against the current establishment for the impression it lays on the people. I understand that society needs rules to maintain peace and stability, but common sense and logic should be considered when creating and enforcing these rules. Many of us in Portland -- in the Portland area believe reform of this law is in order, and that we ask you consider this option with an open mind. That's all I have to say.

James Gould: 14290 S. Marjorie Lane, #2010, 97045. I am james gold. I live in Oregon city. I have attended clackamas community college, was the student vice president last year of about 33,000 students, and the average age of that -- of the students that attended clackamas community college was the age of 37. Now, I recently started roller blading. I took an eight-week course with kim, one of the instructors who has testified today, and one of the things we learn is the rules, the dos and

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don't of skating in public. I've been on several of the skates, the group skates that we have done, and it is unbelievable, I mean. The people, people are thinking, you know, oh, these people, they are unsafe and whatnot. To me, it is a stereotype. We see a tv, tv is a big influence in people's lives today. Media does whatnot. We see skaters, you know, vandalizing all the property and whatnot. And that's, you know, minimal proportion. Out of that, we also consider, it is not just kids that are skating or whatnot. We also have adults, I am 21 years of age. Legally, the state considers me as an adult. Considers me an adult at age 18. Now, in this room, besides kids, there are also adults, and would all the adult skaters please stand. Now, my point is, it isn't -- it isn't stereotyping us with the kids, kids are semi-adults that do this vandalism. These skaters back here and including myself, also take pride in what we do. When we go skating, we obey all the laws as, so, some of my, as some of my friends have testified today. But, if this continues, if this ban goes through, there is going to be another ban and another ban and another ban much it is going to keep going and going and going. Soon there will be bans on people walking, oh, you can't walk in this place or this place.

Robert Fredericks: I am robert fredericks, 302 west lincoln, downtown resident. I am here because I think that I sit right in the middle of the fence. I don't like the way that some of the children have been treated in this city. Based on the way the police have handled this problem. I think we need some compromise. But, I am here to say that I am also opposed to the ordinance in the sense that it is from my perspective unsafe to skateboard and to roller blade in the downtown area. I think that we need to compromise. I think we need to find a place for people where they can go roller blading and skateboarding in parks and in places that are built exclusively for these people. Thank you.

David Bade: 1718 SE Taylor, 97214. I am david beatty, and I know that there is like laws saying you can't skate downtown, and I know that there is people that just skate, just for transportation, and people that do that, they skate downtown sometimes, go to places, and then I don't think that they should get fined for just going places because they just want to go some place, I guess. So, I think that the ban should be -- I don't like it at all. That's all.

Richard Koenig: PO Box 15045, 97215 Hello again. I am richard, and I am from the buckman neighborhood. I don't skate. I haven't for a while, I should say. However, I would like to add a few technical details to the discussion. If we were to check the Oregon revised statutes at 801.305, we would find that the public highways, which are defined as all the roads and all the streets and the boulevards, alleys, lanes, ways, even viaducts and bridges, all those places that are used by and are intended for use by the public, and their vehicles, by right, kind of put some parameters around what we can do and can't do as a city. I should say that the last clause of that statute does include within and without the incorporated cities of the state. We do have rights to use the road, and we have a right under the constitution of the united states, as interpreted by the supreme court on numerous occasions to use the vehicle of our choice. I think that there is a need for a little bit more historical perspective in this, a little less personal and emotional stuff, and just going with the fact that there are rights to use the road by the public. Maybe the question is, are people under 16 members -- under 16 members of the public much maybe the issue should be, are their parents supposed to be liable. The other thing about regulating sidewalks, well, maybe we should or shouldn't, but here's one of the things that we do as an alternate in this country. We are all responsible for living with each other. We are all responsible for our actions. We can all be sued, civilly. It creates a certain relationship between each one of us on the sidewalk that can never be duplicated by an authority, a government saying, here's a place for you, or here's a place that's not for you. That's anti-the community that personal responsibility tends to foster. Thanks.

Meredith Norris: 344 SE 29th, #3, 97214. My name is meredith norris, I am a 35-year-old skateboarder myself and a mother of a 13-year-old skateboarder. I think it is a widely recognized sport world-wide and it is an effective method, alternative mode of transportation. I think by outlawing skateboarding, we are creating outlaws out of our youth. Skateboarding has been stereo typically stigmatized. I think that there are already laws in place that take care of some of the things

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that were concerned happening downtown by skateboarders, such as vandalism, destruction of property, public intoxication, those sorts of laws are already in place. And the act of skateboarding down the street should be decriminalized. I am concerned about the safety of my son, but I don't think that he's endangering himself any more than he would be riding a bicycle downtown. And that's certainly not criminal. Thank you.

Doug Rosline II: 15627 SE Stark, 16A, 97233. Hi, I am Doug and I am a 20-year-old skateboarder and I have lived in Portland, Oregon, all my life and I traveled across pretty much the whole United States, been out of the country a few times, and the only real problem that I see is discrimination between people, and I feel that having a ban on downtown skateboarders and people coming downtown is discriminating because you do allow bikes to go downtown and ride on the sidewalks, or on the streets, but yet they ride on the sidewalks. If I set my foot on my skateboard and put two wheels on the ground, then I am going to get a \$3500 ticket. I feel that that's discriminating because you say that, not all skateboarders are the same but yet we are because that's our thing in common. We all have that in common and we all stick together. It doesn't matter who you are or what you do or what you look like, whether you are tall, big, or short. If you are blue, you are black, you are red, you are yellow or whatever, it doesn't matter. Everybody can skateboard, as long as we are skateboarding together, we don't have problems because we are taking care of our problems by skateboarding. I mean, I have anger issues, I have lots of other issues and problems like that where I had problems releasing myself, and I can express myself fully by skateboarding and also release the anger in all that, by skateboarding, whether I am doing tricks or skating down the street, and like somebody said earlier, with the safety issue, you have all the laws about the safety issue. If somebody is being disorderly and making disorderly conduct downtown, on a skateboard, they are doing disorderly conduct. It is not because they are skateboarding but because of themselves and the choices they are making by saying we cannot skateboard downtown is kind of impeding on our choices and if you impede on our choices, that leaves us with what else to do. I had a problem with drugs and alcohol and breaking the law and as soon as I started skateboarding, I really haven't had those problems, except for when I wasn't skateboarding and when I wasn't thinking that way, when I skateboard, I can release myself. I don't have to go and do drugs. I feel better skateboarding because I am doing stuff positive and then I do drugs because if I do drugs, I will have to steal and be dishonest and I am committing a crime. Where if I am skateboarding, I am not really doing anything wrong or hurting anybody but myself, I am completing stuff that will make me feel better and forward myself in life. I have to think every day on every action of everything that I do, and skateboarding helps me because I have to think on a different line -- I have to think differently because I have to use my mind and body simultaneously. You say, we can't stop, well, we can stop, and it is a personal choice, and I think it should come down to separate than the whole. You can't punish everybody for one person's action.

