



CITY OF  
**PORTLAND, OREGON**

OFFICIAL  
MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **29TH DAY OF MAY, 2002** AT 9:30 A.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Harry Auerbach, Senior Deputy City Attorney; and Officer Peter Hurley, Sergeant at Arms.

At 11:45 a.m., Pete Kasting, Senior Deputy City Attorney replaced Harry Auerbach.

At 11:30 a.m., Officer Michael Frome replaced Officer Hurley.

At 12:30 p.m., Harry Auerbach, Senior Deputy City Attorney replaced Pete Kasting.

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

| <b>COMMUNICATIONS</b> |  | <b>Disposition:</b>      |
|-----------------------|--|--------------------------|
| <b>546</b>            | Request of Plinio F. Crow to address Council regarding the I-5 corridor alternative route (Communication)  | <b>PLACED ON FILE</b>    |
| <b>547</b>            | Request of Ronald C. Anderson to address Council regarding upcoming ZIP Code Change in the 97201 delivery area (Communication)   | <b>PLACED ON FILE</b>    |
| <b>548</b>            | Request of Joe Johns to address Council regarding a neighborhood presentation award (Communication)  | <b>TO BE RESCHEDULED</b> |
| <b>549</b>            | Request of Ellen Vanderslice to address Council regarding compliments of the City of San Sebastian Spain on Walk 21 (Communication)  | <b>PLACED ON FILE</b>    |
| <b>550</b>            | Request of Nathan Jimenez to address Council regarding tearing down the Birmingham Building (Communication)  | <b>PLACED ON FILE</b>    |
| <b>TIME CERTAINS</b>  |  |                          |
| <b>551</b>            | <b>TIME CERTAIN: 9:30 AM</b> – Refer to the voters a five-year local option tax levy for parks and recreation purposes (Resolution introduced by Mayor Katz and Commissioner Francesconi)<br>(Y-5)   | <b>36073</b>             |
| <b>552</b>            | <b>TIME CERTAIN: 9:45 AM</b> - Accept Portland Emergency Preparedness Council Report on Terrorism Preparedness (Report introduced by Mayor Katz and Commissioner Francesconi)<br>(Y-5)   | <b>ACCEPTED</b>          |
| <b>553</b>            | <b>TIME CERTAIN: 10:00 AM</b> – Establish a Portland/Multnomah County Food Policy Council, a subcommittee of the Portland/Multnomah County Sustainable Development Commission (Resolution introduced by Mayor Katz and Commissioner Satlzman)<br>(Y-5) | <b>36074</b>             |

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| <p><b>554</b> <b>TIME CERTAIN: 10:20 AM</b> – Replace the current version of Title 14 Public Peace, Safety and Morals with Revised Title 14 Public Order and Police, and make conforming amendments to the City Code (Ordinance introduced by Mayor Katz; repeal and replace Title 14; repeal Sections 3.20.250 through 3.20.350, 3.20.380 and 3.20.390; amend Sections 3.30.050, 3.106.070, 8.36.090, 16.20.150, 16.70.550, 17.27.140, 17.46.010, Chapter 24.60 and Section 31.30.010; and add Chapter 7.24, Section 16.70.810, 17.28.025, 17.102.130 and 24.60.020)</p> | <p align="center"><b>PASSED TO<br/>SECOND READING<br/>JUNE 5, 2002<br/>AT 9:30 AM</b></p> |
| <p><b>555</b> <b>TIME CERTAIN: 11:20 AM</b> – Adopt the preliminary design, finance plan and schedule for the extension of the Portland Streetcar from Portland State University to RiverPlace and direct various actions for implementation (Resolution introduced by Mayor Katz )<br/><b>Rescheduled to Wednesday, May 29, 2002 at 2:00p.m.</b></p> <p>(Y-5)</p>  | <p align="center"><b>36075</b></p>  |
| <p align="center"><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p align="center"><b>Mayor Vera Katz</b></p>  |   |
| <p><b>556</b> Accept contract with Nutter Corp. for street improvements on the Rosemont Commons I Street Improvement Project as complete, release retainage and make final payment (Report; Contract No. 33220)</p> <p>(Y-5)</p>  | <p align="center"><b>ACCEPTED</b></p>   |
| <p><b>557</b> Confirm appointment of Mary Hanlon to the Design Commission (Report)</p> <p>(Y-5)</p>   | <p align="center"><b>CONFIRMED</b></p>  |
| <p><b>558</b> Re-appoint Charles Rosenthal to a three year term as a citizen member of the Board of Trustees of the Fire and Police Disability and Retirement Fund (Resolution)</p> <p>(Y-5)</p>  | <p align="center"><b>36072</b></p>  |
| <p><b>*559</b> Extend agreement with McGuire Environmental Consultants (Ordinance; amend Contract No. 34088)</p> <p>(Y-5)</p>   | <p align="center"><b>176504</b></p>   |
| <p><b>*560</b> Extend contract with Miller, Nash LLP for outside counsel requirements (Ordinance; amend Contract No. 34146)</p> <p>(Y-5)</p>  | <p align="center"><b>176505</b></p>   |
| <p><b>*561</b> Approve settlement between City and various insurance carriers (Ordinance)</p> <p>(Y-5)</p>  | <p align="center"><b>176506</b></p>   |

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| <b>*562</b> | Amend Intergovernmental Agreement with Oregon Department of Fish and Wildlife for additional studies to meet requirements of the Federal Endangered Species Act (Ordinance; amend contract No. 32936)<br>(Y-5) | <b>176507</b> |
| <b>*563</b> | Establish a new classification of and an interim wage for Building Inspector I (Ordinance)<br>(Y-5)  | <b>176508</b> |
| <b>*564</b> | Authorize purchase of property in the Powellhurst-Gilbert neighborhood from the Hascall Estate for use as a neighborhood park (Ordinance)<br>(Y-5)   | <b>176509</b> |
| <b>*565</b> | Authorize acquisition of property owned by the Estelle F. Singleton Revocable Trust and Kenneth J. Singleton adjacent to the Marquam Hill Nature Park in the Homestead neighborhood (Ordinance)<br>(Y-5)       | <b>176510</b> |
| <b>*566</b> | Amend the Parks System Development Charge Code to eliminate assisted living facilities as an exemption (Ordinance; amend Code Sections 17.13.020 and 17.13.060)<br>(Y-5)                                       | <b>176511</b> |
| <b>*567</b> | Authorize contract between the Bureau of Water Works and Lorna Water Company for the sale of water (Ordinance)<br>(Y-5)  | <b>176512</b> |
| <b>*568</b> | Authorize contract between the Bureau of Water Works and Green Valley Water Company for the sale of water (Ordinance)<br>(Y-5)   | <b>176513</b> |
| <b>*569</b> | Authorize contract between the Bureau of Water Works and Hideaway Hills Water Company for the sale of water (Ordinance)<br>(Y-5)   | <b>176514</b> |
| <b>*570</b> | Authorize contract between the Bureau of Water Works and Skyview Acres Water Company for the sale of water (Ordinance)<br>(Y-5)  | <b>176515</b> |
| <b>*571</b> | Authorize contract between the Bureau of Water Works and GNR Corporation for the sale of water (Ordinance)<br>(Y-5)  | <b>176516</b> |
| <b>*572</b> | Amend agreement with Central City Concern for the CHIERS program to increase available funds by \$15,000 and provide for payment (Ordinance; amend Contract No. 33779)<br>(Y-5)                                | <b>176517</b> |
| <b>*573</b> | Agreement with worksystems, inc. for \$200,000 for job training and placement of entry level health careworkers and provide for payment (Ordinance)<br>(Y-5)   | <b>176518</b> |

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| <p><b>574</b> Authorize agreements with Kennedy/Jenks, CH2M Hill, and Black &amp; Veatch for an amount not to exceed \$25,000 per firm to provide engineering services for miscellaneous professional services in the area of emergency planning and provide for payment (Second Reading Agenda 537)<br/><br/>(Y-5)</p>   | <p><b>176519</b></p>                               |
| <p style="text-align: center;"><b>REGULAR AGENDA</b></p>  |  |
| <p><b>575</b> Tentatively uphold appeal of Pleasant Valley Neighborhood Association and uphold Hearings Officer's decision with modifications to approve the application of Grant Massier, applicant, and David and Delisa Hull, property owner, for an environmental violation review at 13937 SE Eastridge Street (Findings; Previous Agenda 481; LUR 01-00408 EV)<br/><br/><b>Motion to adopt the revised findings dated May 29<sup>th</sup>:</b> Moved by Commissioner Hales and seconded by Commissioner Saltzman.<br/><br/>(Y-4; N-1, Sten)</p> | <p><b>FINDINGS ADOPTED</b></p>                     |
| <p style="text-align: center;"><b>Mayor Vera Katz</b></p>   |  |
| <p><b>*576</b> Accept a \$979,056 grant from the Oregon State Police, Criminal Justice Services Division for the Police Corps (Ordinance)<br/><br/>(Y-5)</p>  | <p><b>176520</b></p>                               |
| <p><b>*577</b> Authorize a contract with Daniel C. Smith and Associates/Vitetta and the Police Bureau to develop a conceptual program and site master plan for a Regional Public Safety Training Academy (Ordinance)</p>  | <p><b>CONTINUED TO JULY 3, 2002 AT 9:30 AM</b></p> |
| <p><b>*578</b> Contract with Sea Western, Inc./Mine Safety Appliances for Self-Contained Breathing Apparatus for the Bureau of Fire, Rescue and Emergency Services and provide for payment (Ordinance)<br/><br/>(Y-5)</p>   | <p><b>176521</b></p>                               |
| <p><b>579</b> Increase the commercial solid waste and recycling tonnage fee (Second Reading Agenda 507; amend Code Chapter 17.102.155)<br/><br/>(Y-5)</p>   | <p><b>176522</b></p>                               |
| <p><b>580</b> Revise residential solid waste and recycling collection rates and charges, effective July 1, 2002 (Second Reading Agenda 508; amend Code Chapter 17.102)<br/><br/>(Y-5)</p>   | <p><b>176523</b></p>                               |
| <p><b>581</b> Revise sewer and drainage rates and charges in accordance with the Fiscal year 2002-2003 Sewer User Rate Study (Second Reading Agenda 509; amend code Chapters 17.35 and 17.36)<br/><br/>(Y-5)</p>  | <p><b>176524</b></p>                               |

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| <p><b>582</b> Authorize the rates and charges for water and water-related services by the City of Portland during the fiscal year beginning July 1, 2002 to June 30, 2003 and fix an effective date (Second Reading Agenda 510)<br/>(Y-5)</p>       | <p><b>176525</b></p>   |
| <p><b>583</b> Amend the contract with EDAW, Inc. by \$45,000 for the preparation of a master plan for Waterfront Park (Second Reading Agenda 523; amend Contract No. 33806)<br/>(Y-5)</p>   | <p><b>176526</b><br/><b>AS AMENDED</b></p>                                 |
| <p><b>584</b> Authorize agreement with Tri-County Metropolitan Transportation District of Oregon to establish an experimental bus pass program for the Office of Sustainable Development for FY 2002-2003 (Second Reading Agenda 529)<br/>(Y-5)</p> | <p><b>176527</b></p>   |
| <p><b>City Auditor Gary Blackmer</b></p>  |  |
| <p><b>585</b> Assess property for sidewalk repair by the Bureau of Maintenance (Hearing; Ordinance; Y1045)</p>  | <p><b>PASSED TO<br/>SECOND READING<br/>JUNE 5, 2002<br/>AT 9:30 AM</b></p> |

At 12:37 p.m., Council recessed.

**MAY 29, 2002**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **29TH DAY OF MAY, 2002** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn Beaumont, Senior, Deputy City Attorney; and Officer Michael Frome, Sergeant at Arms.

Commissioner Francesconi arrived at 2:04 p.m.

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| <p><b>586 TIME CERTAIN: 2:00 PM</b> – Direct the Bureau of Planning to extend demolition review to more historic resources, create incentives that promote historic preservation, and return to City Council in six months (Resolution introduced by Mayor Katz)<br/>(Y-5)</p>                         | <p><b>Disposition:</b></p> <p><b>36076</b></p>  |
| <p><b>S-587</b> Amend the Zoning Code to update regulations that protect Portland's historic resources (Previous Agenda 389; Ordinance introduced by Mayor Katz; amend Title 33)</p> <p><b>Motion to accept the substitute:</b> Moved by Commissioner Saltzman and seconded by Commissioner Hales.</p> | <p><b>SUBSTITUTE<br/>PASSED TO<br/>SECOND READING<br/>JUNE 5, 2002<br/>AT 2:00 PM</b></p> |
| <p style="text-align: center;"><b>REGULAR AGENDA</b></p> <p style="text-align: center;"><b>Mayor Vera Katz</b></p>   |   |
| <p><b>588</b> Amend City Code to remove fees from Property Maintenance Regulations, establish a separate fee schedule effective July 1, 2002 and establish penalties for abatement of Disabled Vehicles (Second Reading Agenda 543; amend Code Chapters 29.50 and 29.70)<br/>(Y-5)</p>                 | <p><b>176529</b></p>  |
| <p><b>589</b> Amend fee schedules for certain construction and trade permit fees and enforcement fees related to plan review, inspection, noise variance and enforcement services (Second Reading Agenda 544)<br/>(Y-5)</p>  | <p><b>176530</b></p>  |

At 2:51 p.m., Council recessed.

**MAY 30, 2002**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **30TH DAY OF MAY, 2002** AT 1:00 P.M.

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

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

Commissioner Sten arrived at 2:01 p.m.

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| <p><b>590</b> <b>TIME CERTAIN: 2:00 PM</b> – Convene Council as the Budget Committee for purpose of approving a budget (Mayor convenes Budget Committee)</p> <p><b>Rescheduled to Thursday, May 30, 2002 at 1:00 p.m.</b></p> <p><b>Motion to approve the budget based upon the Mayor's proposed budget and incorporating the changes detailed in exhibit a:</b> Moved by Commissioner Saltzman and seconded by Commissioner Sten.</p> <p><b>Motion to approve the Tax Levies:</b> Moved by Commissioner Francesconi and seconded by Commissioner Saltzman.</p> <p><b>Motion that the City shall levy full permanent rate of \$5 for the payment of bond principle and interest for the Police Disability and Retirement Fund:</b> Moved by Commissioner Francesconi and seconded by Commissioner Saltzman.</p> | <p><b>Disposition:</b></p> <p><b>PLACED ON FILE</b></p>   |
| <p><b>591</b> <b>TIME CERTAIN: 2:15 PM</b> – Appeal of Trevor Bryant against Design Commission's decision to approve the application of Oregon State Board of Higher Education, for a design review with modification and adjustment for a six-story, 130 unit student housing facility for Portland State University at 1809 SW 11<sup>th</sup> Avenue (Hearing; LUR 01-00805 DZM AD)</p>  | <p><b>RESCHEDULED TO</b><br/><b>JUNE 12, 2002</b><br/><b>AT 2:00 PM</b><br/><b>TIME CERTAIN</b></p> |

At 1:05 p.m., Council adjourned.

GARY BLACKMER  
Auditor of the City of Portland

By Karla Moore-Love  
Clerk of the Council

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

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**Closed Caption Transcript of Portland City Council Meeting**

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

Key: \*\*\*\*\* means unidentified speaker.

**MAY 29, 2002**                      **9:30 AM**

\* \* \* [ gavel pounded ]

**Katz:** Karla, you're going to have to move the camera, sir, I can't see karla. I need to see karla. Who are you focusing on? Move -- you've got to move just a little bit. Karla? [ roll call ] [ gavel pounded ]

**Katz:** We've got a lot of people here, and it's a long agenda, but many of you have not been here before, and we take these hearings very seriously. We do not demonstrate. We do not applaud. We do not cheer. Just want everybody to understand that. Okay. Communications. 546.

**Item 546.**

**Katz:** Come on up.

**Plinio Crow, 308 E. 12<sup>th</sup> #C, Vancouver WA 98660:** Good morning. My name -- name is plinio crow, I live in vancouver, Washington. Basically I --

**Katz:** Move the mike toward you, and you have three minutes.

**Crow:** Excellent. Basically i'm here to discuss the northwest passage express. I e-mailed you guys some of the documents here during the past several weeks. Basically I just want to say the benefits to tunneling through forest park, adding bridges across the willamette, across the columbia, working with burlington northern relieves the congestion on the 405, it does what you guys want to do as far as the i-5 development corridor, relieves congestion on 26, it relieves all traffic along the basically if you're going from wilsonville north, you go to 217, this way, and go into the tunnel, and north into Washington. It relieves all the traffic on 405 again, the i-5, i-84, and basically I know that the task force wants to go -- focus on the i-5 corridor, and this is definitely a good proposal, it's the most expensive, most controversial, and basically I know all the history of tunneling and forest park, and the wetlands, but the fact of the matter is, Washington and Oregon and southwest and northwest Oregon need to work together as far as to promote our growth, to compete against the port of seattle, los angeles, and all the other cities on the west coast. And this is -- will help clark county tremendously because it provides access to the silicon forest. We want to go ahead and have wafer tech, we want intel, we want more high-tech companies in clark county, and this route will provide a direct access to silicon forest. I see benefits not just for portland, Oregon, also vancouver, Washington, and the construction along the i-5 corridor that the task force wants to do will take approximately three years. And you're talking massive delays, massive, just -- a lot of money, a lot of jobs who depend on the flow of transit moving to these destinations will be just lost. So who do I represent, you may ask? I represent no one. I'm here to basically -- i'm a concerned vancouverite. I'm -- i'm not paid by anyone, I am not here by any special interest group, i'm just a guy who sits in front of you guys, in front of council and has some issues, just like the parks that's going on. I'm just here to say, we should work together and let's basically revise -- restimulate the northwest -- Portland, Oregon, and vancouver, Washington. Thank you very much.

**Katz:** Thank you. 547.

**Item 547.**

**Ron Anderson:** Good morning. I'm ron anderson, with me today is mr. Franklin diggins, our postmaster in Portland. Mr. Diggins is going to speak on behalf of the postal service.



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**Franklin Diggins, Portland Postmaster:** Good morning. I'm going to thank the council for their time and early on recognize mr. Hales for his assistance in attempting to relieve some of the traffic congestion and parking issues in the downtown area. Beginning back in early december, we began to address the parking and traffic congestion issues near the university station, and at that time we began a plan to implement a new zip code for 97201, and that portion of that 97201 zip code will become 97239. The reason that this is necessary is that no changes have been made to that 97201 zip code since the implementation of the zip code system in 1963. But with the growth in the downtown corridor, it has become necessary to move some of the routes, some of the vehicles to the Multnomah station, and the least impactful way to do that is to implement an additional zip code rather than to change a zip code area. There are approximately 17 routes that will be moving to Multnomah effective july the 1st. And the area is approximately the area south of the ross island bridge. Mr. Anderson has maps and a detailed description of the area that is -- a detailed description of the area that is impacted. This will actually reduce driving time for your customers that need to pick up certified mail or parcels at the post office, it also decreases driving time for our routes that are out delivering mail. Customers may begin using their new zip code now and notify their family, friends, business customers, and associates as soon as possible. As post confidence reorder supply, they should update stationery with the new zip code, until july 1st, 2003, both the 97201 and the new zip code, 97239, will be recognized for the affected delivery addresses. Mail will be processed and delivered without interruption. Our other imagination equipment is programmed to recognize both of the zip codes. To ensure everyone is apprised of this change, there will be two letters. One will be mailed this week to the affected customers, and one will be forthcoming in a couple weeks down the road, closer to the july implementation date.

**Katz:** Let me ask the council if they would approve continuing of the testimony. Go ahead.

**\*\*\*\*\*:** Thank you. We want you to understand that these changes are necessary and essential for continued efficient mail delivery. It's a carefully thought-out plan, and at this point i'll open it up for any questions or comments.

**Hales:** Because i'll be leaving the council, I won't have the opportunity to work with these two gentlemen, but for those of you who haven't worked with them, the postal service has the prerogative to operate in a cavalier way and pay no attention to local law and concerns, and with these two it's simply not the case. They've gone out of their way to work with us, particularly on this issue of their parking and transportation needs and they were using some on-street spaces for storing vehicles and diggins came up with a very creative way to solve that problem. It wasn't as simple as it looked, and these two gentlemen rolled up their sleeves and worked cooperatively with us and solved the problem. So for future reference for issues like other professional service -- postal service issues, these two people will be a good resource for the four of you and my successor. I just want to make sure you know they've got a great track record for working with us.

**Katz:** I want to echo that. I had the privilege of working with all of you too, so thank you. All right. Thank you. 548.

