



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 13th DAY OF SEPTEMBER, 2000 AT 9:30 A.M.

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

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

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

1340 **TIME CERTAIN: 9:30 AM** – Public access to Defibrillation Study (Presentation introduced by Commissioner Francesconi)

Disposition: Placed on File.

***1341** **TIME CERTAIN: 10:00 AM** – Amend City Code relating to liquor license application recommendations (Ordinance introduced by Mayor Katz, Commissioners Francesconi and Saltzman; repeal Chapter 7.18 add Chapter 14.160)

Motion to accept amendment: Moved by Commissioner Saltzman, seconded by Commissioner Francesconi.

Disposition: Ordinance No. 174900 as amended. (Y-5)

***1342** **TIME CERTAIN: 11:00 AM** – Amend City Code to remove fees from Chapter 27, Heating and Ventilation Regulations, and establish a separate fee schedule effective October 1, 2000 (Ordinance introduced by Commissioner Hales; amend City Code Chapters 27.02.030 and 27.03.040)

Disposition: Ordinance No. 174902. (Y-5)

CONSENT AGENDA - NO DISCUSSION

1343 Accept bid of Perkin Elmer Instruments LLC to furnish a gas chromatograph/mass spectrometer for \$72,388 (Purchasing Report - Bid No. 100143)

Disposition: Accepted; Prepare Contract. (Y-5)

1344 Accept bid of Cascade Drilling, Inc. to furnish groundwater monitoring well installation in the Johnson Creek basin for \$87,960 (Purchasing Report – Bid No. 100144)

Disposition: Accepted; Prepare Contract. (Y-5)

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1345 Accept bid of Integrated Vegetation and Insect Management for the annual supply of herbicide application services for \$33,105 annually for three years (Purchasing Report - Bid No. 100181)

Disposition: Accepted; Prepare Contract. (Y-5)

Mayor Vera Katz

***1346** Accept surplus property from Multnomah County for the Bureau of Environmental Services to be used for open space and passive stormwater management (Ordinance)

Disposition: Ordinance No. 174883. (Y-5)

***1347** Contract with Group Mackenzie to provide architectural and engineering services for design and construction of Fire Station 12 in the amount of \$154,216 and provide for payment (Ordinance)

Disposition: Ordinance No. 174884. (Y-5)

***1348** Increase purchase order with SIMPLEX for installation costs of a remote voice command center in The Portland Building at a proposed cost of \$12,751 and provide for payment (Ordinance; amend PO 1023621)

Disposition: Ordinance No. 174885. (Y-5)

***1349** Accept a Historic Preservation Fund grant of \$24,150 to develop specialized historic district design guidelines and augment funding to amend historic resource code regulations for the City (Ordinance)

Disposition: Ordinance No. 174886. (Y-5)

Commissioner Jim Francesconi

***1350** Apply for a \$10,000 grant from the Oregon State Police, Office of Emergency Management for the Bureau of Fire, Rescue and Emergency Services (Ordinance)

Disposition: Ordinance No. 174887. (Y-5)

***1351** Approve lease agreement to lease land and buildings at SE 86th Avenue and Foster Road for use as a maintenance facility for the Natural Resources Division of Parks and Recreation (Ordinance)

Disposition: Ordinance No. 174888. (Y-5)

***1352** Accept a grant from Multnomah County in the amount of \$87,815 for operation of an integration program for senior citizens who have mental retardation/developmental disabilities (Ordinance)

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Disposition: Ordinance No. 174889. (Y-5)

Commissioner Charlie Hales

***1353** Revocable permit to Portland Brewing to close NW 31st between Industrial and Luzon on September 15 through 17, 2000 (Ordinance)

Disposition: Ordinance No. 174890. (Y-5)

***1354** Adopt the State of Oregon, 1999 Edition of the Mechanical Specialty Code and the 2000 Editions of the Plumbing Specialty Code, Dwelling Specialty Code and Electrical Specialty Code (Ordinance; amend Titles 24, 25, 26 and 27)

Disposition: Ordinance No. 174891. (Y-5)

Commissioner Dan Saltzman

1355 Accept completion of the Fanno Basin pressure line Multnomah Section, Project No. 6399, and authorize final payment to Ken Leahy Construction, Inc. (Report; Contract No. 32064)