Olivia MacLeod: 4143 NE 28th, 97212. I am Olivia. I live at 4043 northeast 28 9th avenue in the Alameda neighborhood. And I guess that I wanted to put a conventional, another mother's face on skateboarding because it is a very different kind of activity from, I think, maybe what it was when this ban was originally enacted. I have a son who is 10 years old and skateboards, and he gets the same lecture about behaving properly as he gets about sitting at the dinner table and behave properly. I would not allow downtown skateboarding but I wouldn't let him downtown doing anything until he's older and I can be sure that he's safe and again, a good citizen. I worked in human resources management for over 12 years, and sort of encountered something that feels analogous to what is going on here tonight, and that is that I spent a lot of time writing policies that were sort of using a hammer against every employee when it was a very small percentage of the employees who really needed to be addressed. And it was specific behaviors that were not okay. And I feel that the police are doing their jobs, but if there is a problem with skateboarders, the police ought to do their jobs addressing what the specific problems are. Not being on the skateboard, because that is inherently,

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except for the convention of the law, at the moment, not an illegal activity, but if they are being vandals or they are being -- if they are assaulting people, if they are running people over on the street, that is, in fact, something that the police ought to address. But, I think that we need to, because we have sort of come forward in the way we regard skateboarding, I think we need to have the law reflect that enlightenment that we have, and we ought to consider skateboarding to be an alternative transportation because it is, in fact, an alternative to being in the car. Took me 25 minutes to drive from my close northeast neighborhood to come down here this evening, and I wished that skateboard was an alternative for me. The world is not ready to see me on the skateboard and I am not ready to get there. But, if I were, believe me, it would have been quicker, I think. So, I thank you for your indulgence and I hope that you will consider lifting the ban on this ordinance.

Katz: Tell me, why won't you allow your son downtown on a skateboard?

MacLeod: Because he's only 10. When he's older --

Katz: What is it about downtown at 10 that bothers you?

MacLeod: He's not allowed to go anywhere by himself. He's 10. He's a kid. And he needs to prove to me over time that --

Katz: You know that there are 10 year olds downtown on skateboards.

MacLeod: I know, is it, your honor? What do I say?

Katz: Whatever you want to call me. [laughter]

MacLeod: Mayor, that's, that's a very large issue, but it has a lot to do with the way that we parent our kids, and how irresponsible we may be as parents and how neglectful, in fact, we may be as parents but that doesn't have very much to do with skateboarding.

Katz: Well, it does and it doesn't, and I don't want to get into the philosophical about government is parents, you know, because there are a lot of parents who are neglectful of their children, and there are 10 year olds downtown on skateboards.

MacLeod: And may I say in response to that to my earlier point, that if those 10 year olds are doing things they ought not be doing, then believe me, the entire citizenry of Portland has my support in having the police or whomever else is responsible for them, do something about that.

Katz: Yeah, but you wouldn't allow your 10-year-old in the downtown, not because he would vandalize, just you wouldn't allow it because he's 10 years old.

MacLeod: Right. But, you know, I don't believe that we are discussing the issue of whether 10 year olds should be roaming around Portland because that's a different ordinance, I think, and somebody earlier mentioned curfews and somebody else mentioned whatever, I guess my point is that if my 10-year-old were skateboarding in Portland, I would be no less or more alarmed than I would be in my 10-year-old were by himself in downtown Portland, and so that there is no distinction between the activity of skateboarding and the activity of his being downtown alone. And if it is wrong for him to do that, the skateboard really doesn't change the argument. That's my point.

Katz: Thank you.

Zach Zurflu: I am zack, and I live at 301 southwest lincoln. Inside the area where skateboarding is not allowed here downtown. I program computers out in beaverton, and I ride the max and a bus and oftentimes my skateboard to get to work. I have received a citation for skateboarding downtown here. When I was using it for transportation, and I have received a lot of citations for skateboarding. And I really would like to not have that happen any more. I think that the issue here isn't really about 10-year-old kids, skateboarding downtown, it is about people being able to get around however they choose, as long as they are not harming other people, and I pay taxes, but, that go to pay for the road maintenance, and I think that I should be able to ride my skateboard. That's it.

Nathan Childs: Hello, I am nathan alan childs, I live at 18 northwest 3rd in old town. I want to thank the mayor and council for allowing us to have this discussion. I am a 5th generation Oregonian and a third generation Portlander. My father was raised in the shadow of mt. Taber. He was an avid skateboarder and the inventor of gns speed sparks. Portland has deep skateboarding

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roots. From the downtown -- from the mecca of the late '70s to being home to burnside, the world's greatest skate park, who is household name crosses the dinner-table in every developed city in the world. It is a tragedy to me that I should wear a badge of shame because I choose not to drive in an ever increasing traffic calamity of downtown Portland. I operate a business not far from the corner of 3rd and burnside. At this corner, violent and deadly collisions between cars and pedestrians occur at alarming magnitude. It is also the location of where I was arrested for disorderly conduct for doing nothing more than skateboarding. In the eight years that I have skateboarded, I have grown accustomed to the dialogue surrounding the justification for my criminal acts. The dialogue is diverse and it involves everyone in this room now. Now, with the opportunity provided by the council, the mayor, state and providence, true progressive politics will take their course. Surely the mayor can break enough minutes from her meetings with real estate investors to pin her name on an ordinance before us. This revision to the law is a piece of earnest pragmatism, and in short, a very good thing. It boosts the economy, will increase tourism to Portland, and Portland will become a shining example to all of Oregon that Portlanders are truly concerned and held accountable to finding safe and clean alternatives to the automobile. Thank you.

Katz: Excuse me, what did you say about meeting with real estate investors?

Childs: Nonindigenous citizens that are, are having progressive movements in Portland, call new urbanism? And on and on --

Katz: You lost me.

Childs: Yada-yada-yada.

John Corbly: 2121 Se Caruthers, #3. I brought some tickets, these are tickets handed out to skateboarders. I am John and I am a 28-year-old native Oregonian. 15 years ago I was in front of my city council in my town in southern Oregon pleading for them to vote in favor of the legalization of skateboarding. They declined. The claim skateboarders would destroy property, terrorize streets and be run down by traffic. 15 years here I am again fielding the same criticism alive and well and not guilty in any of the above crimes. You can be certain I have paid my fair share of tickets. While I am getting to work and downtown, in the evening, which is at 4:30 in the evening. I have been ticketed \$229 to \$2500. Let's consider some of the concerns about skateboarding downtown. If safety of skateboarding is the issue and it has been brought up a lot tonight, the issue we need to be educated and realistic. The automobile is involved in far more accidents than skateboards will ever be. When cars are in accidents, do we ban them, why such a basic viable, affordable form of transportation in a progressive and livable city such as Portland. Why don't we lead the way and allow Oregonians to travel the way they please in a safe manner. If the concern is damage caused by skateboards in the sidewalks and streets we need to look at the skateboarding which is being done. To skateboard down a sidewalk does not damage it. Transportation skateboarding absolutely does not damage property. What happened is all skateboarders are lumped into a group that damages streets and sidewalks and given citations. I am a commuter. This is my transportation, skateboarding isn't going away and I am tired of being hassled and ticketed for doing it in a safe manner. I am an example of a law abiding citizen whom felt the repercussions of it in the city. If it is -- oops, I already read that part. We are -- working at a skateboard shop allowed plea to views the people skateboarding. It is sad to see citizens who are under age of 18 have warrants for their arrest for skateboard tickets that they cannot pay. Why criminalize kids and adults who choose to skateboard for transportation? Let's stop wasting taxpayers money and hassling good intentioned people who cut down on traffic in our ever growing city. Now is the time to right the wrong. Let's live up to our reputation as the most livable city in the U.S. If all of Portland's residents.