**Item 548.**

**Katz:** And he's not here today. All right. 549.

**Item 549.**

**Ellen Vanderslice, President, America Walks, 2951 NW Raleigh St., 97210:** Good morning, mayor and commissioners. My name is ellen vanderslice. I'm the president of america walks, which is a national coalition of pedestrian advocacy organizations. I'm addressing you this morning as the chair of walk 214, the 4th international conference on walking in the 21st century, which will be held here in Portland may 1st through the 3rd, 2003. The walk 21 conference addresses the essential contribution of walking to livable cities. Portland's conference will be the first time it's held in the u.s. The first two were in london and in australia, and I just recently returned from the

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third international conference, held in the beautiful city of san sebastian. One of the conclusions of this inspiring conference was that the best walking cities are -- represent a successful marriage of political leadership and technical expertise, and I know we can all be proud much how well Portland will showcase this kind of success. At the closing ceremony in Spain, I had the honor of extending an invitation to Portland to the 350 conference delegates, and the mayor of san sebastian presented me with this lovely replica of the distinctive railing that caps San at the bags's sea wall. He could not know what an issue that is for Portland. In the base is inscribed, the city, to the city of Portland, walk 21, may 10th, 2002. It's my privilege to be the bearer of this gift to the city of Portland, and in presenting it, may I also convey my earnest hope that the city of Portland will be a full partner with us in presenting the fourth international conference on walking in the 21st century next year here in Portland. So thank you very much. And if anybody wants more information, we're on the web at [americawalks.org](http://americawalks.org).

**Katz:** Thank you very much. 550.

**Item 550.**

**Nathan Jimenez, 635 SW 19<sup>th</sup>, #406:** It's certainly an honor to have the opportunity to speak with council. I'm Nathan Jimenez. I'm assistant district leader for the democratic leader district 26 and 37. I'm also a national congressional scholar and real estate consultant. I have national real estate license, I am also -- I sell the advertising for the Multnomah Democrat and I'm also a part-time gem broker. My concern is about the tearing down of the Birmingham building, which is supposed to be coming before council very soon. This is a very historic building. A fine piece of Americana and it is a structure that is on PSU campus. I don't believe that it is gone before the historic review board, and I'm concerned about that. The proposal is that they want to build a new structure that will increase their housing abilities at Portland State by 1%. Well, about a block away they have the potential, and they're planning to build dormitory, a structure that will increase their housing ability by possibly 2%, and after talking to the architect, since they don't have the -- they're not going to be building an elementary school on 12th and Market, they have the potential to raise up a structure that could possibly increase their housing ability by 5%. Where if they tear down this historic building, they're only going to raise their housing capacity by 1%. It was said in the hearings that it was kind of a bizarre vote, it was tabled once, it was first overturned, and then -- a 3-2 vote by the Portland Development Commission, and then they revoted, which was very unorthodox, and then it switched back to 3-4, and two against -- three for, and two against. And their votes were very -- they were very receipt sent in their voting process about approving this structure. It's a fine piece of Americana. In their master plan, they also plan to tear down the Park Manor building, which is another fine, lovely building. I don't know if you folks have a chance to really walk around the southwest park blocks, and I can't imagine our city losing such fine structures. When you're coming down off the freeway, when you're passing the Birmingham, there's a freeway exit, and it's kind of -- I was scouting the area for canvassing potential, and as I'm walking, it's frightening, because the freeway goes right by there. I can't imagine putting college students right there where they're exposed to such -- too much -- such traffic. So I appreciate your time to discuss these issues, and I think there's -- we can't afford to lose a fine piece of Americana in our city.

**Katz:** Before you leave, do you have the address for the Birmingham building?

**Jimenez:** Off the top of my head, no. It's on 12th and Montgomery. It extends right there by -- behind the Albert -- King Albert building and it's right there near the parking structure there. So you've got a lot of -- there's a parking structure and there's the traffic, the offramp, so --

**Katz:** Thank you.

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

**Katz:** All right. Let's go to consent. Any items to be removed? Anybody in the audience wanting to remove an item from the consent agenda? If not, roll call on the consent agenda.

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**Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.  
**Katz:** Mayor votes aye. [ gavel pounded ] time certain. Item 551.  
**Item 551.**

**Katz:** I'll turn this over to commissioner Francesconi.

**Francesconi:** Let me just say thanks to the fire bureau and the fire chief and the fire commissioner for giving up half of your time for this parks initiative that we put on here. Last week we saw 70% of Portland voters supported basic services to keep their parks clean, open, and safe. 70% of Portland voters decided they wanted safe places for their kids for after-school programs, and pools open, like the buckman pool. And having their grass cut on fields, having community centers that were safe, not new ones, but those that we have, safe, open, and clean. 70% of Portland voters wanted to continue the city's partnership with our critical institution, our schools, by having the city maintain 90 school sports fields, put playgrounds on school property, and have more after-school programs. 70% of our Portland citizens acknowledged that parks are part of our infrastructure as we grow as a city. Just as important as roads and sewers. Despite that vote, on July 1st, we're going to close restrooms, we're going to not -- we're going to close recreation programs for kids. Litter pickup, flowers, are not going to be like they were before despite that 70% vote. We're going to cut summer drop-out programs for kids in some of our parks. We're going to close seven community school programs where kids learn to do homework, stay in school, but also have time to just be kids. We're going to close two community swimming pools, the buckman pool and the mlc pool. And we're going to continue to support the Wilson pool, despite the fact it's leaking and it's causing our taxpayers money. And we're not going to build a pool, the east Portland community center, and therefore there will be no covered pool east of 82nd. Again, despite the fact that 70% of our citizens in tough economic times were willing to raise their average property taxes \$5 a month in order to provide all of that, we lost because of a technicality, frankly, that's unfair to the voters, that at some point we need to work to correct. But now we the council today have a chance to honor the will of our own citizens, and vote to restore these basic services by referring this measure to the November ballot. And I'm confident that that's exactly what we're going to do. So we have a brief presentation. I'm going to call up some people, and it's terrific, because these are not representatives of the system. We're going to lose 30 employees, but that's not the issue. It's the services to the public. And we have some citizens that want to talk to us about that. We have five of you, and that will be all the testimony, I believe. Mary, Kelly, Jeremy, Tom, and Scott. So why don't the first three come up and then the other two after that. Mary is the chair of our first parks board in 100 years.

**Mary Ruble, Chair, Portland Parks Board, 2839 SW Montgomery Dr.:** Thank you. Thank you for the time this morning. I'm Mary Ruble. We're here today to talk to you about referring the Portland parks levy to the November ballot. I come to you as one of the 70% of voters who so resoundingly voted yes for -- in the recent election for this levy. I come to you as a parent after child who's taken lessons in the waters of Wilson pool, played soccer, and taken ballet classes through Portland parks and recreation. I come to you as a runner who uses our trail system and as a citizen who has picnicked in many of our parks. I come to you as a business person who believes the parks are central to the livability and the allure of our city. And I come to you as a volunteer and as the current chair of the Portland parks board. I have one simple message -- I believe we have a mandate and an obligation from the voters of our last election to put this measure back on the ballot and ensure that it passes in November. 70% is an astonishing level of support from our -- for our system. The public clearly feels we ought to maintain, clean, and make accessible to as many people as possible, our developed parks, natural areas, and recreation programs and facilities. Even in a down economy with the highest unemployment rate in the nation, our residents who cared voted to tax themselves further, to pay for a service that they deeply care about, and appreciate.

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Perhaps the vote was so one-side exactly because of this economy. In no time is it more important for us to have free and low-cost activities close to home, and available to all members of all families than in these unstable economic times. Over the past several years, Portland parks and recreation has had to reduce basic maintenance to parkland and recreational services. Litter removal and restroom cleaning have been reduced. Path clearing and maintenance takes longer. Our public swimming pools are leaking water, our summer playground program isn't serving all the kids that would need to use it because we cannot locate in enough neighborhoods. We cannot keep up with the increasing requests for senior recreation programs. Why? Because there is much more demand on the system. A larger population, a bigger parks and rec system with more facilities and because resources have simply not kept up. As you know, the parks levy doesn't do much new. Rather, it allows us to maintain and preserve what we already have. With the parks levy, we will be able to restore basic park care to every park in all parks of Portland. Our recreational facilities will be repaired, lead paint in playground structures will be removed, recreation programming for senior citizens will increase, and one-time major renovations to parks and recreation structures will improve access and services for families around the city. With 70% support, parks and recreation has supported every neighborhood of Portland. We urge you to go forward. Refer the leave I to the november election ballot, and allow our residents' expectations to be met. We appreciate the support of the council on previous parks and recreation issues, and we hope you will take this opportunity to again make a strong statement about the importance of our parks to our city. Portland, the city of roses, deserves nothing less than a first-class parks and recreation system.

**Katz:** Thank you, mary.

**Kelley Duron, Co-chair, Portland Schools Alliance:** Hello, my name is kelly duron, and i'm the mother of two elementary school children and living in outer southeast Portland. I'm also the cochair of the Portland schools alliance. I'm here today both as a mom with a deep self interest in my children, as well as a voice for the parents of the nine schools that the Portland schools alliance works in most of them in marginalized communities. I've heard and read hundreds of stories from parents. Some of the most positive are from parents whose children goes to schools with the s.u.n. Program or other parks supported after-school program. These programs are so important to those parents. They provide a safe place for their children to go after school when parents are working and yet they can't afford day care. These are kitzhaber who otherwise would go home with a key around their neck. Just as important, these after-school programs complement the academics of the school day and enhance achievement and a love for learning. Not only is the learning important, but these after-school programs also provide kids and families with essential social services that they need to survive. So many schools have had to compromise and cut out p e, music, drama, art from the school day. Our kids deserve these programs, and the parks programs provide it to tens of thousands of kids every day. As a mom, I want to see the parks levy go back on the ballot, because I want to see more after-school programs offered. Hopefully in one of my kids' schools. We desperately need after-school and summer playground activities restored. My children and I spent two days canvassing our neighborhood in support of the levy. We knock order doors to ensure voters gave us our ballots and we brought them in. I feel we were robbed by the unfair double majority rule. 70% of the voters thought this was a great idea, and they were ready to sacrifice a few tax dollars, even in my community, which really hurts in the economy. We need another opportunity for the parks levy to get in front of the voters. Thank you.

**Jeremy Serant:** My name is jeremy serant. I'm here mostly because of my connection with youth soccer. I've been a coach, i've -- i'm active in the mt. Tabor soccer club and i've spent two years as president of the Portland youth soccer association. We have about 8,000 kids in Portland playing soccer in the fall season, and about half that number playing in the spring season. Thousands of volunteers put their time in. We use fields that are permitted by the city and we pay team fees and

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fees to the city to help cover those. Basically I have good news and bad news. We feel parks has been doing a good job with what they have. They do a good job, they have a good plan for maintaining the delta field complex in the last year or so, there's been a sports users group that the city has headed up, which has been really helpful in working out issues among the different users of the park and in supporting the parks and finding problems and addressing them. The city has worked well to cooperate with parents. There are a lot of parents mowing fields now, just even under the current circumstances to help maintain fields. The bad news is that even with all that help, the parks -- the fields are barely adequate for the use that we have for them. The city did an inventory about a year and a half ago, and they tried to inventory the fields and label them on a 1-5 basis with 5 being a really top-notch field. I think there was one field that they classified as a 4, and all the rest were 3 or below. This is in contrast to the surrounding communities outside of Portland. So what we have is -- we have a limited number of fields, we have just enough fields to handle the number of participants in soccer now, even without any growth. And when you have a minimum number of fields, the only way you can keep the program going is to do intensive maintenance on that minimum number of fields. That's what we lose if this parks live of levy doesn't get back on the ballot and pass. That means top dressing, air ration, water, irrigation, in the absence of that, you get big holes, ruts, hard fielding in the summer, and too wet in the spring. That's about all I have. Did I go out canvassing and I can only -- I can't pass without saying that when people who don't vote get to decide an election, it just makes my blood boil.

**Francesconi:** You can wave.

**Katz:** It makes our blood boil as well. And that will have to -- that will have to change. But that's another conversation for another time.

**Tom Miller, Portland Skate Parks, 742 SW Vista Ave., #53, 97205:** Mayor Katz, members of the city council, good morning and thank you for the opportunity to speak briefly with you about this important topic. My name is tom miller, and I reside in southwest Portland. I represent skaters for Portland skate parks. We are a nonprofit advocacy organization dedicated to the creation of municipal skate parks in Portland. As you know from the skate route discussions, skateboarding has experienced and continues to experience dramatic growth amongst citizens of all ages. 16 million americans enjoy skateboarding. Skateboarding is the second most popular recreational activity among today's school-age youth. Baseball, football, skateboarding. That's the reality in 2002 in america. We appreciate your efforts to legalize skateboarding as a means of transportation. However, it's now time to address skaters' primary needs. As noted in the Portland parks 2020 vision, skateboarding is primarily a freestyle activity, and skaters need dedicated, legal and safe spaces to practice our craft. Portland parks levy, our levy, all of us, respond to our need. Under the direction of commissioner Francesconi, \$500,000 has been set aside for skate parks. \$500,000 is a good start to begin the fund-raising we need to build municipal skate parks that meet the needs of Portland skaters. However, we need to you understand the opportunity before us. Again, skateboarding is huge. Philadelphia recently hosted espn's x games and national competition where skateboarding is the primary feature. Over four days, the event attracted 235,000 spectators. Booked 15,000 hotel rooms and injected \$40 million over four days into philadelphia's local economy. Again, skateboarding is a big business. A world class skateboard park in Portland can pay for itself easily and then some. But none of it can happen without the seed money, the \$500,000 represents to prove to other parties that Portland is serious about skateboarding and the action of sports of the 21st century. We need our 11 I the ballot in november. Thank you for your support.

**Katz:** Thank you.

**Scott Montgomery, Member, Portland Parks Board, 1531 SW Upper Hall, 97201:** Madam mayor and commissioners, my name is scott montgomery, I reside at 1531 southwest upper hall

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street here in Portland. I'm a Portland businessman and a Portland property owner. I'm a member of the Portland parks board and currently am vice chairman. I'm a former 2020 advisory team member, and actually i'm also the commissioner or chairman of the Portland advisory committee for the -- for basketball for parks. The reason we're here really is the unfortunate decision by a few thousand Portlanders to not vote in the primary election last week, thereby not producing the double majority that would allow passage of financial measures, including the parks levy. I think we've all heard today the 70% favorable vote number that is -- has been spoken about. I think the voters clearly and loudly express their desires. And now you as commissioners have the opportunity to honor those voices by casting your own votes to place the parks levy on the ballot again in the november general election. And i'm confident that that's a decision that you will embrace. During a past -- the past ten weeks the parks campaign has spoken to almost 200 groups. I've had the pleasure of speaking to 17 organizations, and in those meetings our message has been very clear. We've said, unless we're successful on passing the parks levy, the system we currently enjoy will be very different. The necessity of taking \$2.2 million will have a dramatic impact on parks. And an impact that unfortunately will be very visible. Commissioner Francesconi has already gone through I think most of my speech for me, but --

**Francesconi:** Sorry.

**Montgomery:** Don't be at all. It needs to be reiterated. I guess my point would be, people have been shocked as we've talked about the details that go with this message. The changes are so visible, we'll all be able to see them. And unfortunately experience them. The reality is, the grass will be cut once a month instead of weekly. On all but picnic areas and sports fields. At the end of the month, the grass will be eight to ten inches high. I'd hate fit my neighbor had grass that high. Litter will be picked up half as often as before. The restrooms will be cleaned half as often. And they'll open later in the spring and close earlier in the fall. Two swimming pools will be closed. The community school summer recreation programs will be eliminated at all 13 community schools this summer. Where do the kids go? In the fall, seven of those 13 community schools will close permanently. What will the kids do after school? Maintenance and natural areas for trails will be cut in half. And jeremy has already talked about the situation with our sports fields. While the list goes on, clearly the message resonated that message resonated with voters. They don't want long grass in parks, or overflowing trash receptacles, or dirty restrooms, or worse. Closed restrooms. And they want community schools to have summer programs, and certainly not have seven community schools close. In fact, 70% of voters expressed their willingness to spend hard-earned dollars to help maintain our infrastructure and improve our programs. And i'm sure you want to do the same things for our wonderful city. Now we get down to it. The message i've been talking to voters about begins july 1st, one month. Voters are going to see long grass, and all the rest of the changes are going to happen. Litter pickup, restrooms closed. The 80% positive rating Portland parks has built through years of effort is going to slide backward. Voters are going to start calling Portland parks and recreation to complain. And a lot of them are going to start calling your offices. We'd like each of you to be able to tell them you voted to placed live I the november ballot. And say to them that we can restore all the cuts to parks with their vote to reaffirm passage of the parks levy in november. But it won't happen without your help today. Thank you very much.

**Katz:** Thank you. Karla? How many people want to testify on this testimony? Okay.

**Katz:** Come on up. We've got to get you back to school.

**Anne Love:** Good morning. My name is anne love, I live at 627 southeast 19th, Portland, 97214. I'm a mother to one of these children here. We attend buckman swimming pool, and all my three children have learned how to swim there. My youngest son is a member of the buckman swim team. Buckman pool is not glitzy, it doesn't have a slide, it doesn't -- it's not a wave pool, it doesn't even have a diving board. But what we have is spirit. And buckman swim team has won the

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sportsman award for four years in a row at the city swim team, and we're just very proud. And we are very fearful of our pool closing.

**Katz:** Thank you. Did any of you want to say anything? Grab the mike and introduce yourself.

**Luke Donohue:** I'm luke donahue, I live at 823 southeast alder street. I'm a member of the Portland summer swim team, and I also swim every morning at the buckman pool. And if it closes, I -- that would be really sad for me.

**Katz:** Anybody else? Okay. Thank you. [ applause ] [ gavel pounded ]

**Dan Donohue:** Mayor, councilman, my name is dan donahue. I am luke's dad, as well as sam's lily's and ida's. They testified to the importance of the swim team to our neighborhood. I'd like to address the buckman neighborhood and what it means to buckman to have that pool there. It's very vital. Buckman neighborhood has grown in terms of the families that are moving in, just in the years i've lived there. On my block alone, there's about six new families, and when I look at buckman neighborhood and what it does for the city, I look at it as a very vital community for the city. It is a buffer between the commercial-industrial area of the east bank, and the actual neighborhoods of the beginning neighborhoods of southeast Portland. It also is the home to the delta center, with -- a meth center for people struggling with addictions. We also home the st. Francis church that takes care of many of the homeless in Portland. We have schools there for the homeless, we have the native american rehabilitation, so we act as an incredible filter for the city in terms of people with real struggles and real needs, and we do this as a very vivacious community. I look at our community and just five blocks from me there's a beautiful building with offices in it and above the door it says, public library. We no longer have a public library in our neighborhood. Our high school is closed. I look at our thoroughfares and right by my home, we have turned the Portland -- Portland has turned the they're 0 fair into traffic lanes. I just feel we're -- we as a neighborhood do quite a lot for the city, and ask to do quite a lot, and we do with it a great spirit and vivacious nature. I ask you, don't let this pool close. It's just essential to our community. Thank you.

**Jim McEchron, Business Manager, Labor Local 483, 4641 NE 74<sup>th</sup>, 97218:** Jim mcechron. I'm speaking not only as a parent who's had kids go through the community schools programs and participated in park and rec activities over the years, but also as business manager, labors local 483, who we are looking at perhaps as many as 30 people losing their jobs because of the lack of funding that we have in parks and rec. I'm not going to address the issue of the need. I think that's already been explained very well. My members could go over that with you in detail, because they have been in position of keeping things functioning with band-aid and baling wire for years. And i'll back up what one of the other people here said earlier, that you don't have a more dedicated group of people in the city of Portland than the people who work in parks and rec. And we support them a lot. What I do want to speak to is the issue of how this measure fares in november, and I gotta assure you, if you put it on the ballot, it's going to pass. I mean, this 70% majority that you got here, out of this primary race, in november, we're expecting that we'll be in excess of 25% labor votes, not only were my members calling, but we had other members that were calling on other issues also supporting parks and rec, supporting this parks levy. We had a wonderful turnout, we exceeded 25% in the primary. We're going to be better than 25% in that november election, and if you put this measure on the ballot, we're going to help you see to it that it gets passed. The team that the commissioner has put together to manage this campaign are excellent people. They've done a fine job. It's one of the best-run levy issue, levy campaigns i've seen in this city in a number of years. If you get it there, you get it before the voters in november, we'll get it passed, and we'll keep the parks clean, green, and open for the citizens of Portland. Thank you.