Jason Franz: 514 NE Tillamook. I am Jason Franz, and the first thing, I would like to make a few points, the first thing is I would like to dispel the myth that roller blades and skateboards don't have blades. They have brakes either on one or both roller blades, the rubber thing on the back and you can stop with your wheels. I am an avid roller blader and I can stop pretty much on a dime. The

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other thing is, is that I consider roller blading as my transportation. It is pretty much my first source of transportation, and to give you an example of how effective it is, i've been able to go from, from vista, southwest vista to 42nd and halsey in 25 minutes. Over 80 blocks. Hills down and up. Rather quick. Another thought is that quite often, when commuting from northeast Portland up to psu in the evening, I have to go through downtown Portland in the evening. It is actually one of my favorite things to do on roller blades is to go into downtown Portland at night. Normally about this time, or earlier in downtown Portland, traffic is very light. It is actually, you know, you can go on the streets and it is actually quite a bit of fun. I can see, I see other cars, I see pedestrians. It is not a problem. I have also roller bladed in streets that were so filled, in a concert, and once again, no problem with control and no problem with safety, no problem with interactions with pedestrians or cars. And the final thought that I have is that we are very proud of the burnside skate park, which is located underneath the burnside bridge, in an industrial area, basically in the dark. While traveling in new zealand and australia, I observe add different culture that, that really embraced their youth. For example, in wellington new zealand, which is the business center of new zealand, has a beautiful museum that they use to bring tourism from all over the world. And shopping districts around. Right to the, right to the left of this museum is a skate park.

Sam Beebe: I am sam bebe and I live at 1807 northwest 32nd, and I am really nervous. I've been skateboarding for transportation and recreation for ten years. This summer, I started a website called state Oregon about public skate parks of Oregon. And currently there is 70 cities, 70 cities or towns interested or -- that have skate parks, so there is a tremendous amount of momentum for skating in Oregon right now. But, Portland laws and much of the opposition I have heard tonight regarding skating say to the youth, we do not support you. We do not trust you. These laws are inconsistent with the faith giving to other Portland citizens. One example I would like to compare is driving. It is the most dangerous thing to do on a consistent basis. Anyone can have a driver's license. We are optimistic, but the laws are optimistic about individual responsibility. We can even drink a moderate amount of alcohol or talk on the phone and drive on a public road. But again, we have faith in the individual to exercise their responsibility, so I ask why is it that whether it comes to skating, Portland laws assume the worst. I think charlie -- I thank charlie Hales for his effort and encourage the rest of the council to support him.

Katz: Thank you. Let me ask the council, we have two -- we have assistant chief pronkin and captain bell, and I would like to send them home if the council doesn't have any questions of them.

*****: I have one question.

Katz: Thank you, gentlemen.

*****: Sorry, can I submit west linn's new ordinance?

Katz: Sure. Why don't you hand it to Britta.

*****: It is decriminalizing skateboarding in west linn.

Katz: Why don't you both come on up, if the council doesn't have any further questions of you, go home. [laughter]

Saltzman: Just one question, I think I asked you this yesterday, chief. The park blocks, the center sidewalks, those are considered sidewalks, aren't they, for all intents and purposes under this ordinance? Our present ordinance that bans skateboarding on sidewalks? Or do we need to clarify those are, indeed, sidewalks? And maybe captain bell, maybe you know the answer to that.

Katz: It is the public places, the language says, in other public places.

Saltzman: The park blocks have a sidewalk down the center. And I guess I think of that as a sidewalk.

Hales: It is a park.

Asst. Chief, Bruce Prunk, Police Bureau: Commissioner, I guess, I am with the police bureau, and I guess that I would --

Saltzman: We need to clarify that.

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Prunk: And I think that that would probably be a discussion point that we would probably need to have with Portland, department of transportation and parks and as far as whether that is considered an extension of the sidewalk, for purposes of the ordinance --

Saltzman: Okay. Thanks.

Katz: Let me just -- isn't areas open, other areas open to the public, the ordinance talks about streets, sidewalks, and other areas of the public. So that would be --

Prunk: That would be my interpretation, but again, to answer the legal question, I would --

Saltzman: Or get to nail it down, we go ahead and define it that way.

Hales: Another solution, and I think it might be cleaner, is to delete that phrase, other areas open to the public because the park bureau has the ability to regulate activities inside the parks, and I suspect, and in fact, I know, having been parks commissioner for four years, that they are going to want to regulate that, that activity in different ways in different parks. So the way to handle that issue, for example, pioneer courthouse square is a park and the 20-foot wide sidewalk in waterfront park is a park. We want the parks bureau to figure out that issue of which parks are appropriate to skate in and not put that in with the vehicle code and the right-of-way stuff. So my recommendation is --

Katz: Wait, wait, wait.

Hales: The parks bureau has that authority already in the code and we are not even talking about, to regulate what happens when and where and how.

Katz: The reason the other areas of the public is there is to include bridges, which are not streets or sidewalks, so you would have to clarify that. That was one of the discussions that we had two weeks ago.

Captain Mike Bell, Commander Traffic Division, Police Bureau: My name is mike bell with the police bureau. In other parts of the law, when you use that phrase in areas open to the public, you generally are including privately owned areas, that the public has regular access to, so you probably would be including parking lots at safeway stores and albertsons, movie theaters and places like that. So, if that would be the council's intent, that probably would include that, if, even if you didn't intend it to.

Katz: But, if we deleted that, would that exclude bridges?

Bell: Bridges are part of the highway system, anyway, so I think that bridges, bridges are included --

Katz: That would be included under a street --

Bell: We are actually looking up -- the highway runs over them. You wouldn't exclude bridges by take -- by taking that out. I don't think so, but that would be something for the city attorney to look at.

Katz: All right. Any further questions? Since you were here, and I am going to ask you then to go home because you put in long days. Do you want to say anything before you go? No?

Prunk: I think that, you know, again, we appreciate the opportunity to take a look at this, and it has been interesting for us to hear the testimony tonight, and see how we are going to move guard on this ordinance. Thank you.

Katz: All right. Let's continue. It is 8:56. How long does the council want to go?

Hales: I suspect that we can finish up before 10:00 but I don't know how many people are left and want to testify.

Katz: How many people want to testify?

Hales: Just a show of hands of those who plan to testify? We are down to a hand full.

Katz: Okay. Let's keep going. Okay. Go ahead.

Ian Cornell: 11150 Se Yamhill, 97216, My name is dan, and I am 14 years old, and the way I look at this, I guess for skating on streets and public sidewalks, I can understand the, the worry that people have about people running into other people that are on skateboards and the way I see it, is if someone has enough skill and can control the board well enough, I don't see a problem with it. Because you can stop a skateboard like, like just like, at the stop of a finger, you just bring your --

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the back end of the board around and the wheels slide and it stops the board completely. You can do that fast enough if you have the skill. And the skating at night and stuff -- I skate very, very on which, every day, and I don't know anybody -- I know a lot of skaters and not one of them that I can think of likes busy streets. They don't like skating at night because you can't really see where you are going, and yeah, you can't see where you are going. There is -- they don't like busy streets because around dark corners and stuff, you can't see where you are going, and it is really scary, believe me. And that's all that I have to say.

Jared Jones: 2202 NE 121st, 97220, I am george, and I live in northeast Portland. I just, you know, want to say that i've been skating for four years, and I don't know about the 16 and over thing because, you know, it doesn't matter your age, just the skill level, like he said, you know. You can know how to stop and the maneuverability of the skateboard, as long as you have control of it, I think it should be okay. I don't know about the street thing because it is just, I don't want to be by cars, it is not very safe, and I mean, my parents pay for taxes, and I believe that I should be able to skate what my parents paid for and stuff, and I think that you would probably be more vulnerable to be hit by a car crossing the street than being hit by a skateboard downtown. Like when somebody is cruising by going somewhere. I don't think that you are going to get hit.

Katz: Thank you. At least, both of you were very candid about the stuff that it is scary. Okay.

Sage Bolyard: 503 NE Brazee. Good evening, I am sage, and I am 29 years old. I've been skating for 18 years. I have an 11-year-old daughter who is also a skateboarder. I've been part of the burnside skate park for ten years now, building and helping maintenance, and skating, of course. I am part of dreamland design and building skate parks, and for the most part, oh, I want to thank whoever put my name on the list here to sit here and talk right now because I didn't do it myself. [laughter]

Katz: You didn't?