**Katz:** Thank you. All right. Karla? Roll call.

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**Francesconi:** Just on behalf of Charles, David, and the parks staff, I just want to say a few thank yous now. First I want to start with the council. I want to start with the mayor. When the door has been shut, she's had a very difficult job through this budget. How do you protect public safety, but also protect all the things that make Portland a special community? And when the doors shut and at the last minute I'm always in there trying to get just a little more for parks and in this budget fire, and she's always been very, very responsive, because she has the kind of values that reflect the kind of community we are. So I want to publicly thank the mayor for all her support for parks and her difficult decisions she's had to make as mayor for this city. I'd like to thank commissioner Sten, who understands how important our environment is and the special place to our city. The natural areas, the water sheds, the air quality that urban forestry helps contribute to. These are all part after larger strategy that commissioner Sten understands very well. This is particularly -- not difficult, but commissioner Saltzman cares very much about our children. He understands that parks are also part of a children's strategy that he's working hard on, and that is also in front of the voters. It's another way to support our children which are essential to our future. And I saved commissioner Hales for last. As you all know, commissioner Hales was the parks commissioner before me. In 1994, we were able to address some deferred capital needs. Didn't address our maintenance, but it deferred some capital issues, because of the leadership of commissioner Hales. On behalf of all the parks, employees, staff, volunteers, and mainly citizens, I want to thank you for all you've done for parks, Charlie.

**Hales:** Thank you.

**Francesconi:** And now we want you to continue to help us on either the parks board or parks foundation. [laughter] and bring some money with you from your new career, would you? Which leads me to the second group I want to thank. What we're trying to do here, folks, is create a movement, intensify a movement for parks to add some support to these parents and neighborhoods that have been struggling for a long time in terms of parks and recreation issues. So I want to thank the parks board, two of whom just spoke, Mary and Scott, we actually spoke to more than 200 groups, and these folks who were busy running their businesses, leading their own lives -- lives, trying to raise their children, have also now taken on this task. I would like to thank Joe Pope, Joyce, Bruce, they're also in addition to all those things, dedicating resources. And they spent so much time on this. And I'd like to thank all the parks volunteers. The kids that were walking neighborhoods, the parents that were walking neighborhoods, the skateboarders that were walking neighborhoods. It was they that produced this. This is not a city levy. This is not a parks levy. It's what Tom Miller said -- this is our levy, because it's our system, because it's our city, and we're creating a movement that will sustain itself long past November, when we pass this levy. And finally, I want to thank the parks staff. Charles Jordan and all the staff, especially the workers who have been out there doing the work without adequate resources, as we piled more and more on them, more facilities more parks, but we've never kept up the maintenance. And they've been doing the work. I want to thank all the working women and men, the -- finally I think despite not getting the resources, despite the cuts, they now feel better because they understand that 70% of our citizens appreciate them. And folks, that's even more important than money, but we need the money too. And finally, I want to thank the parks voters. The voters of the city of Portland. It is a tough time, but as was the testimony here, no more important time is it than to have free services that all of our citizens can access in every neighborhood. And we -- we're not -- we work with the suburbs, but there's no reason that our children should have worse facilities than they have in the suburbs as we're trying to keep families in our city. So together we can do this. We take nothing for granted in terms of November. We're going to do whatever it takes to do exactly what we did to get the 70% that's exactly what we're going to do as we proceed to November. So thank you, everyone. Aye.



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**Hales:** Jim, I just want to thank you and commend the whole community-based effort here to put our parks in good working order. It was fun being parks commissioner, and working with you in the last few years as you have been to try to continue this support, which our citizens have, and that great vote really demonstrates. So i'm very enthusiastic that -- I am ending my service here on the council, I get to do this before I go, because i'm very proud to be able to support this today. I'm also -- you're right, I probably won't be able to stop myself as private citizen from volunteering for parks, so i'll have to restrain myself about how many of those I say yes to. But that's one i'm probably incapable of saying yes to. But probably another one that I would volunteer for is a private citizen -- as a private citizen would be to be a plaintiff in a lawsuit to overturn the double majority requirement, because I think that's what it's going to take. The Oregon legislature is too much enthralled by bill sizemore and the others who advocated for this bad policy to send a repair measure to the voters so. We shouldn't hold our breath waiting for the Oregon legislature to fix this. We'll asphyxiate if we do. But we should go reestablish the principle of one person, one vote, which is violated. So as a private citizen, which i'll be by tomorrow afternoon, I feel my vote has been -- vote has been counter balanced in fairly -- unfairly by people who chose not to vote. And that's unamerican, and we ought to fix it. So i'll volunteer for that. Until that thoughtless and now nefarious public policy is still in force, we have to do this once more with feeling, so, yes for parks, and I vote aye.

**Saltzman:** I can't think of how many other lawsuits charlie Hales is going to be a plaintiff in. [ laughter ] a whole new world I haven't thought of before. Well, i'm pleased to support this measure today. I think one of the things the city tried to do was to be strategic in its placement of money measures on the ballot, and we tried to do some -- the children's initiative on in november, and we -- at the time we felt all pretty good about a pretty good turnout in may. We couldn't think with the governor's race, with a good government initiative, a metro initiative, all these things going on, we felt a 50% plus one turnout was a sure thing. But sadly enough, that wasn't the indication. But the support for this initiative, this levy was indeed overwhelming. And I think, i've been very heartened in the last few days to hear the expressions of support for the children's initiative from commissioner Francesconi, from many members of the parks board, and others, and I think that what we sacrifice in being strategic we'll gain from having the ability to all go out and work hard and pass both these measures in november, because they're largely about the same children we're talking about here today, all the kids in the city. More money for more after-school programs, and early childhood development and child abuse prevention. We'll roll up our sleeves and work hard together to get both these passed in november. I look forward to working for both of them also. Aye.

**Sten:** I really admire and appreciate all the work everyone has done. It was an incredible effort. You can barely get 70% of the people to agree on anything, let alone what day it is, let alone paying more taxes for very important services in a really tough time. It's an incredible achievement. Commissioner Francesconi did a wonderful job, and I think each one of you and hundreds of other people, there's just no way on earth you get a 70% result without incredible hard work, especially in a year like this. So it was unexpected, and it's all been said, but it's a bad law that allows people not to vote. You actually -- you're better off if you're against these measures not voting. That's really a sick situation. I have a brother who teaches high school who's wondering whether he should keep registering kids who may not vote, which he does every year as a social studies teacher, because of this. It wasn't a thoughtless law, it was done very purposely to do these types of things. So I think we should put it back on. I have worried if we have too many measures on the ballot, but at this point rather than being scared of what we should do is be forceful and go forward and try and win a couple of them, and do the things we all know ought to be done in this town. Also I think that the 70% speaks very, very loudly. The polls said much lower than that, so obviously you turned a lot

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of people around by showing them as scott said, the real story and getting team to understand it. So I think that the voters will -- the voters' will is clear. I was not honored because of the various laws we work under, and if we put it back on in november I can't see why it shouldn't win, at least the cuts will be kept for just a couple of months. Maybe this is a chance to turn the corner and really assert what this community is about, and i'm sorry you have to do it again. Aye.

**Katz:** You know, we talk about being strategic and putting measures on and limiting our zest, and i'm not sure that we ought not to trust the public a little bit more. The public made some very wise decisions, and they seem to be able to discern between measures that are hurtful to the community and to the state, and those that are helpful. So I have no problem putting two, three, four measures on the ballot and hope that through intelligent discussion the public can make decisions as to what they need to support. So I -- when I saw the vote go up a couple of minutes after 8 o'clock, I said, this is going back on the ballot, there is no question. Even knowing that there's a little bit of tension between of other ballot measures that will also be appearing on the november ballot. As far as overturning the double majority, I feel as strongly as commissioner Hales, and i've already asked the city attorney, who's here in the room, I asked harry, I said, has a lawsuit been filed on this, this absolutely violates the one person, one vote. And at least initially harry said no, and so i'm -- i've been asking him to do a little preliminary work to see if there's any interest on the part of the city to be a plaintiff and I know we would be joined by a lot of other communities. And so that's a conversation for some other time. I want to thank commissioner Francesconi. He took this on, he knew that there was a risk, but we all said it's worth the risk, and I think in our hearts of hearts knew it would pass, but weren't sure if there were enough people that took on the responsibility of casting their votes. So it will be back on the ballot in november. I want to thank all of you that did the hard work, especially our young people, who now I hope understand how important it is to vote. And thank all the parents in the community that did the hard work to get the 70%. Aye. [ gavel pounded ] thank you. All right. 552.

**Item 552.**

**Katz:** I want to welcome everybody here. I'll turn this over to commissioner Francesconi in a second, but -- and to commissioner -- commissioner Francesconi. Let me just say that this entire council has been very concerned about how well this community is prepared for not only terrorist attacks, but how well we're prepared for any emergencies, natural or unnatural. And we've discussed this, we've created councils, we urge the people sitting in front of you to work together and work with other jurisdictions outside of the city of Portland and Multnomah county. We've had some exercises, many of you participated in them. We have to tell you we will have more. We just talked about it this morning, the need to have continual exercises to prepare ourselves. And today we have representatives of the team at least our local team here to talk to us about our preparedness, some of the issues that we still need to face, especially the financial issues of the cost of being prepared, in addition to how do we protect the public with the kinds of information, vague information that we're getting at the national level. So let me turn it over to commissioner Francesconi.

**Francesconi:** Well, one phrase we're hearing a lot about is united we stand. And the work of this group proves that phrase. One of the things we've come to discover, one of our great strengths is the working relationships we have in place which lends to the sharing of resources during the disaster. This is what we saw during the bluff fire, which was before september 11. Where the business -- the police, water, citizens all came together to respond. Since september 11th, the mayor called on our leaders to come together in on more focused emergency management plan and to form this council. Now just eight months after the formation of the Portland emergency preparedness council, those relationships are even stronger, and they're proving their worth in many ways. And this is what we're going to talk about today. Three major areas proving that united we

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stand. The first is the outstanding participation and operation red rose, which was a regional exercise simulating a terrorist attack. The second are united efforts to get federal grant funding in a very competitive environment to make sure we're prepared for such an attack. And the third is a consensus we've achieved in identifying key issues that we still need to address.

**Ed Wilson, Fire Chief:** Mayor Katz, members of council, ed wilson, fire chief for the city of Portland. I have with me today Portland police commander dave benson, and Multnomah county emergency manager doug mcgilvrey. And we have carl simpson, boec, bureau of emergency communications director. Thank you.

**Francesconi:** We love you, carl, we really do.

**Wilson:** Actually carl's doing a great job.

**Katz:** Yes, he has.

**Wilson:** Two weeks after the 9-11 attacks on our nation, council directed or established the emergency preparedness council, and it's being chaired by the fire chief, the police chief and carl similar ton, boec director. We provided our initial findings back on february 20th of 2002 and we gave the city's Portland -- a grade of about a b. That was our own grade that we gave ourselves based on what we knew about our preparedness at that time. In addition, we reported that there were four major areas needing improvement. Those areas were recovery, equipment, and training, communication and building security.

**Katz:** We're not going to have banners hanging here. Thank you.

**Wilson:** Thank you, mayor. The second part of our report to you today, we will address the following topics. Operation red rose, which was a large-scale exercise recently completed, police blue ribbon panel will be -- a citizen corps being developed by Multnomah county emergency manager doug mcgilvrey. We'll talk about our strategic planning process, and also the budget realities with regard to the issues we've identified, our needs. This report also answers some of the question that was raised by council on february 20th, and areas of city finances, communicated outreach, school communication and coordination of volunteers. With respect to operation red rose, it was two phases. We had a large tabletop exercise, and an actual functional exercise that included approximately 2,000 participants, 58 agents -- 50 agencies and 18 hospitals. This had been in the planning process for over six months. While the results of the critique are still weeks away, what we do know, what we did learn from operation red rose, there was successes. We had excellent participation by all of our city bureaus and our regional partners. I guess we should have expected that, but we had 2,000 participants in this exercise. The initial response shows response to the management was appropriate. We have resources, well trained and we have a system to get them dispatched in a coordinated manner and with our interactions over the years in previous drills, we interact well together at the scene of the emergency, and also at the emergency operations center. Operation red rose most recent exercise was the first time, the first exercise in our new eoc. We recently remodeled our emergency operations center at the 9-1-1 center. So that was positive, but we did learn some things there at the eoc also.

**Katz:** He's laughing because I told him I liked the old one better.

**Wilson:** She thought this one was too big and we keep talking we want a bigger one. Some lessons we learned from operation red rose. We have an effective sharing, hazmat resources, this was the first time we coordinated the four regal state regional hazmat teams to a major incident. We exercised the metropolitan medical resource system, which was developed over the last two years, federally funded grant that bought a lot of training and specialized equipment. That equipment was used as part of this exercise. Both exercises we realized we needed to do a better job of identifying city and regional resources so that we know what is available at the time of an emergency. Primarily in the area of communication equipment, so we in fact can communicate and coordinate all these resources. Training, which we presented to you earlier, is a need, not only specialized

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training in the field, in the areas of chemical biological weapons, but also the fact that we have personnel movement from time to time in the bureau, and it's very important that we continually train at high levels in the emergency management and instant command system. And then just to reemphasize a benefit we got out of operation red rose, we realized it's just so important to train together, to improve our relationships, understand resources, and what we in fact can do at the scene of an emergency. At this time i'd like to turn the podium over to commander benson, he'll speak on the blue ribbon panel update.

**Commander Dave Benson, Tactical Operations Division:** Thanks, chief. Good morning, mayor, commissioners. My name is dave benson, i'm commander of tactical operations division. In december 2001, police chief mark kroeker commission add blue ribbon panel to focus on the potential of a weapons of mass destruction attack on the citizens of Portland. The wmd panel consisted of representatives from public safety medical, military, and emergency and disaster response communities. Jointly the group agreed at the first meeting to focus their efforts on the following issues. Number 1, focus on threats to human life. Threats to economic infrastructure of our community are too big and are too big for this community for this committee in a limited amount of time to examine. Number 2, they focused on the initial eight-hour response to a wmd attack. During this time period, the city of Portland as an organization, will have to rely on its own capacity to respond to an event. After this period of time, additional resources will likely become available from other jurisdictions on the state, federal, and local levels. Third, work on joint command response protocols from the varied agencies and disciplines. Fourth, work to identify key interagency communication that would need to occur and how to support that. And lastly, focus on the involvement of our sectors in the prevention and response to wmd events. The group met on -- group met concluded its work in -- earlier this month, though we haven't developed a final report, the following six recommendations are key, or will be key in the final report. The city of Portland should focus on additional steps to reduce our vulnerability at key emergency responder sites, including police, fire, medical, and communication sites. Second, we should continue to enhance the capacity of law enforcement to share information about potential threats on a real time basis, on local state and federal levels, third, we need to develop standardized criteria for activating eocs or emergency operation centers on a regionwide basis, establishing eoc as you're all aware, requires valuable time in these -- and these criteria should be in our opinion liberal as opposed to conservative. So we don't waste that valuable time. Fourth, the chief's office of the Portland police bureau functions as the homeland security office role for the city of Portland. A few in the city have knowledge or even understand how to get that information. Additionally, emergency communication protocols between not only city bureaus but other law enforcement agencies need to be clearly refined and defined. Fifth, develop a list of critical routes in the city that should be or can be restricted when the federal government implements a yellow threat level or above. And lastly, the city of Portland should place controls on the placement and transit of hazardous materials in and through the city limits. We should also focus our efforts to address the security of sites in proximity to populated areas.

\*\*\*\*\*: Thank you, commander.

**Katz:** Thank you.

**Wilson:** Volunteer spirit in the city of Portland is strong, as we all know, and in the past, council has asked us to identify ways that we could harness or utilize this volunteer spirit. At this time i'd like to turn the podium to Multnomah county emergency manager doug mcgilvrey, and he'll talk about the citizen core.

**Doug McGillivray, Director of Emergency Management, Multnomah County:** Thank you and good morning. I'm the director of emergency management for the county. It gives me great pleasure to address you this morning and describe to you some of the efforts that we are collectively

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pursuing, and by collectively I mean we have -- doing this jointly between the city of Portland, city of Gresham and Multnomah county. So this is a unified effort, and I'll explain this in a minute. For some time, our local jurisdictions have shared concerns we collectively need to work more collaboratively in a number of areas. Some of the areas we've identified were things like emergent volunteer management, we go back to the floods of '96 and the large number of folks that came out to assist that pointed out the need to manage those folks. We need to look at critical stress management. We have issues with school district communications, community outreach, and so on. We've recognized that meaningful and continued dialogue between the various jurisdictions within the county is not only necessary, but it's crucial. Since the terrorist attacks, Americans have acted with courage, compassion and unity. And I might add a personal note, it never ceases to amaze me how differences are set aside following some kind of major event. Political, racial, ethnic, religious, it doesn't matter. The bottom line is we're all citizens and the citizens come together as they did in the floods of '96. That's what this program is all about. To capture this spirit and foster an American culture of service, citizenship and responsibility, President Bush called upon all Americans in the State of the Union address to dedicate at least two years or 4,000 hours of service to the country and of service to others. He launched what he termed the United States of America Freedom Core, the initial five was to inspire and enable all Americans to find ways to serve their community, their country, or the world. His initiative took the four existing programs you're probably all familiar with, the Peace Corps, Senior Corps, AmeriCorps and the Community Service, and added a fifth element, the Citizen Corps. And let me define that for you just a little bit. Citizen Corps is a component of the Freedom Core that creates opportunities for individuals to volunteer to help their communities prepare for and respond to emergencies by bringing together local leaders, citizen volunteers, and the network of first responder organizations such as fire departments, police department and emergency medical personnel that goes to help all -- the goal is to help all citizens participate in making their community safer, stronger and better prepared for preventing and handling threats of terrorism, crime, and disasters of all kinds. The Citizen Corps is a compilation of several programs that already exist. It simply brings them together under one banner, thereby providing better facilitation, coordination and support. In this county such organizations are the community emergency response team, I think they're probably better known as N.E.T., in East County as N.E.R.T. And we have a half a dozen in the region. It brings the police's block program and neighborhood watch programs together into this program. It includes trauma intervention program volunteers from OHSU and other hospital organizations. Oregon volunteers active in disaster, law enforcement explorer groups, and reserve groups as well as AM -- to name just a few. Key personnel were brought together as Citizen Corps Council on May 17th, 2002, so we've just begun this process. But representatives -- represented at the table was Portland emergency management fire, police, Gresham police and fire, and emergency management, county, we had citizens, I think we had 24 people at the meeting. So our effort is to pursue some of the federal funding that will be coming available, it forces Corps development and to use that money to train and support and develop these volunteer opportunities. And the -- I'm committed to community education, I've been committed to that for many years, I'm committed to citizen preparedness, and I believe that the Citizen Corps will be a huge leg up to assist us in doing that in a giant and cooperative manner. Thank you.

**Wilson:** For us as a region continue to improve, it's important that we have a good plan in place. Boec director Carl Simpson will talk about our strategic planning process.

**Carl Simpson, Director Bureau of Emergency Communications:** Good morning. I'm the director of Boec. These gentlemen have told you what we've been doing for the past eight months, and well before that. I'd like to review with you what we will be doing in the coming months. I've -- I'll identify who, what and when, the wheres to be determined. We're talking about the strategic

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plan. Where do we go from here? We spent a lot of time reviewing the position of where we are, what are we -- are we doing well, what could we be doing better. Through just continue us improvement practices, we've identified the best practices that we can bring to the city of Portland and the county and Multnomah -- county of Multnomah. We've identified five teams that -- five areas, five core areas that need to be addressed. I will be chairing the redundancy and communications group. Looking at how do we do business if we can't stay in our current location. We're going to be identifying a team member to take on training and equipment. The unified command of public works, fire and police will be tackling those issues. The next strategic area that we'll be evaluating is building security and calling on our associates at facilities to help us with that. Our business recovery is going to be a major area of interest for us to look at. How do we continue to do business in the event of wide scale traumas. And with doug on the panel, we'll be involving the citizens in a great way. I told you the who, I told you the what, the when we expect to have these teams put together and with some recommendations by september.

**Wilson:** Thank you. Just to close our short presentation, I want to touch on some budgetary issues. Whether we were before you in -- on february 20th, we had identified some \$20 million worth of needs, or wish lists. Over the last three, four months we've been working hard to, one, obtain some of the items that we identified, and then actually remove from the list items that may, after further reflection, not be necessary. We now have that number down to about \$16 million, and we're able to do that by purchasing equipment through current service level budgets, again, by removing some from the wish list, because we found other areas we go gather those resources through partners in the region. We'll continue to sharpen our pencil. We're working with the Portland government relations in the -- in putting forward grant requests. We have a fire act grant request in right now, we expect to hear back shortly on that. We also have been active in trying to put forward a grant request through the first responder initiative, 3.5 billion for that money is yet to be authorized. We're hearing it may the shall -- may not be until november or january before that money is authorized. We have given written response with respect to what -- how we think the guidelines should be structured this. \$16 million, while still a large number, is -- we have identified what that money would go for and if the grants become available and we're -- and were successful, we'll be purchasing equipment, and we'll continue to look where we can do business different and maybe reach that number further.

**Katz:** Thank you. Questions by the council?

**Saltzman:** Great presentation. I'm encouraged to see everybody sitting at the same table. Chief wilson start out by saying it seems that you should be working together. As we read the appalling headlines coming out of the Washington, d.c. With respect to intelligence gathering before september 11th, it's not so obvious, and it is appalling, the -- appalling, the lack of communication that went on between several key security agencies that should be talking together, and hopefully president bush will take care of that in a very effective and firm manner. Anyway, we can't take those things for granted, and you've all worked hard to overcome some of the inherent institutional issues that do keep us from working together. The five points that carl just laid off of what you're going to do next, you will have those done by september?

\*\*\*\*\*: That's right. Great.

**Katz:** I think they know we expect them to report back to us. There's enough interest on the council.

**Saltzman:** Yeah. I think we've been doing it on a three-month basis.

**Wilson:** Would you like that to continue?

**Saltzman:** Would I like it to continue. I think it's important to do it every three months.

**Katz:** That's fine. We'll do that. Further questions? Okay. I hope all of you individually have a chance to speak to the gentlemen that are before us to find out, you know, and to let them know

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where you think we do need some additional shoring up, and things that we need to do. I think "b" is a good grade. But it needs to be an a-plus.

**Wilson:** We'll work on that.

**Katz:** And we all have a lot of work to do on that. So thank you. Anybody else want to testify? I see dr. Jue here. And who else is here? Okay. Anybody else that was tied and worked on the operation red rose with our partners?

\*\*\*\*\*: Good morning. I'm pleased to report significant --

**Katz:** Identify yourself for the record.

**Dr. John Jue, EMS Medical Director, Multnomah County:** My name is dr. John jue, i'm the ems medical director for Multnomah county. I've been in that position for ten years. Anyway, good morning, mayor, members of the council. The report from the health's point of view is actually quite good. We have actually deployed and trained and equipped our emergency medical responds to a reaction for weapons of mass destruction. As of july first, we should be fully operational as well as any other community short of Washington, d.c. And new york city, which they have special equipment and supplies, and I can brief the members of that a little later. We also had significant bioterrorism funding, been note identified of that, not funding coming through from the centers for disease control and prevention as well as hersa for the hospitals. We're currently working on the plan, the plan calls for distribution and infrastructure development in public health, which is the cdc funding. Hersa funding is for hospital development and the first funding cycle is for planning, and this is going to be planned by the Oregon health division now known as dhs, department of health and human services. As well as there's another fema grant coming down the line, which i'm not aware of, but chief wilson may be aware of. We have made significant progress and -- in the collaboration of hospitals and medical centers and -- in reacting to levels of mass destruction. Operation red rose was the first time the hospitals reacted together as a unified operation from a health perspective. I would rate us about a 5 to 7 out of 10 regarding the ability to handle contaminated patients. Hospitals are obviously short-funded regarding some of the issues and we're working on sources of those fundings as well as education supplies, and coordination. We have a little more work on coordination from the health perspective point of view. We have received mmrs antidotes in the community. We are from the mmrs funding, so we have a certain amount of limited ant don't -- antidotes. So we are probably in -- would I say much better shape than we were october or november 2001.

**Katz:** Thank you. All right. Anybody else want to testify? Okay. Then we'll accept motion to accept the report.

**Saltzman:** So moved.

**Francesconi:** Second.

**Katz:** Roll call.

**Francesconi:** Mayor, I think our grade was a b-plus this time. The police got a b, the fire got an a, and the average was a b-plus. [ laughter ]

**Katz:** Dreamer.

**Francesconi:** That was a joke, police officers. Anyway, maybe three messages here. One is, at least for me, one is that because of red rose, I think we can tell our citizens that in the event of a terrorist attack, we're prepared to respond in terms of law enforcement, the city, and our health systems. So the hospitals, we're ready for this to happen. The second thing is, we still need some training and equipment to make sure that we get from a b-plus to an a. And there's a shortage of radios, the police need better protection, and there's some training listed in this report that we need to undergo e. Especially on a regional basis. But I think maybe a third message is if we need -- we need -- since we're spending these resources to keep our citizens safe, we need to do this. We also need to get some other benefits out of this. So we not only need to be prepared for a terrorist attack,

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but for flooding or other earthquakes, other kind of disasters. But we also have to use this to strengthen our public health system in general, which we have some leadership here trying to do exactly that. So if we can be thinking of how do we benefit our citizens even beyond a terrorist attack, so this is a step in the right direction. Aye.

**Hales:** Thanks for the good cooperative work. It isn't necessarily normal for agencies to work together, thus the dysfunction that we hear about in Washington, d.c. It takes effort, and I appreciate the good effort that's been carried on by our bureau of managers and the other people involved. All of the interdisciplinary work that it takes to be prepared to work together for when we're not -- when we're surprised. We're going to be surprise bide good news and bad news in our world, and hopefully more of the former than the latter. But preparedness really counts. Thank you. Aye.

**Saltzman:** I think just as we saw our agencies come together and are working well together, let's not forget what dr. Ju just mentioned, our hospital systems, it's great they participated in operation red rose, it was a first, but it demonstrated amazing capacity constraints, and things like that. So ohsu and the hospital communities are just as much an important partner in this effort and will continue to be, and just as we go to dc to advocate our own agenda, we need keep in mind their agendas and make sure their voice is heard as well. But it's been good work, operation red rose was reassuring to many, but the need to be vigilant continues to be better. So that's why I look forward to seeing you again in three months and you can provide us where you are in your continued quality improvement. Aye.

**Sten:** Thanks for very good work. It does feel better than it did three months ago. I'm not sure we'll ever be where we need to be, but we're clearly making progress. Aye.

**Katz:** There's still work that needs to be done. Let me identify a couple of things. One, commander benson mentioned the color coded warning signals that we are? Perpetual yellow. The problem is nobody quite understands what perpetual yellow means, and what people need to do. And so one of the things that I want to make sure happens is that we have our own color-coded signal system that matches the federal color codes, but actually does tell our agencies the ones that were sitting before you and others, exactly what we expect from them. So that they know the difference between the colors, and they're not color-blind. And more importantly, so that we can tell the citizens other than be aware and be prepared, a little bit more about what is expected as the colors begin to change. So that work still needs to go on. I was very happy to hear about the citizens corps and the work of the county of bringing all the volunteer efforts together, because we have a wonderful community as we saw a few minutes ago, who want to help and unless they know where to go and what's expected of them during an emergency, as we saw during the flood, we need -- there will be a lot of disorganization, and one of the things we can't afford during this crisis situation is disorganize. So it's very important that the messages are very clear to them as to what we expect. The most important thing first is to make sure our first responders are prepared, and are taken care of, and then it's terribly important that we have the resources to provide for our citizens who -- excuse me, out. We don't do signs in here. Please move them out. Please move them out. Finally, one of the things that is really troublesome to me as mayor is the -- we still have the lack of coordination in communications. And that's not a problem with our community, it's the lack of the problem at the federal level as to who's supposed to know what, when, and in time, communication. And we need to continually work with our federal agencies to make sure that at least the mayors throughout the city and -- cities and around the country, as well as our fire bureaus and police bureaus know exactly what to expect if there's a problem that's arising or problem that they know of. So those are the four issues that still need to be addressed. There are others I said in jest to chief wilson that -- s as I was sitting at the table, I was listening to your health people, I confessed that did I not take any courses in health, and I need a dictionary, because you stalk a different



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language, and it's important that the people at the table who are trying to spread that information to the community have a translator there, either that or a dictionary or website, or resource book, so that's my only -- that was my only communication problem. I didn't quite understand all the technical terms.

**Saltzman:** How about an honorary doctorate?

**Katz:** To thank you, everybody. We will continue doing this work, and we'll be sure that this community will be prepared. Aye. [ gavel pounded ] thank you. 553.

**Item 553.**

**Katz:** Commissioner Saltzman.

**Saltzman:** Thank you, madam mayor. I'm pleased today to bring before you a resolution to create a food policy council. This is a city-county council, and it will serve as an advisory committee to the sustainable development commission, which is also a city and county body. I want to talk about the background, because like a lot of members on the council, when I first talked with people about these food issues, it wasn't clear to me what is the city's connection, if any. And late -- in late 2000 I was invited to speak about the sustainability efforts of the city at a community event hosted by ecumenical ministries of Oregon. It was called a place at the table. The organizers and participants were interested in finding a way to address local issues -- land use and environmental issues associated with food production and distribution. So when they asked me what the city could do to help in this effort, I frankly didn't know. So I put the question back to them, I challenged them to come up with a proposal. And to their credit, they spent a lot of time, and I received a proposal from them to create a food policy council. And the idea behind this proposal was to tap the food system expertise of our local community and create a resource for local government by reserving and providing meaningful input. Planning group was formed and that included members of the sustain I can't believe development commission, local farmers, ecumenical ministries, Portland state university, Portland public schools, Portland parks and recreation, Multnomah county health department, and various local community development organizations. And this group has met regularly since last fall to develop the food policy council proposal. And to acquire and incorporate public input into that proposal. In fact, this february the group held a forum where over 100 local community members got together as I recall it was a nice sunny saturday afternoon, saturday morning, they got together for an entire day with us to discuss local food issues and to suggest the top priorities for the food policy council. This input has been instrumental in shaping the resolution in front of us today. Food policy can embrace a number of issues and take you a number of different directions. This group held to win 0 it down to a focused few. So why have a food policy council? Food is a basic part of our lives. Strangely, as a government and a communicated, we devote less of our careful attention to it than we do other important elements of our quite of life, like the environment, land use planning and our transportation needs. There are several ways in which the city and county play an important real in food matters. They include our work to establish a public market, our decisions as institutional food perchers, this is particularly true for the county. Our enforcement of local conservation laws and the effect that has on local agriculture, the importance of the urban growth boundary is only as good as we can maintain the economic viability of the farmers on the other side of the urban growth boundary. So they can make a living from agriculture. And not -- but also relates to our efforts to maintain a viable transportation system which facilitates the transported of food and food products. And the focus on ensuring public health, eliminating hunger and promoting nutrition. There are several key indicators that demonstrate a need for local government to better understand their impact on food-related issues. Perhaps not as more important than hunger. Oregon is rated the worst state in the nation in terms of hunger by the u.s. Department of agriculture. 1 in 7 people received emergency food boxes last year from the Oregon food bank. Almost 41% of those people were children. With respect to

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health and nutrition, the news is equally distressing. 53% of Oregonians are overweight, obese, over 50% of the deaths in the u.s. Are from coronary heart disease, cancer, stroke and diabetes. All of which have proven dietary links. And the loss of local farming and food production, and this is our urban-rural connection, less and less food is being produced by local farmers and local processors. It's -- consolidation among food processors, overproduction, and the increasing industrialization of agriculture is making it more difficult for local and smaller farmers, including those that utilize sustainable farming practices, to survive. And we have a very strong role in helping them to survive. These are substantial problems, and in some cases of a global scale. But nonetheless, there are steps we can take and we should take locally. The food policy council will provide a forum for venting these issues, and identifying appropriate local strategies for the city and the county governments to make. And i'm glad we're on the verge of making this proposal a reality.

Wayne to now turn it over to susan anderson to describe how the council will work.

**Susan Anderson, Director, Office of Sustainable Development:** With me here today is lillian shirley and rosemary cordello, on the sustainable development commission for the city. Several months ago when commissioner Saltzman asked me what I thought about food I thought I was finally got to -- going to get my free lunch out of him. But that wasn't the case. What we wanted to know was how does food relate to sustainable development, and did I think did it relate and did I want to take this issue on. And so of course as I tended to, I said sure, we can do food, and I think this does relate to sustainability, but what we found was this was both easier and harder than what we thought it would be. It was easier because there were literally 100-plus people who were ready to come and work on these issues from farmers to people, groceries, to people who were involved at all levels of how food gets from the farm to the table. But it was also harder because every time we turned a corner we kept finding another issue that was connected to food, whether it was personal health or children's health or land use or water pollution, or other environmental quality issues, it was all connected. And that all makes sense, because food, like air, water, land, the sun, is sort of what is our basis for existence, and it's what connects us to nature, flows through us and connects our urban and rural families, really. So because of all these different interconnected issues, we decided to take a step back and say, yes, we think there should be a food council, but we wanted to make sure that the city and county worked together on it. And that we make it as simple as possible and give them the food policy council some very specific direction for the first year. So that's what's happened. We decided to propose establishing the new council not as a separate organization, as is done in several other communities around the country, but as a first step to make it a subcommittee of the sustainable development commission. It's a good place for them to get started. It gives them an opportunity to get up and going and give them some legs before they're just pushed out there as a new organization. And it also gives them an opportunity to utilize some of the staff both in my office at the city, the small amount of staff, and at the county, both within the community services business and community services department and also in the health department. Also counselor rex burke holder says he will have staff directed toward working on this as a land use issue. The plan is to recruited 11 members to serve on the council from a wide variety of different interest groups. We're getting lots of great suggestions for membership, and we should have the slots filled by the time the county takes this same resolution to their board within a couple of weeks and have the first meeting. Our hopes are before the end of june. During the first year we realized that there were literally, you know, 100 different issues that they could tackle. So we specifically asked commissioner Saltzman and commissioner roho destephie on the county to give us their short list. And we also talked with the folks -- there were a dozen folks who had been a planning committee, and we went down to a few items that were listed in the resolution. Their focus is primarily on a couple of issues. One, how can food policies support the urban growth boundary and other land use policies. How can we improve access to safe and healthy foods for all

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members of our community. Without regard for their income or where they're located. And that's a major issue of why food policy council is -- get started in most other communities. And then third, we looked at what food policy should we have for the own stuff we buy. Similar to a month ago we were back here talking about sustainable procurement. We have a lot of purchasing powers in the city and county and we should have some policies about the kinds of food we buy and where we get 40 and how it's transported. So that's the plan. They should be up and running in about a month, and both of these ladies have a couple of comments they'd like to make.

**Katz:** Okay.

**Lillian Shirley, Multnomah County Health Department:** Good morning, lillian shirley, Multnomah county health department. I want to first bring and acknowledge greetings from maria, our commission who is leading this. And just like the two items on the council, on the commission's docket before this, the health department is inter -- intimately related, both with the issues of parks and open spaces, as well as urban planning, as well as emergency preparedness. And what's health got to do with it? We're looking forward to participating in the food policy council, because it will give us recommendation that's are consensus recommendations and data that will enhance mutual efforts on the part of the city and the council of the commission. To address the well being of residents in the community. If you listen to the popular press and the medical intervention breakthroughs you hear from the health care industry, would you think cardiovascular disease and cancers are root causes we need to work on. But research has shown us that 70% of the morbidity in our communities and the real issues for americans are exercise, diet, and healthy behaviors. By that we mean helping people to stop smoking and helping people to drink in moderation. And most of these diseases that we spend so much time on can actually help people, the communities can be empowered to work on them and prevent them ever coming in the doors in any of our institutions or needing the services for human service and social services. And this is a step that we come together to do that. Commissioner Saltzman gave you the statistics about how many Oregonians are in hunger, we had the embarrassment last year of being one of the hungriest states in the nation. We also know that of the number of the statistics around adults that are obese, 1 in 6 Oregonian middle school and high school students are at risk for overweight and this begins lifelong patterns of problems with diet. Healthy diets require healthy foods. And access to safe and healthy food, especially food for the disenfranchised is limited in most urban communities and throughout our county. This is particularly true for undocumented persons in our community, and the homeless. We employed recent store option and we look for ways to support that and to continue having choices accessible. I'd like to talk about some of the intersections between our programs and this initiative. As you know, the county health department runs the state and federal program, we encourage good eating habits, we have classes, we encourage people to choose foods that will encourage them to have a better diet and better health outcomes. And this is particularly important for newly unemployed parents as they struggle to feed their families. And we recently did a statistic in terms of the status sustainable -- in the last five years, the amount of wic coupons from our case load working with low wealth families has resulted in over \$9 million in the food purchasing cycle for this county. So it's also a connection to -- it's a lot of purchasing power for people to choose, and we hope to continue to make that connection. And make it continue to be okay to use wic coupons and use food stamps in farmers markets, where locally grown food come to market. [ applause ]

**Katz:** No, no, no.

**Shirley:** Media images largely shape our consciousness about food, and these include what's healthy, what's portion size and what's fast. In terms of sustainability, environmentally food production processing and shipping all play a role in the production of greenhouse gasses and that causes global warming. Eating locally and sustainably can reduce packaging and transportation and

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waste. The fact the food sector accounts overall for between 15 and 25% of total greenhouse emissions. Economically we have a trend toward importing food. Recent statistics from the state tell us 90% of the food grown here is exported outside the area. This leaves us vulnerable for any disruption in infrastructure in any emergency event. Socially in the metro region, including Multnomah county, the average annual wages for employees in agricultural protection is below a living wage. Estimates range between \$8,500 to just over \$16,000 annually. So all of these elements from accounting perspective, whether it's helping people out of poverty, helping people have choices, helping people with food that's affordable as well as good for them, the county has a perspective and it has a need to participate. In addition, the county is a major institutional food purchaser. We feed 2,000 people three times a day at our correctional institution. That's a lot of buying power. We're committed to green practices through our county commission and that includes the promotion of and access to healthy, sustainable food practices. Thank you for this opportunity to collaborate and cooperate on this important policy issue.

**Rose Marie Cordello, Member, Sustainable Development Commission:** Good morning, i'm rosemary, i'm a member of the sustainable development commission and the former director of sustainable communities northwest. I'm going to speak for a moment or two about the efforts of the planning group and bringing about this initiative. Give you a bit more background on that. When commissioner Saltzman decided to move forward with this initiative, and to initially house it with the sustainable development commission, I was asked to coordinate the planning effort and was thrilled to do it. Food access and security has been an important part of the work of sustainable communities northwest. We provided community gardens and edible landscape to low-income residents in our housing units and believe that all citizens have the right to an adequate supply of nutrition food and the opportunity to grow this food themselves. In forming the planning effort, the planning group for this effort, we brought together the core group of citizens that had been working on creating this initiative, working with commissioner Saltzman, and some additional folks with expertise and knowledge and interest in this area. In our group's earliest discussions about how a food policy council might work, we determined that the council was really only as strong as the level of community involvement and investment in it. And this has been confirmed by our research of other food policy councils throughout the country, those with the greatest success are those that have engaged citizens in this important work. Rather than working in isolation. So we determined to organize a forum to bring together people in the community with an interest in this area and who have a stake in a sector of the food system. On february 2nd, we had our forum, it was -- it had great attendance, over 100 folks, and very enthusiastic participation. What we found was that people in various aspects of the food systems such as farmers, grocers, nutritionists, hunger relief workers, health care professionals, hadn't before had an opportunity to speak to each other about these important issues and to figure out the intersection and where to go from here, and create -- in creating a stronger food system. We began our day with a presentation by mark winey, one of the oldest and most successful councils in the country, mark not only helped us understand what a food policy council is, but that our initiative is actually a part of a nationwide effort to place issues of food access, production, and distribution on the agendas of our governments as we already have with issues of transportation and housing, for example. At the forum we also discussed with this -- what this region needs in order to create a healthy local food system and how city and county government can play a role in this process. Participants identified six major areas of concern and pooled together ideas for addressing these concerns, including who potential partners might be in our community in finding conclusions. Many also pledged to continue their engagement in this effort. We feel the forum and the work that the planning group has done has been essential to the process of planning for a food policy council for one, we've create add constituency to support and work on these issues. Given the profile that this effort has already had, we now have a mailing list

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of over 200 citizens and we're just getting started. We helped to identify the issues that most concerns citizens about the state of our food system. And we began that process of citizen engagement that will mark the success of this effort. Many of the concerns the forum participants identified have been specifically addressed in this resolution, and the council will begin working on those issues shortly. We have confidence that as these issues arise, there will be a committed group of citizens to provide input on the direction that policies might take to address these issues. We've also learned what sectors of the food system have a particular stake in the issues and what individuals within those sectors have the energy and the capacity to pursue solutions with the food policy council. As a result of our work, I think we can say without reservation that there is strong public support for this initiative, that there's great energy and talent in the community to engage with local government on finding solutions, and that now is the time to act. There is a great deal at stake, much of it's already been discussed. The health of the community, the health of our environment, our right to know where our food comes from, and to choose food from our own region. Thank you.