Bolyard: I apologize. But, I guess for what I really want to touch on is obviously, what this is about, is that the nighttime skate ordinance here is, is, people are skating, not only just transportation, they need to get to where they need to go. And people are going to do it when they need to do it, whether it is daylight or nighttime. As far as the burnside skate park, which I know this is just, just touching on this, it is only three quarters of the way lit, and maybe not in the wintertime, but in the summer-time, you will find people that are 24 hours.

Bolyard: I know I have a whole lot more to say, but that's pretty much what, what I really need to touch in on.

Katz: Maybe you can find whoever put your name on the list and are him testify for you. Thank you. All right. Let's keep going.

Pat Oman: I am pat and I live at 4015 northeast Multnomah, and I will be brief since I sense you all are weary. I am a single parent of a middle schooler, goes to fernwood. He loves to skateboard. Adolescence a tough type, and it is one of the people who spoke earlier talked to the issue of marginalizing the kids in our community. When places are off-limits to them for whatever reason, it affects their sense of self worth, and I think that that is a negative message that is sent. I also would not send my child downtown alone, on a skateboard, on a bike, or walking, so, but when he's older, I would like to think that he could he could go downtown and roller blade or skateboard. And I don't think that he would be irresponsible. Let me just also say about burnside, I have taken my son down there on many occasions, very early in the morning, at 7:00, 7:30 in the morning and there are many occasions that he can't skate there because hopeless people are sleeping on the ledges and I realize we are not here to speak to the issue of homelessness, but as far as a world class skate park is concerned, that is an issue that's not necessarily a safe place for a 12-year-old to be. I don't let him skate when there are homeless people down there because I am afraid they may get enraged at having their sleep disrupted and take it out on him. So that's all that I have to say. Thank you.

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Max Seder: 3219 NE Thompson, 97212. Hi, I am matt, and I live in northeast Portland and I am 10 years old. I've been skating for about five years. Whenever I go skating, I see kids playing soccer, people biking. I always get people yelling at me, but, you know, they never -- they are accepted, but skateboarders usually aren't. And it is, it is just another way of transportation, you know, just another way to have fun, I mean, it keeps kids my age out of trouble, I mean. I am starting to get to the age, you know, where drugs will start coming into play, and you know, I want to definitely keep off that. And I think skateboarding is just a great way, it is just a great thing for Portland's youth and it should be allowed and it should be an accepted sport. [applause]

Katz: It is allowed and an accepted sport, and your testimony was wonderful. Thank you. All right. Let's keep going.

Chris Hagerbaumer, Oregon Environmental Council: 520 Sw 6th, #940, 972104. Mayor, commissioners, good evening. Thanks for the opportunity to speak. I am kris and I am the air and transportation program director at the Oregon environmental council. And I have three quick points to make. First, it is not, not only a skating a very viable means of transportation, it is also a nonpolluting form of transportation. And we all know that that's important. We have spoken a lot about safety tonight, and I think that we should talk about the safety of our air as part of that equation. Encouraging nonpolluting forms of transportation will help us continue to ratchet down our air pollution problem, which does impact kids, it impacts seniors and it impacts all folks who have any type of lung disease or, or otherwise especially sensitive to toxins in our air. Encouraging skating would help the city meet the goals expressed in the soon to be finalized global action warming plan. Second, to expand on the earlier comments, of mr. Oxman, with the Multnomah county health division, the center for disease control has recently turned its attention to the urban forum and the lack of alternative forms of transportation as really being a serious health problem, in the united states. Up to half of our children are actually having problems with obesity, and anything that we can do to encourage walking, bicycling, skating, or any other means of moving our bodies is really an important thing to do. Then, on a, really, a very personal note, I really think that there is no way to ordinance a way -- away accidents. If you really wanted to get rid of all accidents, a more effective way to do this, and I think this has been expressed earlier, would be to ban driving. I think that we have to carefully way any ordinance that restricts freedom of movement against other important social goals, like responsibility, encouraging responsibility and promoting independence. That's all.

Nancy Newell, Sierra Club, Oregon Wildlife: Hi, I am nancy and I represent 200,000 Oregonians here today, and speaking on behalf of this ordinance we like it very much. I represent the c -- the sierra club, I represent the Oregon wildlife federation. I represent the noendrun committee, and I am surprised at the tragic state of the city council's mindset because these people should be honored. I mean, people who drive suv's are not only polluting in this community, but causing the country of the netherlands to go under water. Causing millions of africans not to be able to have food. Causing hurricane mitch down in guatemala. Causing for this country immigration problems we never dreamed of. Causing crowding in this town, I mean, when the business people talk about the happiness that they have of cars pouring into their areas to shop, is that the only activity that this city can have? Is that what we are looking forward to is a, where it looks like a gridlock that they can't begin to solve these problems? These are our young heroes and the students that go to the library downtown, the people that buy cd's and listen to music that relieve some of the tension of the factory mentality of our schools today. During a crisis, we don't have energy. My goodness, the city of Portland won't have energy, we will be out in the cold and here the skateboarders are out in the cold with their puffing air saying, my gosh, we can endure this and we don't use electricity. We are not on the computers and watching violent video games we are out there at citizens of this city showing ow proud we are of our bodies, of our movement, the beauty of our movement and we are saying that this is some kind of criminal activity? What in the world is going on in this city council? It is very

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upsetting. And I think that the business people should start looking seriously at sustainable transport in this town. And you are talking lung disease. You are talking expense. We pay for road rage. How much money do we pay for road rage and do we pay for video equipment for red light running by car owners? You know. And we glorify SUV's by the Morrison bridge, we have got murals of SUV's, these are the most deadly item of transportation in this world. And you all should go to China. You ought to see cooperative efforts, you should see 300,000 bicyclists driving into town. Let's do something right for a change.

Katz: Come on. Are you --

*****: I think they are professional skaters.

Katz: Somebody sign them up and they are not here? Okay. Let's keep going.

Katrina Zavallney: 4545 SE 45th, 97206. Are you guys ready. Almost? I am Katrina, and I work at a local day care here, and as you guys know, it is Christmas vacation, and one of the teachers' sons comes in, and they help out and they are really great kids, it is really fun, and they have skateboards, and I was not quite sure how I felt about it but they came out and they were teaching the kids how to skateboard and they were playing around, the kids, they were like, 4 or 5 and they just loved it. They were -- they would like ride down the sidewalks and just -- they had a really good time, and so I just want you guys to remember how fun skateboarding can be for all ages, and so it is something really valuable.

Chris Moore: I am really nervous.

Katz: Don't be nervous, just bring the mike closer to you.

Moore: I am Kris Moore and I live in Southeast. I am legally blind. I've been skateboarding as an alternative form of transportation for ten years, I don't want to go to jail for going to work, I just want you to lift the ban. This is my car.

Katz: Anybody else that signed up to testify? Are you our last?

Hales: I think there is somebody coming down.

Farrah O'Brien: 17835 SW Chippeway Trail, Tualatin. My name is Ferrara O'Brien. I am almost 25. Next month. I have a son who is 7 years old. When I first thought about skateboarding, I was quite embarrassed of it. I got pregnant when I was in high school, and I had a reputation to uphold with, you know, the teachers at my school and my parents, my parents' friends, to prove to them that I could be a good mom, and when I thought about skateboarding, it was like wow, I could get somewhere so much quicker and you know, it just seemed so fun to me, but I was embarrassed. It is almost like skateboarding is a crime, and I didn't want to be an embarrassment element to my family and you know, like I just said I got introduced to it, my son was almost 5 years old. I was 22, I think. I am a single parent. I have worked my butt off for the last seven years, and getting -- okay, when I go to work, I have to take my son to day care, and then I have to get to work, and in order to do that, if my car is broke down, I can't afford fixing it, so, you know, that's my source of transportation. That's a long transport for me to have to do that. I think that I am just as nervous as the last people up here. Skateboarding is something that me and my son do together. I think that half these people in this room know him, and I don't think that they have ever seen him without a helmet on. He's not allowed to even step on his board without a helmet. I don't think what you guys realize is say down at Burnside, the skate park down there, you have about 12 people at once, in the skate park going 12 different ways at speeds up to 25 miles per hour. If you are not comfortable in that sort of area, then you are not going to get down there in it. So, say if you do legalize skateboarding downtown, that doesn't mean we will jump out in traffic and endanger ourselves if we all have common sense and I have instilled that in my son, he's only 7. He's not allowed to go downtown and skate by himself, but that's what stop signs are for. People on bikes, skateboards, you name it, we all stop at the stop signs. We all watch out for people. We don't jump on our boards and say, we can skateboard downtown, let's go and run into this car. You know, the issue about, um, skateboarding at night, you know, cars, we put lights on them. We put lights on bicycles, I think that solving the problem would

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be putting lights on us. Just like the last person said, we don't ban vehicles because there is accidents out there and speeding, you know.

T.C. Brockie: 3005 SE 52nd. I've been out -- I am a 15-year Portland resident. First ten years I spent commuting to work every day. And I probably would say probably four days out of a five-day week I dodged policeman every time a, two-time convicted skateboarder. I spent a night in jail because of skateboarding once last october. Which wasn't very fun because they let me out of jail at 5:00 in the morning before the buses even ran, and it is not very warm when you are in jail, either. I think that maybe people should start thinking about the fact that they are criminalizing, you know, I am kids' behavior. I am a criminal now. I am a 39-year-old criminal. I am here to represent a bunch of other old people, like I said, I am 39. My friends are all 30 and above and we all still skate. I wear my safety equipment. I don't wear it all the time but most of the time. And most of the time who like to skateboard do it just for the enjoyment of the of the fact of going fast. It is difficult. That's part of the draw, if, the fact that it is difficult and dangerous and I hope you change the law so that I can skateboard wherever I want and whenever I want which is what I should be able to do in the first place.

Shanda Tice: 1416 NE Euclid Ave., 97213. I am shana, I live in the hollywood district. I am 26 years old and I have been roller blading about two years now. And the issue I wanted to address was the night skating, seemed like the biggest issue to you, mayor Katz. I used to work downtown, and I used to get there three ways, the max, my bike or roller blades. And I worked the night shift so I got off at 10:00 at night. And when I got off at night, obviously I was skating at night. And honestly, to me, skating at night is the safest time to skate. And for one reason, less cars. Statistics say that most accidents happen in broad daylight. It is true. Because everyone at night or in bad weather uses a lot more caution and including skaters, pedestrians and drivers. So, that's the first issue I wanted to address. And also, I mean, I use -- I just wanted to say that it is really a viable form of transportation. I have used it to go downtown. To see movies at night, to see speakers at psu. To do a number of things downtown at night. Last year we did our christmas shopping on roller blades, so, and as far as the people who say that we should just give them a park to skate in? My friend and I who skate together, we roller bladed 20 miles in one afternoon. If you have a 20-mile park, then I am all for it, but other than that, you know, you can get far in one day. And so it is a very viable, very alternative way of transportation. I think that wearing lights is a very good way to go. We are helmets and I think that we can do this safely.

Katz: Thank you. All right. Council discussion. On this.

Saltzman: We have two different ordinance insist front of us.

Katz: No, we tabled -- we tabled -- we referred the first one back to commissioner Hales' office. We have -- it was not in our books, which is something that I don't understand. But, it was distributed, the amended one that we amended last week is the one that we are working from.

Hales: That's the one that was on your seat.

Saltzman: It goes up to paragraph H.

Katz: That's the one that we are working on, and that includes a limited ban in the downtown. I just want to let people know what we are working from. It is much narrower. A sidewalk ban. It does require protective head gear. The persons under 16 years of age. And reduces the fine, if you don't wear it. And it requires lighting equipment that shows a white light visible from a distance of at least 500 feet for the front of the device and 600 feet to the rear of the device. And you have the same rights and duties as the driver of a bicycle as provided by the Oregon vehicle code. I need to go back to that because there is a mixed message on that. We are not sure if the state has preempted us on that. There is a copy of the citation issued for violations by persons under 16. 16 years of age, being mailed to the parents or guardians of the person at their home address, if known, we are going to monitor this in terms of record of injuries and deaths to riders of rollers, including inline skates, skateboard, and report the findings annually to the city council, and before this ordinance takes

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effect, the Portland department of transportation shall consult with the bureau of risk management to minimize claims, resulting from defects on city streets. That, I don't know how we deal with this one. Since this ordinance -- well, it is not an emergency ordinance.

Hales: Just a requirement.

Katz: So that's what's in front of us now. Go ahead.

Saltzman: I have some amendments that I would like to offer.

Hales: Maybe it would be good to poll people and see where you are, and then, I think that we have got a lot of people here would come a few days before christmas, we ought to give an indication of what we want to do and then what amendments we need to make before we are going to do it, and not leave people hanging. So --

Sten: We are going to vote --

Hales: We can vote to adopt amendments.

Katz: But we can't vote on this.

Hales: My request would be, let's see if we can find a version of this ordinance that people are ready to adopt amendments and vote on and by adopting the amendments, you mean you are going to vote for the ordinance? And we don't have to leave people hanging in suspense wondering if just voting for the amendments didn't mean voting for the ordinance.

Katz: Well, people can do whatever they want. If they don't want to say anything they don't have to until we vote. But go ahead.

Saltzman: I have two amendments, and if these amendments are adopted I will vote for the ordinance.

Hales: Okay.

Saltzman: I guess the first one was one that commissioner Hales and I have talked about today, and that is with respect to downtown and other areas in the town, I am prepared to support lifting the ban but I also believe that the Portland department of transportation and the Portland police bureau need to come up with preferred skating routes in the downtown, and other areas throughout the city, as a matter of fact. So, that they are not required to skate in those areas, but these would be the areas typically, lower volume traffic streets where we want to encourage skateboarders, inline skaters, and scooters to use as their methods of getting from point a to point b. So, the language, again, commissioner Hales printed up a version of this, but I need to modify that a bit so I will read what it would be. A new paragraph, i, the council directs pdot to meet with members of the Oregon's safety division to recommend and designate preferred skating routes in the downtown core area as well as throughout the rest of the city. P do the will report the recommends back to council by march 1st, 2001. And pdot will install signage on designated preferred skate routes and signage indicating locations of preferred skating routes and also print-outs materials on preferred skating routes no later than april 1st. So that would be my first amendment.

Hales: I will second that.

Katz: Discussion?

Francesconi: Do we just --

Hales: Get them on the table?

Katz: Just a minute.

Francesconi: Do we know how much that's going to cost? Do we know?

Hales: Depends on how many routes we designate. I talked to dan about this idea, my first reaction was I wasn't sure if it was feasible, upon reflection, I think it is. What he's not suggesting is that, and for people's understanding, we are not suggesting you can only skate on the designated skating routes, that these are preferred routes. We have done this with bicycles, in other words, you can ride a bicycle down hawthorne but we recommend that you ride your bicycle down taylor because it is a better street to ride a bicycle on much that's the same principle and I think it makes sense much we have heard a lot of great testimony tonight and some of it was really about public information. We

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have got the question in front of us about what are we going to enforce, and we are not really talking about engineering. But there is an education effort that needs to go on, so that people can skate safely and I think that this is a very responsible suggestion, and I think that we can help make it all work better for everybody if we do designate certain streets as skating preferred.