**Katz:** Thank you. Questions? All right. Thank you.

**Francesconi:** Two questions. Anybody on the panel -- well, maybe -- the first is, this is an important charge, and an important task. I'm having trouble understanding why this is -- and it's related to air, water, sustainability, the way we live, all very important values for Portland and for the country. I'm having trouble understanding why we don't just do it through the commission we've already established, the sustainability commission. Why with we creating something different? We're not yet, but why are we on the road to creating something different?

**Anderson:** I think that there was a public interest in creating something different originally, in creating a food policy council. That was the original grass-roots effort, and it was our recommendation that we not do that and that we make it a part of the -- as a subcommittee. Whether or not it ends up breaking off in the future or not is still up in the air.

**Francesconi:** I guess i'm asking you -- i'm asking you, what's your recommendation?

**Anderson:** My recommendation is to make it a subcommittee, and that's what we've done. I think that if this grows and the county and the city and the farmers -- there's a huge interest in it in breaking off, it may break off as a nonprofit or something separate.

**Francesconi:** Okay. Does anybody else want to elaborate? You don't have to if you don't want to. My second question is funding. At a time we're not filling the potholes, at a time we're cutting after-school programs, i'm not particularly interested -- we can't meet our basic core responsibilities. I'm not too interested, I wanton honest, because I don't want false expectations raised, it don't make sense for me for the city to put money into this now. Is there a hope, an expectation that the city will fund this? The reason i'm asking the question, the resolution specifically says that a work plan identifying future funding be considered. It's very important to me, and that the citizens understand what kind of future funding we're talking about. Are we talking about city funding or are we talking about spending it off to a nonprofit or other funding?

**Katz:** Susan?

**Saltzman:** I can talk about that.

**Katz:** Identify yourself. Because there's three of you, identify yourself.

**Cordello:** Rosemary cordello with the sustainable development commission. A few things. One is that this effort is very much citizen-based. What you're going to find in the next year is a huge number of volunteer hours put in by numerous citizens on this issue. There already have been and there will be more. I just want to be clear about that, that have you a groundswell here as opposed to some small group of people coming to the city and asking for money. The second thing is that what we're doing here is part of a national movement, and the reason that matters is that there is also funding nationally. Foundation funding, federal government funding, we will probably be

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pursuing some of that. I'm not going to guarantee you that, but that will be our only source of funding, but what we're looking at in the first year is a huge amount of volunteer work, and probably participating in ground applications for this type of work.

**Saltzman:** I could add to that point. The intent here, this council is going to be staffed by existing staff of the sustainable development commission and also from the county staff. But as to future funding sources, I think that was really alluding more to the fact this is an area of growing interest, even the u.s. Department of agriculture and I think the latest farm bill that's making its way through congress speaks to some of these issues about local food production and things like that. And there's a tremendous amount of foundation interest out there as well. And susan anderson is particularly adept at tapping that foundation. So I think that's what we're referring to in the future funding, not an expectation this would be a baseline city budget or future city budget request.

**Francesconi:** Thank you.

**Katz:** Susan? I want to hear it from your lips. [ laughter ]

**Francesconi:** I wanted to hear it from commissioner Saltzman's lips. -- hear it from commissioner Saltzman's lips.

**Anderson:** Currently there's no city general fund going into this. Most of the stuff we do out of the sustainable development office manages to find funding from a numerous different places. My hope is that as this moves forward, we find out that the work they're doing and that this group is doing supports what we're trying to do in housing and land use and transportation and all these other areas. And that we'll be successful in getting our -- whether it's grass-roots funding partnerships with businesses, whether it's -- none of this is going to be done like a lot of other city stuff is dog where we get a check for \$100,000 and -- everything that's done is pretty much based on partnerships. So the short answer is, I don't see any city money going toward it this year. In the future, that's your call in terms of does it support something else you're trying to get done. How's that?

**Shirley:** From the perspective of partner, what we did was -- i'll just explain, as susan approached us, at the county it was identifying something where we have a common agenda. So for the health department, which is different than sustainable development in our business offices, but we have chronic disease work we want to work on and we know how we want to work on that. So it's finding I think across all of their partners, the way they seduced us in here to get us to understand that this -- we have a common agenda, and this is a way to 11 age or maximize our potential to reach it.

**Katz:** All right. We've got a long agenda. Thank you. Karla? Anybody else want to testify? Roll call.

**Francesconi:** I'm going to support this. I'm going to say several things. There's clearly an important city role in fighting hunger and poverty. And the resources I think we need to put into this are -- and commissioner Sten is -- Sten is leading the way, affordable housing. There's a role for the city there. There's a role in supporting the food bank and their facilities. There's a role in work force training and poverty reduction. There's a role in lobbying the federal government. And the state government for the earned income tax credit. And expanding the food stamp program. So there's a clear city role on one of your issues, which is hunger. There's a clear city role on exercise, community gardens, all of that, the public market. There's a clear parks role in all of that. My question is, how do we focus and be most effective? It's terrific to have citizen involvement, and we want to capture that. But we also have to have roles and responsibilities that's just my point of view, in order to be effective, frankly. And so I think -- I support this because of the citizen effort because of the links. I think you're better off, and this is your call to make, working through the sustainability commission, because that links you to other efforts, increases your power, and lets us move on these other clear city goals. I'm not going to be in favor of spending city general fund

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resources on this. I would rather put those resources into directly fighting hunger, directly supporting after-school programs at -- that lessen obesity than I would supporting an organizing effort that could be led through the sustainability commission. So I want everybody to be clear on what I think. Aye.

**Hales:** Aye.

**Saltzman:** Just a remind I this, is a subcommittee of the sustainable development commission. And as we just stated, there's no general fund money involved in this effort. One other issue that clearly is a city role is, the mayor and I search 0 a regional body of 24 government that's advises metro, and certainly one of the issues that drives expansion of the urban growth boundary is when farmers can't make a living farming. And that is clearly an urban-rural connection we need to reinforce, and so to the extent we get a public market going, more farmers markets, otherwise through institutional -- they're not going to feel the pressure to need to want to sell their land to expand the urban growth boundaries. I want to recognize the hard work persistence and cooperation of the community members who made up the planning group. They help carry this proposal forward and with osd in my office for almost a year, I want to mention and thanks them all, some are in attendance. Rosemary has been invaluable in pulling this effort all together. Janet hammer with Portland state university, jenny homes with ecumenical ministries, don burkehart, nancy bond, leslie polk, sherry is here, and wendy rankin from the county health department. Thanks for all your work. Aye.

**Sten:** I just want to thank all of you for coming forward. A group of citizens wanting to take this on under the auspices of the commission is very, very encouraging, and what role we'll have in the long run depends on what work you do and what kind of possibilities develop. At this point, we're the nation's hungriest state, which is ugly and should be changed, and in a much broader perspective than just -- not that it -- it's enough, but aside from just issues of hunger, the whole economics of how food is produced is going to be a major issue in this world in the months ahead, and it's very related to rural Oregon suffering right now and as we look at economic development strategies, this won't drive our economy, but the reality is as long as moist corporations are no longer based in state, we've got to find ways to buy products that are made in Oregon and keep the money in Oregon. And if Oregon can't grow produce and sell us to Oregonians, we've given away a huge chunk of economic potential prosperity to other parts of the world. There's no reason we shouldn't be taking a hard look at that. These are going to become very heated political issues in the days ahead, so if you look at what's going on worldwide, I think the idea of having citizen that's know something about it spend some time looking at it, gives us some ideas and this is very encouraging. I'd much rather than informed than not informed. I want to thank commissioner Saltzman for bringing this forward. If there's other ways to promote this, it's terrific. And so i'm very glad to vote aye.

**Katz:** Thank you for bringing this forward. Let me just echo what commissioner Francesconi said. No general fund dollars, no rate dollars. And commissioner Saltzman promised me, and I trust him. But let me also tell you that I too think that your work is another area, your work is at the Oregon legislature. It is shameful that this state has more people that are hungry and in need of food than any other part of this country. And it is because of the lack of understanding what needs to be done at the legislature. So I hope that you're there. Banging on the tables. Second I hope you're also watching metro council. As dan and I sit on impact, they are talking about jumping over marginal lands to farmlands, in the name of economic development. Without any rules and regulations as to how to protect the use of those lands. So watch them carefully, and watch lcdc as well. Because they -- there will be attempts to jump over marginal lands and go -- and grab farmlands to expand the urban growth boundary. I'm opposed to it. We'll continue to be opposed to

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it, but some of us can't do it by ourselves. So I hope that that's where your focus is as at -- is at as well. Aye. [ gavel pounded ] item 554.

**Item 554.**

**Katz:** As we put the code on the web, we better make sure that the content of our code is -- isn't in violation of any court decisions, that the content -- the contents are constitutional, or doesn't violate any state law changes. She also warned us that title 14, which is what we're going to be discussing now could be controversial in January of 2002, the city -- you all received a letter, and there were issues and concerns raised by organizations, including the ACLU, and that we needed to address those concerns. You have a document that addresses those concerns, and we made a decision to pull out all of those items that truly were somewhat changes, and I'll let both Alyse and Peter talk about it, and pull those out for further consideration. And so what you have left is as somebody wrote here, the defanged code changes. Let me just say what we're doing on the fanged, or at least the perceived code language changes to title 14. We are reviewing those, and we will be working with not only our city attorney, but the attorneys from the ACLU and from other groups that have some concerns. I just want to tell you that some of them we view as -- I won't say anything more on that. And in will be plenty of time for some collaborative work to go on to make sure that we bring you code changes that make sense for the city of Portland, and code changes are that are constitutional.

**Hales:** Before we start the staff presentation, we've got some folks that were invited to come here at 11:20. Can we reschedule that for 2:00? The people who are here to testify on the streetcar I suspect can't wait for an hour and a half. So if we could reschedule it for 2:00, perhaps they could come back.

**Katz:** We have other issues, but I'll -- we'll reschedule it for 2 o'clock if that's all right with everybody.

**Hales:** I don't know fits all right with everybody, but --

**Katz:** Somebody please tell the bureau of planning if we can make the testimony really short because they have a 2 o'clock time certain. Okay? Is that all right with the council?

**Hales:** I didn't ask them if that would work.

**Katz:** Will that work for all of you? Who said no? No, no, you don't understand.

**Hales:** We're talking about an item we're supposed to be right now that we invited people to come here for and they're going to have to wait a long time or come back, and I suggest they come back.

**Katz:** We're going to continue working -- .

**Hales:** The streetcar time certain.

**Katz:** If you wanted to testify on the streetcar, come back at 2 o'clock. Thank you. Elise and Peter.

**Elise Marshall, Mayor's Office:** Elise Marshall. Mayor and commissioners, we are here before you today to discuss a document which is the rewrite and reorganization of title 14 of the city code. And as you know, title 14 is the title where many of the city's police and -- policing powers are described. As the mayor mentioned, over two years ago, the city council approved a budget request from the city attorney's office which provided them with personnel and additional resources to assist then-city attorney to begin the process of cleaning up this particular code. The city attorney's office had advised us of the need to take on this task, due to a variety of problems. For example, there had been a number of small changes to title 14 over the years, so there were simply organizational problems with the title, including minor changes such as numbering of -- provisions in the title. There were also archaic provisions in the code. There were also police powers which for years have been scattered throughout the city code and this rewrite attempts to collect most of them under this one particular title. And then finally, as the mayor mentioned, there were needed updates to some provisions in the title based on constitutional decisions and also the changing needs



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of the city. Again, we first began to share the changes with the public october of 2001, and again, our first indication that concerns were arising over the code came when the association for Portland progress used the code rewrite as an opportunity to recommend a new provision commonly now referred to as the sit lie. Because they were trying to address a very serious growing problem of panhandling in the downtown retail corridor. Again, the ACLU, other public defenders and attorneys sent letters and brought to the council's attention objections to that specific provision and to other provisions that were in the code rewrite. Based on the need to move forward with the hundreds of pages of documents in title 14 that were not controversial at all, the mayor and the city attorney developed a process which we discussed with your offices that would move the project forward, and again, as the mayor said, that process was to remove the controversial items from the massive title 14 and reduce out of that those items that people had concerns or controversial items and their opinion, which ended up to be a very small portion of that title. Over the past two months, we have removed most suggested rewrite provisions that citizens wanted to discuss and have further input on, again, including the most controversial sit lie ordinance. Over the past several weeks, our office and the city attorney's office have met and discussed title 14 changes with anyone who wanted to have a discussion and without any attempt to pass judgment, we pulled out most of the issues citizens identified as a concern to them or their organization or the people they represented. So our time line was that we reposted all of title 14 documents on the internet from april 15th to may 15th, and then again during that time both Pete and I and others met with citizen and revised that document, and on may 15th through today, we reposted all of the new revisions on the internet again. I do want to reiterate what is not up for consideration today is the most hotly debated topic. New sit lie ordinance. Again, that recommendation along with any other new title 14 revisions where concerns have been raised have been withdrawn from the ordinance that's before you today. Finally, I've discussed with council offices ideas regarding procedures and time lines for addressing the more controversial provisions of the title rewrite project. Citizens have requested and you have indicated that you would accommodate both a council session and ink council hearing in order to work through all the issues. I will tell you that the police are very, very concerned that some of the new code language they were hoping to have in place by now in their opinion is very critical to their ability to provide adequate public safety to the citizens of our community. We've advised them that when the time comes, they will need to make a good case for those new provisions. Given council's schedules and the upcoming summer vacations, at this point we anticipate that the additional code rewrite provisions that are controversial likely will not come back to the council until late summer or early fall. I would like to take this opportunity to thank city attorney David Worboril and especially Pete Kasting who took the title 14 document and whittled it down to something we could get our hand around, and if you don't have any questions I'd like to turn it over to Pete.

**Katz:** All right. Pete, why don't you tell us what it is, and then more importantly, what it isn't.

**Pete Kasting, City Attorney's Office:** For the record, Pete Kasting, city attorney's office. As Elise said, the rewrite project reorganizations and brings up to date title 14 of the city code, which deals generally with administration of the police bureau and offenses relating to public safety and public order. There were several provisions that had become outdated. They had been invalidated by court decisions or state legislation. The whole title had become disorganized and it was hard to find things in title 14 and elsewhere in the code. And as the mayor said, this became a more pressing problem for the city when the code went up on the internet. People who work with the code all the time could find what they needed, but folks who are not familiar with the code could not -- could now go on the internet and quickly become very confused. So this was an attempt to clean things up. The first draft of the rewrite went on you for public review in december of 2001. And we quickly started receiving extensive and thoughtful comments from the public. I would like to say that the public reviewers have worked long and hard on this. They provided very valuable input.

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We have a better product now than we would have had without their participation. It has gone through a couple of rounds of public review documents that were posted on the internet, including title 14 itself, including a summary of sections that were withdrawn as a result of public input. We included tables that showed the comparison between the existing title 14 and the new title 14 so people could understand how things were changing. So there's been a lot of public review on this. One of the document that's is still on the internet right now is a document called consolidated response to comments on the october 2001 and april 15, 2002 drafts of the title 14 rewrite. If people want to see what's been pulled out, because it was deemed controversial, that's the best place to look. It's 20-some items, and as elise said, we'll start working through those items in the near future with people who are interested. I would like to clarify a little bit more what the interaction is between title 14 and regulations that are sometimes referred to as sit lie regulations. Those two topics tend to come up at the same time, and are related in ways but it's important not to be confused about what is going on in the ordinance that is now in front of the city council. To summarize that very briefly, the existing city council that is -- the city code that's been on the books for a long time contains two sections dealing with this issue, one section is obstructions as nuisances and the other section is on pedestrians. In the october 2001 draft of the title 14 rewrite, there was a proposal to consolidate those two existing sections and change the mechanics somewhat in how that worked. That was identified as controversial, and pursuant to the process that was established, that proposal was pulled out of title 14 rewrite and put on a list of things to be considered later. So what is now in front of council as part of title 14 rewrite are two sections, obstruction as nuisances, and pedestrians that are word-for-word identical with the existing city code. So that is not changed. The other thing that is out there is the proposal for a seattle sit-lie type of ordinance which deals with pedestrian and vehicular access by means of focusing on the conduct of sitting or lying on sidewalks or streets. That was proposed back in march of 2001. It's been extensively discussed, received a lot of media attention, but it's not part of title 14, has not been part of title 14, in -- except in the sense that interested since have floated it as a -- something that's -- it can be considered when the city turns to addressing the controversial issues. The final thing I would say is that we've identified a few other minor technical conforming amendments that will need to be made primarily in other titles at the code to keep terminology consistent and that sort of thing, as we compile that list we'll put them in an ordinance and bring it back to council in the next few weeks.

**Katz:** I'm going to ask the testifiers to please not start the conversation on the title 14 sit and lie or other current code language. We will have on the sit and lie and those controversial issues, we'll have plenty of time. They'll probably change before we even get to them, and to act as council. We have a long agenda. This is not the time to raise those issues. You will -- we will have plenty of time. I've asked for an evening meeting when we get to that point so that people who work can get here, and we'll have testimony at that time. My hope also is that on the sit-lie we can agree on language that meets constitutional muster and that will actually make things -- will actually change some of the environments that have created some concern. All right. So let's open it up for public testimony.

**Katz:** Come up --

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

**Katz:** What i'm going to do, i'm going to let all of you testify, but peter, you're going to need to tell me whether this is in or out right now. And then if it's out, if it's out, i'm going to ask people not to testify on that particular section anymore. Because you'll have an opportunity to do that at some future time. It's not in front of us. All right.

**Peter Alexander:** My name is peter alexander, I live at 1209 southwest 6th. I'm out. I have to say, right from the start. I came here, i've been sitting here all day not only to support the parks levy but

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to talk on the issue of title 14, what has been set to the side. And I will be detective me just say I encourage you to vote yes on title 14 on the issues that are in it now, and to absolutely toss into the trash can those issues that have been set to the side. I consider them really beneath the dignity of this council to be considering those things that are really dehumanizing. So thank you. [ applause ]

**Katz:** No, no. Look, folks. [ gavel pounded ] we do not demonstrate in this room. Excuse me. I will clear the chamber and we'll just move on and have a vote next week. All right? So if you support what people are saying, you can wave your hands on at the -- so we can see that. But we're not going to sit here and applaud or demonstrate. Thank you.

**Katz:** Why doesn't somebody start.

**John Kaplinski, 1240 SW Columbia, 97201:** Good morning. We are a newly founded people's organization dedicated to the philosophy of nonviolence in general personalism. Nonviolence is the nonhumiliation of anyone, general personalism is treating people respectfully and specially while standing up for their freedom. We are building a people's organization that is inclusive that will welcome participation across class lines. And will acknowledge that we will end homelessness in our communicated only whether we work alongside each other, the house and the houseless. We will always take our leadership from those men and women who have experienced or are experiencing homelessness. Last saturday we named our organization crossroads. We acknowledge that you, the city council, have yourselves chosen to temporarily withdraw nine of the 11 revisions that crossroads objected to. This indicates to us that city council has responded to our concern for a more inclusive public process regarding these sweeping and controversial changes. We hope that this sets a precedent where we as well as all others concerned, are invited to the table when law that's affect our livelihood are considered for revision by city officials. We would like to address for you what crossroads has learned in the last four weeks from this process. When changes such as archaic language and new content are proposed to city council -- to 60 codes and other types of documents, they need to be marked with clear and precise highlighting. Without these it becomes enormously difficult for the general public to identify and address them. The process as it currently exists does not adequately inform the Portland citizens. We would not have known the delivery date for comments was may -- monday, may 13th, and not wednesday, may 15th, as the mayor's office indicated, if it were not for our relationship with mark jolen from the Oregon law center. Would it have been better if all organizations that showed interest in title 14 revisions like sisters of the road cafe, were notified of changes to the process. These kinds of revisions to city code require a broad and creative notification process. We suggest using information kiosks downtown and neighborhood association newspapers and e-mail lists. In a situation where code changes specifically affect those who are experiencing homelessness, it would be great to keep organizations who work in the community aware of what is going on in city hall.

**Katz:** Thank you. Let me just say that you're absolutely right. It is hard to understand when things aren't highlighted or erased. So there's a good point. And the sisters of the road cafe are at the table right now, and other organizations working with us on some of these issues.

\*\*\*\*\*: We appreciate it.