Francesconi: Is there a reason that the rest of us weren't told about --

Hales: Because dan came up with the idea this afternoon. Give him a break.

Francesconi: A more significant question is, is there anybody that -- we have had two days of testimony. And very good testimony. That has educated me a lot, is there anybody from odot here? I haven't heard a word from the department of transportation about the significant changes, including this amendment.

Hales: We have, because it is my bureau, been in constant touch.

Francesconi: Are they here?

Hales: I don't know if they are here or not, but we are here, and --

Katz: No, no, ladies and gentlemen, we usually have the bureau managers here to talk about transportation policy. The question that commissioner Francesconi raised is a legitimate one. But we are now on this amendment. So, how does the council feel -- you want to put your second one in?

Sten: I support the amendment.

Katz: Commissioner Francesconi?

Francesconi: I support the amendment.

Katz: Go ahead. The second amendment would be to paragraph a, and that deals with a question I asked of assistant chief pronka about the assistant park blocks, maybe it is too late. I don't follow the other public area stuff so why don't we spell it right now, and that would be a sentence at the end of paragraph a that would say, "middle sidewalks in the park blocks are considered sidewalks for purposes of this paragraph." In other words, no skateboarding in the middle sidewalks of the park blocks.

Hales: I think you may have been out of the room when we were talking about this question. Because I had a suggestion for another way to deal with this, this issue, and that is I am open to doing it either way. Right now paragraph c says, as this, has this vague phrase about streets, sidewalks, core areas open to the public. And I think that the reason that that was suggested last week was parks. I think that parks and in fact I know, parks has the ability to regulate what happens on the sidewalks in the parks, and I assume that, jim, it will be different from place to place, pioneer courthouse square is a park and waterfront park is a park, so rather than have the vehicle code talk about which park is okay for skating, I think we, by just removing that phrase, leave that up to parks. To figure out. Which I think is a better way to do it. I am open to doing it either way. If you want to be specific about that?

Saltzman: I want to err on the part --

Hales: We can do both.

Saltzman: Just spell it out.

Hales: If we substitute that for the current language, in other words, get rid of other areas open to the public and substitute what you suggested, and then we kill both those birds with one stone.

Katz: Let's try to use another --

Hales: Politically incorrect phrase. -- politically incorrect phrase.

Francesconi: Commissioner Saltzman, what do you want to have happen so I am clear.

Saltzman: We are maintaining the ban on skating and sidewalks in the downtown core area, and I want to make sure that that includes the middle sidewalks and the park blocks so there is no ambiguity those are considered sidewalks for purposes of the skateboarding ban.

Francesconi: I will support that.

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Katz: Except we need to have a clarification, do you want to leave areas open to the public and include that, as well?

Saltzman: Yeah.

Katz: Linda, do you have that? Did you get that?

Linda Meng, Chief Deputy City Attorney: As I understand it, he's suggesting an amendment to paragraph a, which that's the ban on the sidewalks, and that doesn't include the, the language. The language, other areas, open to the public is in c, which is talking about the head gear.

Francesconi: That's why I asked you, commissioner Saltzman. I wasn't sure if you were talking about head gear or --

Saltzman: I am talking about the ban.

Francesconi: Okay.

Hales: You are right. So that's a cleaner way to do it, I will support that.

Saltzman: That's it.

Katz: Okay. So, you have got that, that would include the park, the entire park blocks?

Meng: Yes.

Katz: All right. Any other amendments?

Hales: There is some other minor stuff that I want to bring up I want to recommend we add, let me give you copies of these. Add this -- add this sentence to paragraphs a, b, d, and e, right now it is only, only under c, and that is the penalty for failing to follow the rules of the subsection shall be a maximum fine of \$25. In other words, this is the fine reduction carried into the other sections.

Katz: Oh, I see. Because you only have it in c?

Hales: Right, right.

Meng: Excuse me, you said a, b, d, and e?

Hales: Yeah.

Katz: Right now it is only in c. Any problems with that one? All right. So ordered.

Hales: Then, I think, we covered this issue back, back -- the park blocks if we say under paragraph c, instead of, if we just delete that phrase, or areas open to the public, then that deals with streets and sidewalks, and not other parks. But actually since we have dealt with this one issue, I don't think we need to do that one. There is some kind of stuff that's technical here. The last three. Right now we have -- oh, no, this next one is not --

Katz: The next one is not technical.

Hales: Paragraph d is not, we now have a requirement that says it must be equipped with that shows is a white light visible from a distance of 500 feet from the front of the device. The typical practice with -- practice with bicycles is to use a red blinking light that's visible at the rear, and we have got language here that talks about a shorter distance.

Francesconi: You also have an "or" so this one takes out the requirement --

Hales: Don't have to wear a light.

Francesconi: I cannot support that.

Katz: I can't support that, either. Either you treat this group like bicycles or you don't.

Hales: Are we tracking with the bicycle requirements with what we now have?

Meng: Correct. That's the reason we picked that up.

Hales: All right. Then let's stay with that. I think the next two or three are technical, and that is in the second paragraph of paragraph d, we need to add the word "reflective" before "material." Right now it says lighting device or material. We don't mean lighting material, we mean lighting device or reflecting material.

Katz: There isn't -- there isn't an "or" in d. There is here, but not, if we leave it the way it is, it is the 500 feet to the front of the device, period. Are you --

Hales: You are right. Okay. And then -- so I think we still need this one in g, in g, right now, we are requiring that pdot monitor and maintain the record of injuries and deaths, the appropriate

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agency to do that is the Portland police bureau because they investigate all accidents. Pdot doesn't investigate accidents so the data would come from the police bureau regardless of whether we required pdot to gather it or not. So, mayor, if you don't mind let's have the agency that does the work do the report, rather than have the agency that does the work hand the information to the other agency. Choir fair enough. Any objections? Hearing none, so ordered.

Hales: And then we have already got, I think that covers the rest. We have dan's language on --

Saltzman: You need the october report back. I didn't put that in.

Hales: I am sorry, that's right. So we -- yeah. The final section is that we would direct pdot to report back to the city council no later than october 1st of 2001, on the overall effect, on the impacts of the changes to section 16. So come back in nearly a year, we picked october 1 because that way we get all the way through the summer. Right now this is a very academic discussion because it is a rainy day and there are less people skating than in july so let's get through the summer.

Katz: Okay. Any further amendments? We will accept that amendment, as well.

Saltzman: One point of clarification, this does include self-propelled scooters?

Hales: It includes self-propelled scooters but not electric or gasoline scooters.

Katz: And I will have a conversation with commissioner Hales because I don't think that issue ought to be dealt with by the police, it ought to be dealt with by pdot, who is our transportation agency, and ought to come up with regulations on motorized scooters. I am not sure that the police bureau knows much about that.

Francesconi: I would like to accept commissioner' Hales invitation to tell you all where I am at. It may be a little --

Katz: Before you do that, are there any further amendments?

Meng: Could I clarify? Clarify the last amendment so we make sure we know what's happening? The october 1, is that a change to a current paragraph or a new one?

Saltzman: Should be a new paragraph, 2-a.

Katz: Is it for which, which section?

Francesconi: A new paragraph, and says that pdot will report back by october 1 on, I am sorry --

Meng: On the impacts of the changes to section 16.70.410 of the city code.

Katz: Traditionally, when amendments are made to nonemergency ordinances they go on next week and people can or do or do not make comment until they vote, so it is going to be up to you.

Francesconi: I want to take the commissioner's invitation up, because I think I owe it to you, I want to tell you what I am thinking. First of all, some of you may not know this but I am the park commissioner in charge of parks and recreation in the city, and I want to tell you that it is very clear, there is a lot that we can agree on today. And I have learned a lot, a terrific amount, actually. We need many more safe places for kids, especially our older teenagers directly, including skate board parks. We actually think of forest park as one of our jewels, but that skateboard park at burnside is a terrific thing. And we need many more of them in parts of our city. I also think that skaters need a place to practice their sport. It is legitimate, just like tennis, softball, basketball, et cetera, and we don't do an adequate job in that regard. I think that, I believe that. I have learned a lot today about skating and inline skating as an alternative form of transportation. We pride ourselves in that and we need more of it. We really do. We have a biking community that has been terrific. And we have bike lanes and we have a whole process for doing that. So, that is very, very clear. I think that we agree that the fines were too severe, and I think that the police got a little bit of a bad rap, folks, because maybe some of it was deserving but I am telling you all, they were engaged in a process with the city attorney to lower the fines before this ever surfaced because they realized that this was a problem. And I think that this has been unfair to them, folks, because they recognized it. So, the idea of lowering fines and not criminalizing our youth is absolutely essential. So, I think all of that. But, I can't support this. I can't support it. And there is three primary reasons. One is, you know, I feel like I owe an obligation to consider safety for young people. Maybe you think that I am sending

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a signal to you young folks, and I appreciated your testimony that I don't value you in this city, and I am sorry if you are getting that from my concern. But, if we are going to allow skate boarding on busy streets in the neighborhoods, I want to emphasize the busy thorough fares, and if we are going to allow it all over downtown, that's too broad. See, what's really sad to me is I think that we could have gotten to yes, had we followed an appropriate process, which I am going to comment on in a minute. Because I heard some of you say, look, you don't want to skate on the busy streets. Why should we authorize this on hawthorne, mcloughlin, mlk, 39th, 82nd, 122nd, come on. It is not common sense to do this at night. It is not common sense. Allowing you skateboarders to skateboard in front of your neighborhood street at night, outside, I could have gone for that. Allowing corridors into the downtown, not preferred corridors, but allowing you some corridors, so you can get to Portland state, so you can get around, we could get there, and I could get there. That's a legitimate use of transportation. But, opening it all up in front of bus lines and max lines, parks cares about young people, if you think that I don't. One of the senior managers at parks when I was talking about this, almost hit a skateboarder. Last week. The trauma that this caused her when she knew that she almost killed a skateboarder, now come on, we can get there together, if we follow a process. But, you don't give something like this to the police, a week before you introduce an ordinance. Yes, there is some safety divisions in here because the mayor put them in. Now, we had transportation was not here to testify. The bicycle alliance people, you put -- you go through a public process, and you involve the department and you involve the stakeholders, you don't use anybody as pawns and you bring them together and you figure this out together as a community. That's the Portland way. We have a transportation system that is critical to our downtown and is critical. 44% of our citizens think that our streets are not being maintained. That we don't have adequate enforcement, that we don't have red light cameras. We have 30 pedestrian accidents killing people. It is worse than gangs and we don't sit down as a community to figure this thing out? So, listen, before I was ever in city government, all I cared about and worked on was youth issues. I was chairman of the youth commission. I was looking at alternatives for gang youth so we don't have to lock them up. We could give them employment. Would I love you to support this? You bet I would. But, and because I know that we need these things for our young people. But, I know that we need a vital downtown. As well. And we need safety in our neighborhoods. So, if this passes, I hope that my concerns are wrong. I hope that I am totally wrong. And we will just move on. If I am right, I will, even if I am wrong, I will commit to you that we are going to have more skateboard parks, we are going to have more places and the business community is going to support them. Just like they supported this one in the central eastside. If I am not wrong, and we have created an unsafe places for our kids, then we will change it and make it right.

Katz: Thank you. Anybody else want to express where they are? Okay.

Sten: I do intend to support this ordinance and I want to thank the people for all the testimony tonight on both sides. It was very good, and it is always a pleasure for me to see new faces. Often when, you know, this was a big public debate. It will continue to be a big public debate and often when we have public debate, and I don't mean an offense to people who are very active, it is the same folks, and these were a whole new piece of Portland that came out and I think that it is very important. I do think that people use this for transportation. I think that there is a couple of different issues imbedded this ordinance and I think that it is important to look at each of them somewhat separated. On the issue of skateboarding at night, I think that if you follow the same rules that bikes and cars follow it makes sense. I think that if a car is driving down the street without headlights and the police see it, they sure as heck better pull it over, and because that's completely unsafe and I expect if you are skateboarding at night without lights you ought to get pulled over, as well, and I think that makes sense, and that's the key to it. I don't think that we are going to have people, you know, just going down the street, and if we do, that's not legal under this ordinance, so it does require safe behavior and if the streets aren't as crowded at night if the skateboarders on the street with a

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light and people are doing what they should and cars and all the vehicles, that should work and I am very comfortable with that. It doesn't seem to me, skateboards have been allowed to street in busy streets during daylight for a long time. It doesn't look as if there is a lot of accidents coming from that so it leads me to believe with proper lights it ought to work just fine at night. On the decriminalization issue, I think that that's really absolutely the right step. We need some kind of fine structure but a \$25 fine makes more sense to me than a \$275 fine so I think that that makes a ton of sense and is a good policy change. The part I find the most problematic, but given the testimony I have heard, is worth a try, is downtown. I think it has been interesting to me, and like many of the issues, you get two polarized sides which is natural because you have a vote that goes yes or no, and one side believes this is going to be extraordinarily dangerous downtown and the other side believes there is not going to be a problem. I frankly am not really sure. I think that downtown is a busy, difficult area. I think that this is a good step forward but I really do think that there is going to be a lot of important weight on the shoulders, particularly the folks to showed up tonight to figure out how to make this work. I think that commissioner Saltzman's idea makes a lot of sense, and I think we need to take a look at this thing. It is my own belief that the problem with downtown streets is cars who don't respect that it is a downtown area and you ought to go slow and carefully because of all the people that were there. I was within inches of getting hit tonight. I crossed with the light, it was a walk sign, the sign was on. The guy crossed two lanes of traffic, taking a left. Pulled all the way over to the left-hand lane and got within 6 inches of hitting me. That was tonight. It didn't matter what I was on. He was out of line and I think that we have a culture in which cars own the road and they drive as such and until people decide that they are going to slow down and follow the law and you ought to drive slowly and respectfully and carefully in downtown and people don't. And that makes did very, very dangerous for all kinds of alternative transportation. It makes it unsafe to walk. I don't think that adding skateboards to the mix is necessarily the straw that breaks the camel's back. My hope is that the more you have, we can build more awareness. We actually have, I forget the numbers, but double or triple the amount of bike trips that we did five or six years ago and it looks to me that as the roads get a little more used, some of the amount of accidents go down. And because people are looking for other people, and so I think that cars really not paying attention is the problem. That being said, and you know, it is always in government, a small percentage of the people that cause the need for laws. For most all laws that exist, you wouldn't need them for 95 or better percent of the people, and my sense is that if the, you know, if even a very small amount of folks in the skateboard community are creating havoc downtown, there will be a lot of I am at us to change this, I have to err on the side that I don't think that that's going to happen because it hasn't happened in the other busy districts where it is legal so I am not 100% sure on this one but I base my vote on what I have seen happen in other parts of town, with similar laws in effect. And I have not seen in, in the areas in lloyd center, on hawthorne, 82nd, I haven't seen the propensity -- the propensity of people using it or that there is a ton of accidents, so I believe that skateboarders can use the downtown streets respectfully and responsibly but I think that's going to be a key piece, and it is not immediately obvious to me that that, you know, that that isn't going to cause some problems. I do think that keeping skateboards, and I hope people are clear that this does not lift the ban on sidewalks in downtown and I think the sidewalks are so crowded with shoppers and a lot of people, walking through that it probably isn't a great idea and I think that that's the right approach. So, I think we ought to try this. I also think that, you know, basically when it comes down to it, you have to have laws to legislate for the wrong thing but you can't legislate responsible behavior, and a lot of what you have been saying tonight is people are acting responsibly. And all of the issues of alternative transportation, you know, some people, I think, you know, get extreme on both sides but the truth of the matter is it is good in the city for people to get around in other ways than cars, and I think that this is a way to do it. So, I think that this is well worth a shot. I am quite sure that the decriminalization and the nighttime and other pieces will work just fine, and I want to let people