**Katz:** Okay.

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

**Katz:** Do you want to grab the mike?

**Bren Rae Athens, 133 SW 6<sup>th</sup> Ave, 97209:** I'm bren. My address is the alley on 26th avenue in Portland. Crossroads' decision to call for the elimination of revisions to title 14 is not city business as usual. This is about our lives. Title 14 and the proposed revisions criminalize us as a class in our daily struggle with impoverishment and homelessness in the city of roses. We can't sleep in public parks, we can't sleep on the river, or under bridges, we can't sleep in parking lots. We can't sleep in

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doorways anywhere in town or on rooftops. We can't sleep in our own cars, or in empty lots and alleyways. Mayor and commissioners, where do we go? Most of us are not homeless by choice. We're going to be picked up and locked up like criminals until the rose festival is over. This happens to us every year. And anticamping ordinance just plain doesn't make sense. You must already know there really are not enough legal places to go to sleep. The rescue mission use as lottery after winter overflow has passed. If you're lucky, you get a bed for seven days with a chance of your name being picked again. The glisan street shelter has a six- to seven-week waiting list. Jean's place has a ten-week waiting list. And the salvation army and city team ministries charge money we don't have. Those of us who are in affordable housing and want to offer hospitality to our community on the street are often denied the right to have a guest. Criminalizing homeless people does nothing to address the issues of homelessness. Thank you.

**Carl Roberts:** Madam mayor, commissioners. My name is carl roberts, I live at 532 northwest everett, apartment 401. Homelessness is an economic human rights violation. Economic human rights are drawn from article 25 of the universal declaration of human rights. The international standard for human rights signed by countries across the world, including -- including the united states, article 25, says, everyone has the right to a standard of living adequate for the health and well being of himself and of his family. Including food, clothing, housing, and medical care and necessary social services and the right to security in the event of unemployment, sickness, disability, widowhood, old age, or other lack of livelihood in circumstances beyond his control. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection. The ripple effect of homelessness temperatures all of us. From park avenue to park bench. Crossroads is organizing to find solutions that will end homelessness in Portland forever. We invite your participation.

**Katz:** Thank you.

**Marc Jolin, Attorney, Oregon Law Center:** Good morning, mayor, commissioners. My name is mark, i'm an attorney at the Oregon law center. My job is to provide legal assistance to individuals who are experiencing homelessness. I'm here this morning to support the proposed revision to title 14 that you have before you now. I want to first thank you for hearing our concerns about the earlier draft and for being willing to remove for separate consideration the controversial proposals. I'd also like to thank in particular pete kasting from the city attorney's office. He took his job of communicating with us and with the public about their concerns very seriously. Although there are substantive changes to title 14, in particular changes to the camping ordinance that we would like to see, the current document appears to be what it was originally intended to be, and nonsubstantive reorganization and modernization of the title. As you know, I do have serious concerns about a number of the proposals that have been removed for separate consideration. I have legal concerns, but more importantly, I have concerns about what many of these will mean for the lives of my clients. There's a growing number of homeless people of all ages who, because of a serious lack of shelter and affordable housing in our communicated, are dependent on our public spaces and facilities for their day-to-day existence. On one night last month, join identified 1,600 individuals, including children who they knew to be living outside or in their cars. I look forward to working with you. With all of you, over the coming months to find creative ways to resolve the difficult issues around how we use our public spaces. I encourage us to find solutions that address the needs of the city, the general public, the downtown business associations, without creating additional risk that homeless people will face criminal punishment simply because they have to be and live in our public spaces. Thanks for the opportunity to testify.

**Katz:** Thanks.

**Andrea Meyer, Legal Director, ACLU of Oregon:** Thank you, mayor, members of the council. Andrea meyer, legislative director, aclu of Oregon. I want to thank the two gentlemen. If it had not

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been the -- for the law center and the public defenders office, the aclu's voice would not have been heard as clearly and with the concerns raised by the folks sitting with me. So thank them to begin with. I also want to thank the city of Portland and mayor's office, after some fits and starting raising our concerns, I was pleased to see the process was changed. There was a version now that -- not exactly redacted, but a version people can look to. We do support the -- as you call, defanged version of this ordinance, and will obviously be quite involved in any substantive changes that are proposed after this, as we've said before, we have some very serious concerns about those, and would hope that many of them would not go forward, but we'll certainly participate in all the process. Thank you very much.

**Paul Levy, Chief attorney, Metropolitan Public Defender:** Madam mayor and members of the city council, my name is paul, and i'm a chief attorney at the metropolitan public defender. My name is paul levy. I want to thank you folks and pete kasting for a number of things. I want to thank pete for giving us the name of citizen reviewers, and I also want to thank the mayor for the meeting that you had with us and others in april where you did start to bring all the many constituencies and viewpoints of concerns to the table to talk about the substantive changes. That's a wonderful first step, but it was the first and only step in which this became a public process. The real thanks I want to express is to mark jolan. If he had not read what was posted in the internet in late december, you folks would have passed an incredible revision to title 14, having been told only that it was a housekeeping measure. There was no provision for public input or comment. There was no indication of what was different or what was changing. And you would have ended up with something that you would not have intended and not have liked. I am happy, though, and I support the process that you have now begun, which is opening this up to public input. Thank you very much.

**Katz:** Good grief, give us a little bit of credit. No, no, we wouldn't -- it wouldn't have been before you, but thank you anyway. All right. Thank you. Appreciate it.

**Paul Ballway, 523 SW 13<sup>th</sup> Ave, 97214:** Well, well, good day for you people who are in control. My name is paul ballway, but i'd prefer to be called birdman. On certain days -- on certain days i'm also my address is wherever I hang my hat is home. I appreciate the fact that I am allowed to come here, even though I have a right to be here to begin with, because you people work for us. That's where you get your paycheck. And that's no joke. I appreciate organization I represent, because if it weren't for them I couldn't come here. And i'm not here to argue with 14, because I think everybody's hashed that out. I just got a couple of questions. I don't have a high school diploma, but you people obviously had to go to college to get to where you're from. I came here from alaska, where i'm used to knocking down about 40 grand a year, and being able to produce and live a good life, but when I came here to visit a friend and I decided, I don't want to go out to sea again for another winter, I can't even get a job at a car wash. I am physically capable of working anybody -- outworking anybody in this chamber right now. Oh, no, we don't have no work for you. So question number 1 -- the state had no funding, the churches -- the churches didn't have \$250 to send me back home to alaska. I go back to my sister's place, get right on a boat and go fishing. I'm a professional landscaper. But in the past three months, thanks to the generous taxpayers, \$14,000 in hospital bills. What's wrong with the question? Can one of you give me an answer how they didn't have the funding to get rid of me but they've got the funding to keep me here? Who is making the money to keep me down? Number 2, this thing about sleeping in public. Where are we going to go? You can't even go up to the west hills in the woods and get of a mile off the trails. The pony soldiers come in and red tag everybody. Number 3. Who is it hurting? It's not just a homeless issue, it's hurting the taxpayers. They're the one paying for it. I can't afford it. You can't bleed me for nothing. You want to lock me up for 30 days because i'm sleeping on the sidewalk? I'd love to fill a ma -- feel a mattress instead of a concrete sidewalk. Somebody's making money, and

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everybody sits there's and, don't give me no answer. And you know, you have to pardon -- pardon my gruffness, i'm a boston boy, and this country wouldn't have been a country if it weren't for east coast people. You should know that yourself. [ laughter ] am I right or wrong? I still would like some answers. Why do you have the funding to keep me down where I got to stand in line like an animal to eat? I've got to go don't my food stamps. You've got taxpayers wondering how, after christmastime, can we buy my son a new bicycle. Why should he be spending his tax money for me? I look around here, look at your sidewalks. Look at your highways. I'm a landscaper and I say, wow. If you people would start funding for people who want to work, oh, yeah, there's a few of us out there.

**Katz:** Thank you. Your time is up. Thank you.

\*\*\*\*\*: I ask a couple questions and I still don't have no answers. Thank you.

**Katz:** Fair enough. Thank you. Who's next?

**James Cox, homeless:** My name is james cox, and my main issue is, I was out one late night looking for a place to sleep, and I get pulled over by the cops, and stuff, and I give them my i.d. And they throw my i.d. In the river, they set my birth certificate on fire. I mean, they take my gear. I don't got nothing left. I can't work now. I don't got no i.d., I don't got no money to buy a new i.d. What am I supposed to do now? I mean, I try to go to sleep, they wake me up. I was asleep when they did this. I was way, way in this alleyway, way in the back in the dark when where nobody can see me, I wasn't bothering a soul. The officer set there and set my i.d. card, threw my i.d. card in the -- card in the river and set my birth certificate on fire. Now I got no i.d., I dot got nothing. But first time in my life I didn't cuss a cop out for doing something like that. They told me to leave, I left. I was mad. I whacked -- walk you around town all that night. What aim supposed to do now? I could have had a job by now. I don't care if it was sweeping behind a dog, man with a pooper scooper. But I can't do nothing now. My i.d. is everything else is lost. In I can get some money up, somehow, if I have to -- whatever, then I gotta get my birth certificate, thank god I was born in grants pass, so won't be too hard to get that, I hope. But that's my issue right there. Harassing me all the time. Now I can't do nothing to get off the streets because I don't have no i.d.

**Katz:** Thank you.

**Doc Waite, homeless:** My name is doc. I am living on the streets. I have a couple of things to ask. Why can't the police -- why can the police destroy our private property, when if we step in the park, it's considered private property, and we get criminal trespassing tickets? On the freeway, if there's a man standing -- they destroyed my i.d., so i'm -- I can't use food banks, I can't use clothing rooms, I can't use a shelter. I'm stuck. I can't go get a job. I had four good offers. One was down in newport for fishing. Long lining. \$1,000 a week. I can't do it, no i.d. I was offered a job through butler. I can't do that job because there's no i.d. I lost four good jobs because I have no i.d. I had i.d. when I first got here. But I don't have it now. Because of the police department. These are your people you hired. The jurisdiction part, too. When is it lawful for a beaverton cop to come into Portland and practice law? When can they do that? They do it all the time. They go under the bridges and run people out. Like last night, the police were running people out from underneath the bridges, making them walk in the rain for four or five hours. And after about 5 o'clock this morning, we had a bunch drowned rats outside. They were soaking wet. All their gear was wet. Cops says, we don't care. They were supposed to be protecting us, but they're not. When is it -- when does public property become private property? D.o.t. does not own the freeways. They maintain it, but they don't own it. When can -- when does -- when did you guys pass the law that Portland police officers, not a highway patrol, or a state patrol, can give tickets to people who are signing? This is going on all over. They're keeping us down. And I do know a little bit about how - - the state and the city gets so much money from the federal government for everybody they put in. You guys opened up about 65, 70 beds, almost 100 beds.

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**Katz:** That's the county.

**Waite:** But it's being filled with homeless people.

**Katz:** Thank you.

**Waite:** When does -- where's the line? They tell us we're breaking the law, but yet they can destroy our private property, they destroy -- their favorite thing is destroying people's i.d. Destroy a man's i.d., you destroy him. Because he can't work. He can't do anything out there. Period. He can't even hold up a sign saying, I need work. Please help. That is considered illegal.

**Katz:** Thank you.

**Waite:** I was out --

**Katz:** Thank you. Your time is up.

**Waite:** I was knocking on a door and I was told I was soliciting without a license. I tried to pick up cans. I got in trouble and a ticket for the picking up cans for trespassing.

**Katz:** Thank you. Your time is up. Karla?

**Ballway:** Remember, you work for us. Just start doing the job.

**Marion Drake:** My name is marion drake, I live at 1705 southeast morrison in Portland. I want to thank the city council or the attorney -- the city attorneys office for stripping the title -- the portions out of the title that they did and support it as it now stand. However everything I want to say, don't tear Portland down, build it up. There's -- this never would have come up if Portland had been thinking in a positive direction. If there are not enough people for places to sit, build more benches.

And if there aren't enough you people who have a place to sit down or lie down, give these people homes. What is the current currently doing to get -- I have a suggestion for all persons present. No matter what your income is or is not, you can help build Portland up. Like the people said in the previous issue, regarding the food, build Portland up by spending your money locally. And socially responsible ecologically-wise healthful ways. Use the redirect guide, change your spending habits.

Gradually, but do it. Use this guide and other similar ones for all your clothing, shoes, home improvements, restaurants, fast food, groceries, locally manufactured cleaning products, locally owned pharmacies, locally owned banking and credit unions, diaper service, the way my mother did it around me. Same company. Local socially responsible media. Invest locally by supporting our own. Not an international corporation that's drain Oregon's money and lower our workers wages, leaving people homeless and city council's wasting public's time and money considering such heinous measures that would have take-away -- everybody would have penalized everybody by taking away our human rights to sit or lie down. Don't buy fancy fall-apart. Buy things that last and take care of them. I invited to you see how big is big at [www.citizenworks.org](http://www.citizenworks.org) or call ralph nader citizen works in Washington, d.c. Let's stop dehumanizing pored. Stop considering things like that. Bring back Portland as america's -- one of america's most livable cities. I support title 14 and approved by aclu, and I encourage everybody to throw out those parts that have been taken up. Don't even consider them. Stop wasting our time. That's legislation -- please put your money where your mouth is.

**Katz:** Thank you. You know, my cleaners is a green cleaner and I pick that resource up this weekend. I don't know if any of you have seen it. I didn't study it carefully to see --

**\*\*\*\*\*:** It's pretty cool.

**Katz:** It really was pretty cool. Thank you. Go ahead.

**Patricia Annis, 10324 NE Halsey #6, 97220:** Good afternoon. Mayor and city commissioners, i'm patricia anise, I live in the gateway area. I work downtown more than 40 hours a week as a volunteer. First, I want to ask that from this moment forward you institute a better way of evaluating the voracity of much of the information and data that you have been receiving, particularly as it pertains to the homeless and the very important. For instance, the most recent information spread before this city's decision-makers and the public at large, I am specifically

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referring to an article that appeared on page 1 of the business section of the Portland tribune last week, may 17th, and the opening statement in the article about panhandling and title 14 was that a survey was done by the app, and downtown merchants stated that -- three-quarters of downtown merchants stated aggressive panhandling was their number 1 headache as a downtown merchant. I do not believe that for a moment. So I did a little survey of my own. I walked from up on 12th and morrison at street roots all the way down to old town, and stopped in merchants' stores all along the way and did a survey in which I can write as fast as you can talk and I wrote down the comments verbatim in quotes from each manager or store person responding to my question, i'm doing a survey and would you please tell me as a downtown merchants whether aggressive panhandling is your biggest headache? All 21 persons that I spoke to said no. It is not. And out of the 21, I want to tell you what one said. Then what a second one said. From old town music, at 40 southwest third, the proprietor said in response to would you say aggressive panhandling is your number 1 headache as a merchant, no. Drug dealing is my number 1 headache. But panhandling would come in second. I ask, panhandling or aggressive panhandling? He stated all of it is aggressive, as far as i'm concerned. Well, then, I asked, what is aggressive in your view about panhandling? Is it touching someone, following them, verbalizing, in their face? He said, I don't know. Standing right outside. Or possibly coming inside. And I said, what do they do? And he said, well, they just stand there. So I said, being aggressive isn't the problem? He said, no, I just don't like pan hand levers, period. They shouldn't panhandle at all. They should just get a job. And so I have a feeling that mr. Kimbro, who probably is the person who took this survey, may have taken it of his colleagues sitting around a conference table. And to them, any panhandling is aggressive. So I ask you again to make certain, maybe you should have an investigator to go out and investigate these kinds of claims.

**Katz:** Thank you.

**Jerry Watson, homeless:** My name is jerry watson, I want to thank you for allowing me to speak today. I want to congratulate erik Sten and dan Saltzman for their recent victories in the election. And I also say that the public knows when something is in its best interest or not. The public knows that they do not want a police state. They do not want changes to the code that will be against their best interests, will be against their civil rights, against their ability to live as free citizens of the city of Portland. And unfortunately the public has lost trust with recent happenings, and things they see happening, you know. Even though they may not be homeless, you know, they may not be out there panhandling, they know that one day if they have to, they want a right to be able to do that. They don't like changes to government. That's against their interest. And I think that was the reason they came out and they like changes that are in their interest. That's why they came out in the recent election. Things they wanted they passed overwhelmingly. Things they didn't want, they defeated overwhelmingly. And somehow they don't trust code changes, what do you call it, good or not? They don't trust. They want to see the details. They want to have input involvement in it. They don't like fast ones being slipped past them. And unfortunately, this is a fast one. Unfortunately, we did catch part of it. What else we didn't catch, I don't know. I haven't had a chance to look at all the details. But we don't want to live in a police state. Unfortunately, the city has become more mean spirited, the more the business interests and the rich have taken over control. And the way we treat our homeless people is more mean spirited. We roust people out for even sleeping, trying to get basic -- we can't even get a drink of water after 10 o'clock at night. Give me a break: So if you are going to treat people like this, it makes it look like we're in the stages of the final solution for the homeless, the same way the nazis did in germany.

**Katz:** Let me ask -- go ahead, karla.

**Katz:** We'll move on. We still have a full agenda. We'll move on after the next five. Go ahead, sir.



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**Todd Adkisson, 349 NE 3<sup>rd</sup> Ave., Hillsboro 97124:** My name is todd, i'm a businessman, but i'm the a volunteer reporter. I just wanted to say thank you for allowing us to speak today, and also thanks to the mayor's office and to the city attorney's office for working to find a resolution that lets the public have its voice in this, as well as suspending things that may have been controversial in the beginning. I am in favor of not including very strong changes to title 14, which although they aren't being considered today, it will be considered in the summer in july or august. I just would like to see that Portland has already become a terrific model of a city for other cities across the west coast and the united states, not just because of our good policies, but the max line, the rose quarter, pioneer square, it's a terrific place. And it is still a terrific place right now, even without restrictive regulations about what people can do on the sidewalks downtown. So as we come up to july and august and prepare for the discussions that will happen then, I ask that the commissioners and mayor consider that maybe some of these regulations are not needed in our city. Thank you.

**Katz:** Thank you.

**Timothy McCarthy:** My name is timothy mccarthy, at the present I live at 9325 northeast sunderland 97211, but before I went to northeast sunderland, I lived in northeast Portland for 13 years, I worked there for 7 1/2 years, and from the day that I became homeless, for the next six months, I was stopped by the Portland police department every single day and asked why I was in that neighborhood, even though my -- the i.d. That I had stated I lived across the street from the store that I was at. They wanted to search us. Just because the simple reason they knew we were homeless. It was the same cops for the whole entire time. I came downtown in Portland, and I had a city cop take my i.d. He mailed the i.d. Back to the address on my i.d., even though he knew I was a homeless person. And so therefore, it took me almost five months to get an i.d. Now thanks god, i'm at dignity village, at least I have a place to stay. A lot of people out in the streets don't. And if we keep title 14 as you guys had planned it, there would be a lot more people that would be booted every day. That's all I have to say. Thank you.

**Shaun Followell 9325 NE Sunderland, 97211:** My name is shaun, and I live at dignity village, and all I really have to say is i'd like to say no to title 14.

**Katz:** Thank you.

**\*\*\*\*\*:** Hello, mayor Katz and all commissioners. Thank you for letting me speak here today.

**Katz:** Identify yourself for the record.

**Jack Tolfolri, Chairman, Dignity Village:** Excuse me. My name is jack, and i'm the chairman out at the village out at dignity village. Chairman of our council. I was homeless before I lived in dignity village, I lived in parking lots and under a couple of bridges and in one doorway in particular for quite a long time. But we're very concerned out at the village about title 14. When we first became aware of it, when it came up on the radar screen, the changes, we're glad to see the changes that have been taken out. Those eleven pieces. What we're still concerned about is how -- is the anticamping side of it, because at dignity village at the moment we're full up. We're full up. We have a mode of sanitation and showers and things like that it's good. It's safe for people. The things we're doing with agriculture and growing food in the city and all that kind of stuff, is good. What i'm concerned about still is the anticamping part that's been kind of left in, because I feel we need more places like what we have for our brothers and sisters who, you know, for whatever reason are still living under bridges and subjected to all of this harassment, the kind of things that I used to go through when I was homeless. We're very concerned still about those parts that are left remaining in title 14. A lot of the things that were in there before were just -- they seemed bizarre to someone from my location in, you know, social space, my status and condition, which I still consider homeless although I have a house now. I still, you know -- it's not a regulation house, but I don't know, we're still very concerned out at the village about those parts, because we have to turn so many people away, you know. It's like 60 people are kind of okay, but what about the other

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2,000? We feel like it's 60 that are saved from a lot of the things that are going on, but what about the people that are still experiencing all of this every day? So that's a concern I have about title 14. What remains of it. What remains of it. It's good that the provisions we're -- that were taken out were taken out, but I'm still concerned about that. I know the case you interpreted is applying to one family, and the city withdrew its appeal against that. But I don't know. I'm hoping, I'm hoping that it kind of gets -- I believe it needs to be tested on a state level, so we're still concerned about that aspect of it out at the village. So thank you very much for your time and for hearing me.