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know that we are going to get a report back on this thing and I want to watch the downtown piece very closely, and make sure that the testimony I have heard tonight, which was overwhelming, is right, and if it is not right, then I think that we all owe it to ourselves to revisit that issue, and that's true for this whole ordinance. We have had a law that it errs on the side of restricting behavior and now we have a law, will, as soon as this goes through next week, and then it will be 30 days before it takes effect so you guys, keep an eye on the calendar. Once we have this, I think that it kind of goes the other way, and I think that we will have to keep a good eye on it and see, but I am very comfortable at this point supporting this ordinance.

Saltzman: The key to my support for this ordinance is striking the right balance between the recognition that skateboarding, inline skating, scooters are a legitimate form of transportation. But also finding that right balance between that and safety. Both the individuals and of the public. And frankly, this ordinance started out wholly inadequate on the safety front. It has been made better over the last three weeks by the efforts of mayor Katz, the police bureau, and others. Things like requiring helmets, reflectors, those were not in the original versions. But, I also, that's a key to my support and I think coming up with these preferred skating routes, downtown and throughout the city is going to be an improvement, too. I think we have seen, we have heard tonight from a lot of responsible youth who can, who have illustrated and shown me that they can make responsible choices, and I believe, firmly believe that, you know, they have the instinct of survival and they will make for responsible choices and use those preferred skating routes, rather than the more dangerous avenues downtown. And throughout the city. And also I want to say that, I mean, there's been a lot of talk about sort of the generational split on this issue, and there is a generational split on this issue. But, that's not the same as pitting the old folks against the young folks. I don't regard it as that and I have never regarded it that way. We all see the world differently based upon where we are in our age range and that influences a lot how we see the world. It is okay to have different perspectives, but this is not an issue of pitting one generation against the other. It is simply differences of opinions and viewpoints, and that's okay. Enforcing traffic safety laws are key, both for those in vehicles, as well as for those on bicycles, as well as those on interstate corridors, inline skates, and on scooters. And the process was quick. And I do have legitimate concerns about the process happening at a time when the business community is too busy, frankly, to be here. Nevertheless, their representatives were here, and their viewpoints were made, and sometimes, this city has made its reputation on sort of, you know, not being afraid to innovate and sometimes to innovate, you know, on the fly. And I guess this is probably an example of that. And I think that it is an innovation that will work. But, if it isn't, as commissioner Sten has said, we will know and we will revisit this in october and if it is not working, and probably many of us, will be not hesitating to change this, so I think to all of the responsible youth who spoke here tonight, you also have a greater responsibility to your peers and colleagues who were not here tonight and are out there to make sure that they don't screw this up for you. Because this council will not be afraid to take away what it is giving next week.

Hales: Nobody is waiting to hear how I am going to vote but I want to say a couple of things. I appreciate the council's debate and discussion. We don't debate enough here, and we have done it on this issue. It has gotten a little uncomfortable sometimes. My apologies for that for any offense that I have given but I think that it is good when we debate things and I appreciate, mayor, the police work, the work of the police bureau in your office and improving this ordinance, and same thing, dan. I also want to say, for me, in terms of the testimony that we have heard tonight, a lot of folks that haven't been to a hearing before, I am glad that you weren't so nervous that you couldn't go ahead and testify but I really appreciate the quality of the testimony that we got tonight. I think it is one of the better hearings that we have had in a while in just the understanding that it brought to us. And I want to say, also, to my colleagues and those who are still nervous about this ordinance, I have a commitment to making it work. We are not simply interested in my office in scoring a victory on this and forgetting about traffic safety because I think that it will take a combination of engineering,

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whether it is the routes that you suggested, dan, and education and then, obviously a very different approach to enforcement than we have had in order for this to work, and I am committed to making this a success on the streets. I think some of the testimony I have heard tonight actually causes me to worry less about downtown, because I think that the differential in traffic speed is probably what causes a lot of the pedestrian accidents. We kill 35, jim is right, we kill 35 Portlanders a year with cars, not with -- more than with guns. Often, the situation is a pedestrian trying to cross the street where people are driving very fast. The average vehicle speed downtown is between 9 and 14 miles per hour. I think that we will actually have less conflict between vehicles and skaters in the street now that they have a legal place to skate. Than we will on boulevards where they are both by design and geography, where it is possible to drive a lot faster in a car. So, that's why, for example, having people skate on Taylor street instead of on Hawthorne after dark will be a good idea and why I think I particularly appreciate your suggestion, dan, about the designated routes. So we will make this work. Thank you.

Katz: I just wanted to go -- to say that I am going to join commissioner Francesconi who was very eloquent but I want to say that I am probably the only one that watches television and watches the competition of skateboarders. I think that it is an incredible sport. It is dynamic. It is creative, and I was really hopeful that it one day would be an olympic sport. So, I do watch it. I guess one of the reasons that I am going to vote against this is for a couple of reasons. One, I value you. You are very important to me in this community. I fear the automobile. It isn't that I am worried about you not being safe or doing things that are not safe on the streets. I worry about the cars that aren't safe on the street. This council passed a road rage ordinance because we were concerned about the automobile on the streets. I worry about the young skateboarders on the streets in, on busy streets, during the day, and certainly at night. There is no age limit in this ordinance. And yes, there are parents that are going to be very carefully to make sure their 10 year olds are home and others that will have their 10 year olds outside. There is no question about that. They are outside now. If the issue was decriminalization, we could have dealt with that. And that was already on the way. If the issue was to open up some of the streets as commissioner Francesconi said, we could have done that. But this ordinance came to us a blanket ordinance, just open it up, no, no safety gear, no nothing, no discussion with neighborhood associations, no discussion with the police bureau until last, last week when finally, people realized that this is not only a transportation issue, it is a public safety issue. And so people asked me, well, mayor, if you are against this, why are you amending it? Because I have the responsibility for making sure that we protect our young people and our adults on the streets and on the sidewalks and consequently, offer amendments to make it a little safer and I appreciate the council and commissioner Hales for accepting it.

Katz: There is no question that we need more skate parks. We have denied you the ability to practice a wonderful sport in this city. You have one place. You have another one in north Portland. And I hope that some day there will be built one with support from the business community, as well as from the city. I hope this works. I will monitor it very carefully. We don't keep the statistics. On accidents, on skateboard accidents. We will start keeping those statistics now. The streets in the downtown are very busy. We now have streets filled with bicycles, appropriately so. Cars, road rage, and now we will have inline skaters and skateboarders, as well. I am very concerned for your safety. I hope I am wrong. So, I will vote against it. I will monitor it. If I get any sense that we have created a problem, not only for the downtown, but for the rest of the city by allowing skateboarding at night, or inline skating at night, I will come in with a repeal of what we have done tonight. So, I want to thank everybody, and I want to thank, especially, the young people that were here, and the adults that were here, and thank you for educating all of us on some of the finer elements of inline skating, and skateboarding. Thank you, and we stand adjourned.

At 9:56 p.m., Council adjourned.