**Katz:** Thank you.

**Ross Bennett:** My name is Ross Bennett, I live at 9325 Sunderland Yard, Dignity Village. Just -- I seem to -- you seem to have wandering eyes of disbelief of these charges of misuse of power in the police. But I'd like to show you an exclusion notice for an unlicensed dog. They violated my civil rights in a city park because my dog wasn't licensed. Is that a good course of action? I don't think so. Here it is. It's proof. There's another copy in -- somewhere in the files. First I'd like to recognize the mayor and the commissioners as fellow human beings in this problem that we're faced with. And basically I'm going to read something I wrote. When will you recognize me to be given a status of people, citizens of these United States who by law are trespassers when they fall asleep? I ask for your compassion and your discernment in these matters of humanity concerning the houseless problem in our community's immediate. I beg for this court, for this ear to recognize rights compelling a purpose to comport with the constitution in these trying times. We as citizens need to tighten the fabric of American resolve, consenting to our houseless citizens. Please note, that I refer to this status people as houseless and not homeless. Because the sovereign states of America is their homeland. This country's organization hosts a lot of ideals and different mayors a little that are kept in check by our governing system. I ask that you protect the rights of these citizens who are way beyond -- below the poverty level to the point of not even having shelter much less a safe community. I also humbly -- humbly ask that you communicate to our civil leaders and help start dialogue in this national problem at hand. When the depression struck, we created programs like the WPA and the CCCs creating jobs and housing on the premise of community building and economic and social foundation of their own community. If we're to remain united as a country, we must comport with the constitution, designed to protect all citizens no matter what gender, creed, race, status that they may be, please give ear to my request that I put before this council and must -- utmost urgency of the union. We must always build and extend these systems of simulating these citizens back into the communities of these United States.

**Katz:** Thank you. All right. Thank you. Council members, have any questions? If not, this passes to second, and we will be bringing back the other sections at the appropriate time. All right. This is not an emergency ordinance, so we'll be voting on this package next week. Thank you. That you can, everybody. 575.

**Item 575.**

**Katz:** Okay. Go ahead.

**Stacey Wenger, Office of Planning and Development Review:** Last week, I'm Stacey Wenger from OPDR, for the record. Last week I provided the clerk with the findings from May 15th that council made regarding two additional conditions of approval for LUR 01-00408 EV. And those findings should be before you now for adoption.

**Katz:** Okay. I'll take a motion.

**Hales:** Move we adopt the revised findings dated May 29th.

**Saltzman:** Second.

**Katz:** [ roll call ]

**Francesconi:** Thanks for your work. Aye. **Hales:** Aye.

**Saltzman:** Thanks for your work. Aye.

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**Sten:** Good work. No.

**Katz:** Aye. [ gavel pounded ] thank you. 576.

**Item 576.**

**Katz:** Anybody here to testify? If not, roll call.

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

**Katz:** Mayor votes aye. [ gavel pounded ] 577.

**Item 577.**

**Katz:** I'm going to ask the council to refer this back to my office. I haven't had a chance to talk to the chief. Any objections? Hearing none, so ordered. [ gavel pounded ] 578.

**Item 578.**

**Katz:** Okay.

**Francesconi:** We don't need you to testify unless you want to. Rich, you wanted -- waited all this time, do you want to testify? Go ahead. Say a brief word about why this is so important.

**Katz:** Make it quickly. You all want to testify?

**Francesconi:** No, they're here just to answer questions.

**Rich Grace, Division Chief, Emergency Operations, Portland Fire Bureau:** Just in support to answer questions. Rich grace, division chief, Portland fire bureau. In charge of emergency operations. The ordinance you have before you today will allow us to move forward with a five-year lease purchase arrangement to allow us to replace 20-year-old self-contained breathing apparatus. We call them scbas. This is a single most important piece of equipment that we have. It allows our firefighters to enter and operate safely and effectively and -- in a hazardous environment. It allows us to do search and rescue and -- in dwellings or apartment buildings. So if you have any questions about it, i'd be happy to answer those right now.

**Katz:** Questions? Anybody else want to testify? Roll call.

**Francesconi:** This is a very important item. We're the best trained among the very best trained of all the firefighting units across the country, and certainly on the west coast. But we're the only major fire department on the west coast that still uses the old breathing apparatus. So in order to protect our firefighters, this is absolutely essential and overdue. Aye.

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

**Katz:** Mayor votes aye. [ gavel pounded ] thank you. 579. Roll call.

**Item 579.**

**Francesconi:** You've done very, very good work in kind of bringing some cohesion and unity after we've gone through some division here. So commissioner Saltzman and sue, you deserve a lot of credit. Aye.

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

**Katz:** Mayor votes aye. [ gavel pounded ] 580.

**Item 580.**

**Katz:** Roll call.

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

**Katz:** Mayor votes aye. [ gavel pounded ] 581.

**Item 581.**

**Francesconi:** Commissioner Saltzman, you deserve a lot of credit as does dean marriott and your bureau for trying to keep down rising sewer costs. You're doing everything in your power to do that. I am concerned at some future point that our citizens' ability to pay is going to conflict with their heartfelt desire to clean up the river and to protect our watersheds. So we have got a serious issue that we have to address, and even before we talk about the clean-up of the harbor. So I appreciate your efforts, commissioner Saltzman, to get federal resources to help us in this arena, because that's going to be absolutely critical. Aye.

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

**Katz:** Mayor votes aye. [ gavel pounded ] 582.

**Item 582.**

**Francesconi:** I appreciate your efforts, commissioner Sten, to manage this -- these rates as well.  
Aye.

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

**Katz:** I want to thank also the two commissioners who have these bureaus and their staff. I was a the concerned today when I picked up "the Oregonian" to see the recommendations for a megafiltration system, and I haven't had the opportunity to talk to commissioner Sten yet or even understand how he feels about it. But that ties in with a large rate increase that were already beginning to look at. Aye. [ gavel pounded ] 583.

**Item 583.**

**Katz:** Roll call.

**Francesconi:** A couple points. We're going to present this to the council. I've seen the options since our last hearing, and it clearly provides for the festivals and for the dockage. There's no doubt about it. But we're going to present to this to the council. But the other point, this -- we have no money to implement this. This is not the priority of the parks bureau or the parks department. Now we need to maintain and take care of what we have. This is to look at a 20-year vision for which we have no funds to implement and nor do we intend to at this point in time. Aye.

**Hales:** Aye.

**Saltzman:** I think we will be implementing some parts of this. Makes good timing in that regard.  
Aye.

**Sten:** Aye.

**Katz:** Mayor votes aye. [ gavel pounded ] 584.

**Item 584.**

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

**Katz:** Mayor votes aye. [ gavel pounded ] 585.

**Item 585.**

**Katz:** This is a hearing and an ordinance. Do we have anybody here to testify? If not, it passes to second. [ gavel pounded ] and everybody, we will start at 2 o'clock, we'll start -- if you promise --

**Hales:** 15 minutes.

**Katz:** We'll start with 555. Thank you. We'll be back at 2:00. [ gavel pounded ]

At 12:37 p.m., Council recessed.

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**MAY 29, 2002 2:00 PM**

**Katz:** Before we start, I just want to make sure that everybody understands that tomorrow's schedule has been totally changed. The council will convene as a budget committee at 1 o'clock, and we're doing that because there is a funeral of one of the officers who lost their lives -- lost his life on sunday. And then 591 will be rescheduled, since I think most everybody is going to the funeral. We've also given a public announcement on that. And we had some things left over from this morning. And so let's read 555.

**Moore:** Roll call?

**Katz:** Oh, yes. [ roll call ]

**Katz:** I'm present. Why don't you read 555.

**Katz:** Before we start, let me just flag that today is really the last day for commissioner Hales to be part of our city council. And I feel particularly sad because we campaigned at the same time, in 1992, we spent some time on different sides, I as a legislator, he has a lobbyist in the Oregon legislature, and though I was never quite a good vote for the organization that he represented, he never really got to see me, so I didn't really get to know him very well. But we campaigned at the same time, we shared each others' values, not that we always agreed, but we had a good understanding of what was important to the city and what needed to be done, and i'm going to miss commissioner Hales, even though sometimes he -- he fired and then aimed. [ laughter ] but he usually got it on target. It was just a sequence was just a little crazy. And in our small way, let me say goodbye and present you something that stands for the city, a bouquet of roses.

**Hales:** Oh, thank you.

**Katz:** You all can come up, because I think -- i'm glad we did this, because as I look in the audience, these are friends and colleagues of commissioner Hales, so we'll do a little -- is that all right? We'll do a little open mike.

**Irwin Mandel:** Good. Charlie, we've really enjoyed, you know, we sort of began our careers here in Portland, and almost at the same time. You began january 1st '93, and we moved here in may of '93. And began attending the council meetings, and occasionally have come up with something to say now and then. And -- [ laughter ] and in memory of this, we also have a little gift for you. It's much smaller than this one, but I think it will be something appropriate for you. [ laughter ]

**Hales:** It's a choo-choo train: How appropriate for today. A choo-choo train:

**Katz:** Anybody else? Come on up. Come on. Come on all of you. For those who came in late, we're doing an open mike, because this is charlie's last formal meeting.

**\*\*\*\*\*:** I make a habit of not saying things at these meetings, but I guess impromptued comment is necessary. At the last psi board meeting we gave charlie his parting gift, another jacket to add to the three or four psi jackets -- even better than that, he has --

**Hales:** A lifetime pass on the streetcar. [ laughter ] a lifetime pass. That's worth a lot.

**\*\*\*\*\*:** And I guess we said some words then, and I just would like to thank you for your deep involvement and support of something that we emotionally are quite involved in and really like, and making it work well. Not just work, but work well. We're going to miss you a lot. The next commissioner will have a hard act to follow.

**Hales:** Thanks.

**Katz:** Thank you.

**\*\*\*\*\*:** That is the next commissioner of transportation.

**Katz:** Anybody else?

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**Homer Williams:** Somebody that really loves the city like charlie does, it's just been a great pleasure, and we're all very fortunate that you were here.

**Hales:** Thanks.

**\*\*\*\*\*:** Good luck.

**Katz:** Oh, the attorney.

**Steve Janik:** I'm not prepared. I didn't know what was going to happen.

**Katz:** Neither did i. It's all right.

**Janik:** I just wanted to say thank you very much for all your contributions. You and I have sat here and exchanged ideas and questions and answers, and you have always in your questioning been insightful and fair and demanding, and that improves the process. And I appreciate that very much. And like everyone else here, I appreciate all your contributions you made to the city. We're going to miss you. I do have one concern I want to express. On behalf of commissioner Francesconi and myself, when you initiated the prohibition on snout houses, we thought you were referring to our facial features. [ laughter ]

**Hales:** Takes one to know one.

**Katz:** That's a good one. All right. Thank you. Did you want to say a couple words?

**Hales:** Oh, I don't want to upstage lily.

**Lili Mandel:** I haven't prepared anything, but you are the only commissioner, you are the only snout I have seen since i've come to Portland in that position. And it's -- we will certainly miss you, and your snout cannot possibly be replaced. [ laughter ]

**Hales:** Thanks, lily.

**\*\*\*\*\*:** One additional comment. -- through amber glasses.

**Hales:** Yes, thank you. Thank you all. This -- I can't imagine a nicer way for me to end my term here than to take the action that we're going to have in front of us this morning, this afternoon and not just because i've earned this nickname choo-choo charlie, but because I think reflecting on the time i've spent here, this streetcar project is more symbolic than maybe we give it credit for. And that is, we have this tradition here in Portland that I sometimes have forgotten even while being immersed in it, where the council and the community work together in a ditch way than politics works in other places. It's not just group a group thing, and it's not that overused phrase, public-private partnership, though that's a reasonable description of it. But this community has this habit of accord that we reflect on all the time. I think there have been very, very few split votes, and I think very little criticism of that. And I think there aren't have very many communities where that would be the case, and secondly, where people wouldn't say that was a symptom of dysfunctional politics. But actually, it's a symptom of how Portland tends to get together and to do things. One of the reasons why i've made this move to the private sector and why I want to work in other communities is because so many places are hunger -- hungry for the ability to get done even just a fraction of what we've done here in the last 20, 30 years or the last ten, while you and I have been here. You look at what we've accomplished in the last year or last five or 20 years, and stack it up - - stack it up against other communities, and somehow we get it done. I think it's because we have this politics of agreement here that is bigger than me or you, mayor, or any of the five of us, and it's something that people in the community have a right to expect. And they usually get it. They usually get people of goodwill here on this side of the table, and I love the fact that after we remodeled this building that we're not like the bureau up on a roster anymore, but it's a conversational relationship. And that we expect that kind of cooperation and accord in the community as well. And I think there have been so many times where people have reacted to me, when we have had a disagreement on the council, or we have had some hot issue in the community,

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and it's almost that it disturbs people that we're arguing and fighting. I always say no, that's politics, it's supposed tobacco like that. But in Portland, we have this gravitation back towards agreement and consensus and cooperation and problem-solving, and this project is such a great example of that. It's a problem that we worked together to solve. Secondly, something that I believe passionately about, and i'm going to spend my life working on, is this relationship between the planning for the place and the planning for how people move around. And we figured out in Portland how to put those two disciplines together, and vic rhodes, who used to call our counter culture engineer, remember that, mayor, vic rhodes and the other folks in pdot actually believe that they're in the business of creating great neighborhoods and a great downtown, not just moving people around. And homer williams, although he's in the development business, understands that there's a transportation project that's integral to his success, and that conception of how you make a good place work is the -- what the streetcar is all about. So we've got a presentation here on the next phase of this good project, but it is such a symbol for Portland being first, being innovative, and creating a livable city. Soy can't think of a nicer way to finish my service than this. On a personal note, i'll have a chance to say more about this over the next few days, but I just want to say to each of you, that i've really enjoyed working with you as friends and colleagues, and i'm going to look forward to being a citizen of the community that you all lead, because you're doing a great job. And i'm going to miss a lot of things about this job, there will be some things, you probably have your lists too that I won't miss, but I will miss working with each of you as partners and colleagues and sometimes adversaries. Because that's again the way it should be in politics. We shouldn't always agree. But this community is well led and well governed by people of the best hearts, and I will miss working with the four of you as my colleagues, but I won't miss you as friends, i'll be right down the street when i'm in town, and every now and then I might show up on that side and have something to say. So I look forward to being citizen Hales. I'll still be choo-choo charlie, but I feel like i'm living at a time when i'm going to be able to do a lot of good in the rest of the country and some here as well, but I know the four of you and whoever succeeds me will lead the city very well. Thank you all for being great friends and great colleagues.

**Katz:** Thank you. [ applause ] just as commissioner Hales is leaving, he's also brought hi company from out in Washington county, their headquarters to the city of Portland. So thank you.

**Hales:** So as long as I keep riding the bus to work. With that we have vic and rogers cued up to come talk about the streetcar.

**Item 555.**

**Vic Rhodes, Director, Office of Transportation:** Vic rhodes, office of transportation. What you have before you is a resolution directing a series of actions to extend the Portland streetcar as well as the harrison street connector to riverplace. The reason we're bringing it before you today, we need to get this project moving so it is in place and operational by 2004 when the next phase of riverplace opens. Let me take you through the finance plan. I know there's other people who would like to speak to you. The estimated total cost of both projects is \$18.2 million. Council has previously approved funding for two additional streetcars which will provide the rolling stock to get to riverplace. And those cars are now on a boat coming our way from the czech republic. That's a \$3.6 million investment. We've already received a hud grant for \$250,000. We're using that for preliminary engineering. We still have pending a \$1 million additional request for housing and urban development funds. The resolution also asks Portland streetcar incorporated to seek profit owner support for \$3 million l.i.d. That represents about 20% of the streetcar cost and that's in keeping with what we did on the prior alignment. The resolution also directs that an agreement

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be reached with the Oregon department of transportation to exchange land interest pdot now hold with odot. The property down between naito park way and southwest harbor way is owned 60/40 between us and o dot. We relinquished property -- now we're going to undo that and we think the conservative value of that property for sale for housing development adjacent streetcar line is \$2 million. Finally the resolution seeks pdot's -- asks pdc to participate \$8.3 5 million. That will be done by monetizing--not a word but invented--but monetizing the value of a couple of pieces of property they hold by working with omf. Finally with respect to the operating question, we think the operating question is about \$600,000 a year. The resolution directs us to come back to council prior to construction with a solid operating plan in addition to seeking additional tri-met support through the agreement we now have with them. So with that i'd turn it over to those who want to speak to it, and I believe somebody is here from pdc.

**John Russell, Portland Development Commission:** Good afternoon. Members of council. John russell. 200 southwest market in Portland. Speaking as a member of the Portland development commission, and also as a person whose properties may well be part of the l.i.d. That supports this, the commission and the pdc staff are very enthusiastic about this project. One of the interesting aspects of the monetization is the expectation is it can be -- the property that's adjacent to pdc can be mortgaged for its post streetcar value, and this is based on a survey that was done of some 1300 properties adjacent to the streetcar line where the average increase in value within a block or two of our street was in the neighborhood of 35 or 40%. Which is -- that's an enormous leverage of public investment and we hope that will continue on this line. But I think the most important reason that i'm enthusiastic about it is, there's an old saying if you're on city council or the development commission, you want to see cranes on the skyline as symbols really of investments -- investments, both public and private. And there couldn't be a more important symbol than this project of our commitment to an urban renewal area that may have the biggest potential for jobs increased in north macadam. This is a way of extending the streetcar down in that direction as a gesture to that district and Oregon health sciences as a prospect for that area. So for that -- those reasons we hope you support it.

**Katz:** Thank you.

**Homer Williams:** Homer williams, 1325 northwest flanders. Well, you know, i'm here for two reasons. One is, I think that it's very important to make the next step into riverplace. The agreement we have with pdc is that the streetcar will be there when the condominium and the hotel are finished, and I think this fits into that. Of course most dear to my heart right now is also north macadam, and I think there's the link, the connections for north macadam, whether it's to ohsu or to the city, for this to be successful it's absolutely the -- so it's -- I can't say how important this step is, and we're really excited about it.

**Katz:** Thank you.

**Katz:** Anybody else? Anybody else want to testify on this item? All right.

**Irwin Mandel:** Irwin mandel, southwest park avenue. The last time I was up here I had a little fun with the notion of the tram to ohsu. Being a little more serious this time about making the streetcar directly into the connection to ohsu. Not on the surface route, but on a -- an underground route, a subsurface route from the base at north macadam, up the hill, you can do a -- I was talking to an engineer, you can do a 10% grade up that hill, and have an elevator shaft going down from the hill. This -- and you can link the trolley car, the streetcar can run up and down that route. You would then have a direct connection, avoiding a lot of neighborhood problems. If you also had a stop at barbur boulevard, and connections to other transit routes, you might very well be eligible for federal funds, federal transportation funds to help build this. It is just a suggestion that actually



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my wife thought about it, and we've been discussing it, but I think it's appropriate now that you've got the streetcar on the table, and with the eventual connection i'm sure out to north macadam, you might think about running it up the hill as well. Over as a shuttle streetcar going back and forth. Just a notion. Thank you.

**Katz:** All right. Nobody else? Roll call.

**Francesconi:** Well, we need a viable operating plan, which we will get. We need a realistic capital funding plan, which we have, that does not involve general property taxes from our citizens, and we have that. But we also need to keep the momentum going. We need the vision, we need the drive, we need the talent to produce this. And we should -- sure have had it. We need to get it to river place, we need to continue it if we're really going to get ohsu there, do the kind of investment. And then the world opens up. We could be talking going to lake oswego, going to the east side, so these are things that we need to do in time. I remember roger first said that let's do the first part, see that it's successful. We've done the first part, it's successful. Now it's time to take it to riverplace in a way that you've put together here that is realistic and again doesn't use general fund property tax dollars. That we'll use for other things. So it's easy to vote yes or this. I look forward to supporting -- to make the four of us can fill just a little of the void that one commissioner was able to do by himself, and I guess I want to personally -- i've said this before, i'll say it again, I think i've learned more from commissioner Hales than anyone else on the council, because I had so much more to learn in this particular area. And commissioner Hales has really taught me the value of how public infrastructure used right can build neighborhoods and build community. And i've really learned that from you, charlie. I also want to thank vic rhodes, because I don't know if vic is coming back here, and I had fun with vic rhodes kind of -- but in the course of questioning vic, I never doubted your ability and commitment to the city, and you really taught me that you do need to get out there and push some things you believe in. And you have been a tremendous employee of the city of Portland. We talk a lot about, you know, the city and what makes it great, but it's talent at the city. There's so much talent here, i'm actually concerned that we're losing some top-level talent. And i'm confident that vic, part of your job, you've taken it to develop other talent that's coming behind you. But i'm very sorry to lose commissioner Hales, i'm very sorry to lose you. There's a tremendous hole in transportation right now. There's a tremendous void at a time that we have enormous transportation challenges as a city region and state. But you've set a standard, and you've shown us a way of doing business with the public-private sector and with our citizens, and you've kind of set a high bar. I'm going to miss both of you, aye.

**Hales:** Just a couple more things in closing on this item. 50 years ago we had 200 miles of streetcars in Portland, and of course we tore them all up like so many cities under the urging of automobile and -- automobile infatuated public and with special assistance from general motors and others that helped eliminate the streetcar system that was part of the fabric of american cities. We tore them all up, and then Portland started something in the '70s with an attempt to revitalize our downtown and building that first light rail line, with don, he actually had a role in that very first light rail line that maybe hasn't been remembered as well as it should be in his new role here. And I think it's just so fitting that Portland was the first city in america to build a modern streetcar, and that's why it's great that we're extending it. While we are here together, we also did this river district plan, and the pearl district has grown and realized that plan, and I think we maybe -- sometimes because we're close to that too, we don't understand the national importance. I think that is the most successful new urban neighborhood in the united states, period. And probably in north america. We always learn a lot from vancouver and toronto, but there's no district like the

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pearl district anywhere in america, and it wouldn't have happened but for the streetcar. And this team of people that have made it happen, many of them are going to keep working on it. So to all of you, carter, tom, roger, thank you, and vic, i'm going to have a chance, because vic's going to be leaving a few weeks after me, i'll have a chance to roast and toast vic rhodes a bit more, but let me say here, vic, i've told you this privately, and I want to say it in public as well, i've had a lot of friendships and a lot of satisfying work here at the city, but the professional friendship that you and I have had has been the most satisfying part of my time in city hall. It's been really great working with this man. He's so creative. There are a brought of bureau managers that regard it as good week if they don't have to talk to their commissioner in charge, including me. No news is good news, and no problems is a good -- constitute a good week. For vic rhodes, for him and for me, never a good week unless vic came into my office about three or four times during that week with wild ideas. About two or three of which were absolutely golden, and like this streetcar, make for a better city. So vic, I appreciate that creativity, and the friendship and the good work that we've gotten done, and i'll have a chance to roast and toast you a bit more in a few weeks when you do retire. This project, I look back on a lot of things that I can see in the community that we've had an effect on, and say, that was good. This one just brings a sparkle to my eye and a smile every time it goes by. So i'm going to enjoy riding it to riverplace with all the rest of you. Thank you for all of you for your support for this project. It was a little bit of a long shot whether we started, and I appreciate your confidence in this team and in this idea of building a live I can't believe city. Aye.  
-- a livable city.

**Saltzman:** Has it been over a year since we had the streetcar?

**Hales:** Almost.

**Saltzman:** It's truly had a remarkable impact on the city, not only in terms of how we get from point a to b, but really how we regard ourselves. I think it's enhanced our image of ourselves. We have quite a self inflated image to start with, but it's well justified, I think. This is one more thing for us to brag about, and charlie will be doing a good job of that as he -- in his professional career. It really is something that still excites me, brings back, every time I see it i'm excited all over again, and can't believe we've brought back something that disappeared so long ago. And this extension certainly is a gateway to new opportunities and to tremendous new developments. So no doubt we'll be seeing some of those cranes in the air, but -- and we'll be doing more of the -- I predict the next phrase we'll hear is monetizing. I like the idea and i'm sure that phrase will be bandied about here in the future. So charlie, you've probably left us with that one too. This is phenomenon, and it wouldn't have happened without charlie Hales, and many other people in this room. I do have to declare a potential conflict of interest as i'm a part owner of property that's adjacent to the harrison street line, but --

**Katz:** You're going to pay --

**Saltzman:** But I do -- I consulted with council and it was decided I should make that declaration. But wild horses wouldn't stop me from voting in favor of this. Aye.

**Sten:** This is the perfect last vote to honor charlie, and it's -- you can only keep an overinflated civic image if you keep doing new things, and I think charlie's been in the fore of getting new things done, and this last peek I think just kind of tells the whole story. It's not funded, it's a good idea, I think the mayor told him not to because we couldn't afford it, and charlie just keeps moving forward, figures out how to do it, comes back with a scheme that the mayor and everybody else is very proud to vote for, and it's symbolic of just about everything you've done. And I think it's -- the streetcar is a similar bomb of -- a symbol of what charlie's done, but if you go back to just a few years ago, diversifying the fire bureau ranks, getting the parks bond measure through, there's just a

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long list of things that get forgotten in the rush to talk about the streetcars, which are appropriate, but things that are probably if anything more daunting, charlie was able to get done and on a personal note, it -- if you hadn't done anything would it have been a great pleasure to work with you, because you just have a great sense of humor, I could always go into the office, say I got a problem, and charlie would help me figure something out, we'd get something done, get moving, and I think you brought a life to this city that symbolized by the streetcar, but goes way beyond that. Good job, and what else can I vote but aye enthusiastically.

**Katz:** Let me tell you the truth. [ laughter ] charlie comes into the office and floats the streetcar idea. I think the first leg of it I think you figured out how to fund it. And comes back and says, we got to do the next. I said, yeah, we really do. How are we going to pay for it? Don't worry about it. Let's just push it along. It will happen. Something will turn up. And that's the attitude that makes things happen in this city. And commissioner Hales has that attitude. The third leg, the one we're working on right now, we'll just do it. Just do it. It will happen. The community will be there whether we need them. And he's absolutely right. So he's left people talk about legacies, I think it's fair to say that is critical legacy for charlie. But the one I love the most is the orange juice test, and that was the one that made me understand commissioner Francesconi, the importance of land use planning and the importance of how we create neighborhoods and how we use the notion of mixed use, and how we honor the pedestrian, and that was through the orange juice test. And I did a video for I think it was toronto, and I said, you know, I have a commissioner on the city council who has a test, let me share that with you. That's the orange juice test. And she got it. And so we can talk fancy words about zoning or monetizing, or transportation, or urban growth boundary, but when you use the orange juice test, the light goes on. We understand it now. So charlie, thank you for all your work, and you've left some wonderful things for the city. [ gavel pounded ] aye.

**Hales:** Thank you very much.

**Katz:** Okay. 586.

**Katz:** 587.

**Item 586 and 587.**

**Katz:** We asked the planning bureau to be back here with some code language to implement the demolition regulations that are stronger than we have today, and stronger than what even the planning commission recommended, but not strong enough. But we weren't ready to go beyond that quite yet, and so this is not the place we want to be, but this is the place we will land for a short period of time. We need to go further. We've also directed them to bring us a work program that will expand the demolition review to more historic resources and balance it with historic preservation incentives. That has been done, and an advisory committee has been set up, maybe they can talk a little bit about it. I want to be clear today what we're talking about when we talk about demolition review. It must include an option for denial of demolition permit, and the resolution reflects that. Saying no to demolition is a basic requirement of any meaningful preservation program, but we do have to have incentives in place as the development community and the okay text wall community identified for us -- architectural community identified for us a couple of weeks ago. So we're going to pass these two measures and we'll -- they'll come back in six months and I hope we have some very creative ideas and -- on how we can provide incentives so we can put in the denial element for demolition review. Okay.

**\*\*\*\*\*:** Actually, all I wanted to do --

**Katz:** You want to identify yourself.

**Steve Dottier, Bureau of Planning:** Excuse me. I'm steve, from the bureau of planning. What we have before you today is a proposed substitute ordinance that the -- on the advice of the city

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attorney we've redrafted it so it's in a single document, and the ordinance would adopt language which puts in place the demolition review extension that you discussed the last time, and all the minor code amendments that were part of that discussion a month ago. The housekeeping items. The resolution, then, directs the planning bureau to come back in six months with a proposal for zoning that looks at the denial as the mayor mentioned but also looks at the incentive packages that we could present that would kind of balance that denial proposal. And there's a committee of individuals from the various interest groups that have agreed to serve on this -- that will work with us on that in the next -- over the summer to put together a package of proposal that will then hold a meeting about in the fall, and that will bring back to council then in november-december time period.

**Katz:** I'll take a motion for the substitute on 587.

**Saltzman:** So moved.

**Hales:** Second.

**Katz:** So ordered. Let's open it up for testimony. Do you want to pass both the resolution and the ordinance next week? It's because it's not in the -- we'll do the resolution now. All right.

**Alfred Staehli, 317 SE 62<sup>nd</sup> Ave., 97215-1307:** Alfred staehli. The last hearing that was here I was unable to be here, I was out of town, and so I distributed to each of your offices my testimony, or my -- my testimony on the historic preservation code in Portland, kind of going back through some of its history from the ten pages originally to some 34 pages. I think I was probably being fairly harsh about the whole thing, but I wanted to emphasize the fact I thought it was really becoming very user unfriendly. It was actually a detriment to the historic preservation, I felt. And so I think that I was urging the council to have the code revisited and rewritten, reorganized, and made more user friendly, which I think it could be. It probably also applies to the rest of the planning and zoning code too. But since I do so little work actually in Portland, why, I have never actually had a project that went through the kind of review that I hear my colleagues in the architectural profession complaining about. So there might be room to look at the whole code, but that's not why i'm here. I haven't had a chance to read this material. I was out of town, and so I -- as far as I know, this is going to reinstitute meaningful, I hope it will reinstitute meaningful demolition delay so we have some chance for public hearing and review of properties before they are demolished or moved or otherwise adversely impacted by new development, whatever kind it happens to be. And so I urge I guess approval of the ordinance if it does that, and then hopefully we can go on to maybe doing some serious review of the planning and zoning code, particularly as it affects historic buildings, and i'll be glad to help with that. Thank you.

**Katz:** Thank you.

**Jackie Peterson, Old Town History Project:** I'm jackie peterson, 2644 northeast 32nd place, speaking on behalf of the old town history project. And others in neighborhoods which include national historic districts. I think like the streetcar, you have, I want to compliment mayor Katz and the council and members of the planning bureau, for I think working in the last several months in fact to preserve that which is very ode and would be harder to bring back than the streetcar. So I think this is -- we've come a long way since november. I really want to thank you for your efforts. I would urge you to pass this revised ordinance. However, I do think as al said, it is incredibly convoluted language. I don't understand why we have to have three kinds of demolition review. I also don't understand why we still don't have relocation review, which is also mandated by state law. That somehow got lost in the conversation, and I would urge you to make sure that -- certain that that's part of the work plan, and the state law does mandate a public review is necessary for relocation and demolition applications. Finally, I hope since nothing of us seem to know, I do hope

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there are -- there are members of the preservation community that are part of the committee that been assembled. We certainly, I personally would love to be part of this conversation. I know many of us would. I want to compliment all of you, again, on having sort of restored our confidence in the city's willingness to preserve its historic resources.

**Katz:** It's a relocation review. I'm now familiar with that, so make sure that we include that if that's required by state law. All right.

**Cathy Galbraith, :** Good afternoon, i'm cathy Galbraith, I live on 2128 southeast 35th, i'm the director of the boscan milligan foundation. I want to be clear i'm not speaking on behalf of my organization, my board is made up of dedicated volunteers on both sides of the issue, and we have not made -- we have not taken a stand on the ordinance debate from the beginning.

**Katz:** Have you a board that's made up from both sides?

**Galbraith:** Both sides of the issue.

**Katz:** Interesting.

**Galbraith:** All dedicated and all very supportive and generous to our cause. Although I believe most of the debate today on the issue of demolition and the possibility of demolition denial of delays is focus order the concerns of owners of commercial properties in the heart of our city, the background information that the bureau staff provided for you makes it very clear that 80% of our historic buildings run residential -- are in residentially zoned properties and 80% of our historic buildings are out there owned and managed and maintained and preserved by homeowners and property owners of small-scale or commercial or religion buildings. There are a also a number buildings that are under control of the public sector. And I think we need to recognize that there are public sector responsibilities to maintain and protect historic buildings as well. At the last hearing the staff distributed a piece on the -- just the numbers resulting from demolition delay between 1990 and 1996, and the results of demolition activities from '96 through 2000. Some volunteers contacted me and said what's the status of all of these buildings, and so people volunteered to take a look at them. And there -- they're a snapshot today of what we've lost since 1990, the few still standing, and those about to fall. And I think what it really shows is that it's truly been open season on the buildings that are on the historic resources inventory, which we all know is woe fully out of date, was incomplete, was never professionally evaluated, and we have spent all of our time focusing as was needed on national register properties. I'm still concerned that we have this enormous Portland historical landmark designation fee of \$2,000. Which is a large burden for a private property owner. We're removing the automatic historic landmark designation that follows national registered listing. There are property own there's would like to have that benefit and not have to pay that fee. There are a number of buildings that have been identified since the historic resources inventory, including the african-american buildings history inventory that we did. I know at least 12 of those buildings have come down since 1998. And there's just lots and lots of historically and architecturally significant buildings around the community that we've really almost lost sight of as we focused on what we all believe to be the most important buildings at least recognized historic buildings which are those listed on the register. I hope as we move forward on this I think -- I know you're all committed to really trying to fix the program and come up with meaningful incentives that everybody knows we truly need. And our architectural heritage really deserves that. Thank you.

**Katz:** Thanks.

**Katz:** Anybody else want to testify?

**John Czarnecki:** Good afternoon, i'm john, 2742 northwest savier street, 97210. I'm chair of the Portland historic landmarks commission, and I would like just to say that the commission in

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general and I personally am very gratified that the hard work that's been done by staff, and by concerned citizens, including the committee working on the issues. I also want to thank publicly Cathy Galbreath and others who are constantly on the watch for us all, and the hard work and research that they do. Thank you very much.

**Katz:** Thank you. Anybody else want to testify?

**Francesconi:** I have one question for Steve.

**Katz:** Okay. Steve who? Oh.

**Francesconi:** It's not about this. How are we doing? How is the discussion going on realistic and incentives that's going to make this thing happen? Can you give us a feel for what's happening? Are you coming up with -- I've seen the list of incentives that you've come up with. Tell us a little bit about those discussions, what's the likelihood you're going to come up with meaningful incentives that's going to allow this to go forward?

**Dottier:** I think we're doing pretty well. We had a session with the association for Portland progress, they -- that they organized, some building owners and architects and developers who gave us sort of a wide range of advice to start with so that we can -- it's sort of a wish list that we can work through with the committee, and I'm feeling pretty good that they identified both things we can do within our building and development code, things we can do with the zoning code and potentially on the financial incentives side. I think that the ones that we're going to come back with that you can implement right away may be the smaller financial incentives, but I do think it was pretty clear that there's some things we need to do with the state, and I think maybe that it will give us the -- a group of people willing to push on that side, because I really, again, as an outsider, my observation is the state's not very much involved in this issue, as it has been in the past. And -- but we're not pushing them to be involved. We the city and the development community. So we need to get that activity back, going again. And I think this is an opportunity to do that, and I had a good sense from the session with the association for Portland progress that they're very interested in doing that. That they want to see it happen.

**Francesconi:** Thank you.

**Katz:** Anything further?

**Dottier:** I guess the only item we have, there was some discussion, a question about whether we have a relocation provision. We -- on page 5 of the blue book, they're actual -- there actually is a section, it's not a separate relocation review, it's a design -- it's a design review, but it does call for a relocation review. Again, on -- in this document it's code section, it's at the top of the page, it's the provision for the relocation after historic landmark. So there is a process that we use for covering that. We can look at it to see if it should be --

**Katz:** Make sure that it's not in violation of city law. All right.

**Saltzman:** In six months you'll come back with not only the language about denial of demolition, but also the incentives and some recommendations?

**Dottier:** Yes. And to the extent that that affects city code we'll come back with code language associated with that. And I guess I should say we've met with OPDR folks and they're going to be involved in this as well.

**Saltzman:** Thanks.

**Katz:** Okay. Thank you. What we'll do, let's vote on 586 and then 587 will move to second. 586.

**Francesconi:** Aye.

**Hales:** Aye.

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**Saltzman:** I think this is really good work and I appreciate the fast pace and I also appreciate app's convening of this special committee on historic preservation incentives. I've seen some interesting ideas. Some are even great ideas. I look forward to hopefully seeing them and enacting them in six months. Aye.

**Sten:** Aye.

**Katz:** Aye. [ gavel pounded ] 587 moves to second. We'll vote on it next week. Thank you, everybody. And we'll see you in six months. We stand adjourned until 1 o'clock.

**Moore:** You have 588, two regular items, 588 and 589.

**Katz:** Oh, sorry. 588.

**Item 588.**

**Katz:** Roll call.

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

**Katz:** Mayor votes aye. [ gavel pounded ] 589.

**Item 589.**

**Katz:** Roll call.

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

**Katz:** Mayor votes aye. [ gavel pounded ] and we'll stand recessed [ no audio ]

At 2:51 p.m., Council recessed.

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**1:00 PM**

**Item 590.**

**Katz:** We are convening council as the budget committee and approving a budget that will be presented to be adopted in June. Do you want to give us the summary of changes?

**Mark Murray, Financial Planning:** Good afternoon, Mark Murray, financial planning. This incorporates the changes discussed at the work session on Tuesday, so if you refer to the spreadsheet, it's a little more completed technical than what we had discussed on Tuesday, but it includes the resource adjustments for the reduction of franchise fees, recognition of additional quest resources, recognition of the tune-up for the overhead recovery model, the parks operating levy as presented to voters, the loss of those revenues, and then incorporating the changes needed to ensure that the children's receiving center is funded using debt, so that's the bond proceeds. On the requirement side, the off-setting parks reductions, the bureau of licenses adjustments to cover the bidapp contract, an increase of general fund transfer to information technology to cover the general fund's commitment to incorporate G.I.S. And the debt service tied to the children's receiving center. The programmatic adjustment was additional support for the arts. That would be through a \$225,000 increase in the transfer to R.A.C., and then to ensure that the general fund stays in balance there's a contingency adjustment. That completes the general fund, so that will remain in balance. The other funds I mentioned the adjustments necessary to ensure we had city lights and resolving line of credit properly taken care of, that's \$13.1 million total to take care of those actions and then one that popped up yesterday afternoon was the flb curbside rose award trust fund. We need a new fund. This is driven by the rule -- new accounting rules under gas buy 34, the trust fund was established in 1975 through a gift of stock and the purpose is to encourage planting and maintaining roses through a system of rewards in an annual competition. The fund has been in the Portland Parks Trust, but it must now be a separate fund, so we're requesting that you -- we will establish the fund actually in the spring, but we wanted to make sure it wasn't incorporated in the approved budget as well. So we're asking you to move that as part of the actions. That's all I have.

**Katz:** And I still owe the council a solution on women's strength. I've talked with David Lane, I'm not absolutely sure that we'll -- that will work, but we're going to continue working at it and we'll have something prior to the adopted budget. Okay. Good. I need a motion.

**Saltzman:** Move to approve the budget based upon the mayor's proposed budget and incorporating the changes detailed in exhibit A.

**Sten:** Second.

**Katz:** Discussion? All in favor signify by saying aye. [ chorus of ayes ]

**Katz:** Motion carries. Now a motion to approve the tax levies.

**Francesconi:** So moved.

**Saltzman:** Second.

**Francesconi:** Do you want to do it? City shall levy full permanent rate of \$5 -- for the payment of bond principle and interest -- for the police disability and retirement fund.

**Saltzman:** Second.

**Katz:** All in favor?

**\*\*\*\*\*:** I did not bring for you the first hearing on the state chaired revenue. We'll do that at another time. [ chorus of ayes ]

**Katz:** Motion carried. Thank you, everybody. This was not an easy budget to put together, as evidenced by all the people that came or didn't come to testify, and I appreciate your work on it. It



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couldn't have been done without your work and certainly mark's, and then just listening to the public again, what the public said in our meetings and what they said in the polling that we did scientific polling is reflected in this budget.

**Saltzman:** We appreciate all your hard work and mark murray's hard work too in keeping this all moving along.

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

**Katz:** We stand adjourned. [ gavel pounded ]

At 1:05 p.m., Council adjourned.