Disposition: Accepted. (Y-5)

1356 Accept completion of the Columbia Boulevard Wastewater Treatment Plant outfall project and authorize final payment to James W. Fowler Co., Project No. 5302 (Report; Contract No. 32089)

Disposition: Accepted. (Y-5)

***1357** Authorize contracts with David J. Collins Engineering, HDR Engineering and CH2M HILL for computer modeling support services for the Willamette combined sewer overflow program (Ordinance)

Disposition: Ordinance No. 174892. (Y-5)

***1358** Authorize an agreement with East Multnomah Soil and Water Conservation District for residential water quality landscaping practices known as the Naturescaping for Clean Rivers Programs for a period of one year (Ordinance)

Disposition: Ordinance No. 174893. (Y-5)

***1359** Authorize the Director of Environmental Services to approve an Intergovernmental Agreement with Portland State University to provide services related to the Citizen's Watershed Stewardship Program (Ordinance)

Disposition: Ordinance No. 174894. (Y-5)

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- *1360** Increase contract with Kerr Contractors, Inc. for the NW Saltzman Road sanitary sewer extension project, Project No. 6179 (Ordinance; amend Contract No. 32651)

Disposition: Ordinance No. 174895. (Y-5)

Commissioner Erik Sten

- *1361** Grant a temporary, revocable permit to Broadwing Communications Services, Inc. and establish terms and conditions (Ordinance)

Disposition: Ordinance No. 174896. (Y-5)

- *1362** Contract with Community Development Network for \$100,000 for the Portland Community Land Trust project and provide for payment (Ordinance)

Disposition: Ordinance No. 174897. (Y-5)

- *1363** Agreement with Open Meadow Learning Center for \$106,157 for the Corps Restoring the Urban Environment program and provide for payment (Ordinance)

Disposition: Ordinance No. 174898. (Y-5)

- *1364** Lease office space at 421 SW 6th Avenue for the Bureau of Housing and Community Development (Ordinance)

Disposition: Ordinance No. 174899. (Y-5)

- 1365** Authorize an agreement with Nalco Chemical Company for an amount not to exceed \$25,000 to provide engineering services for miscellaneous professional services in the area of HVAC system performance optimization and provide for payment (Ordinance)

Disposition: Passed to Second Reading September 20, 2000 at 9:30 a.m.

City Auditor Gary Blackmer

- 1366** Assess system development charge contracts (Ordinance; K0027, K0028, P0053, T0043, T0044, Z0728)

Disposition: Passed to Second Reading September 20, 2000 at 9:30 a.m.

REGULAR AGENDA

Commissioner Erik Sten

- *1367** Authorize Contingent Loan Agreement with the Housing Authority of Portland and Bank of America for Preservation Trust (Ordinance)

Disposition: Ordinance No. 174901. (Y-5)

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Communications

1368 Request of Carol Lynn Drennen to address Council regarding concerns with visitor/tourist relations at Portland International Airport (Previous Agenda 1337)

Disposition: Placed on File.

At 11:05 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 13th DAY OF SEPTEMBER, 2000 AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Nancy Ayres, Senior Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

- 1369 **TIME CERTAIN: 2:00 PM** – Appeal of currently permitted taxicab companies to increase their fleets and application of two companies for taxicab permits (Report introduced by Commissioner Francesconi)

Motion to affirm the Taxicab Review Board and License Bureau recommendation to not grant new permits to Claudel Pierre and White Van Shuttle at this time: Moved by Commissioner Francesconi and seconded by Commission Hales.
(Y-5)

Motion to deny fleet expansion for Broadway Cab, Green Transportation, New Rose City and Portland Taxicab: Moved by Commissioner Francesconi and seconded by Commissioner Hales.

Broadway Cab:	(Y-5)
Green Transportation	(Y-5)
New Rose City Cab	(Y-4; N-Saltzman)
Portland Taxicab Co.	(Y-4; N-Saltzman)

Disposition: Appeals Denied.

At 4:38 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland



By Britta Olson
Clerk of the Council

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

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Closed Caption Transcript of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

SEPTEMBER 13, 2000 9:30 AM

Katz: Before we start, ron, why don't you come on up and introduce our guests. We have a guest from south africa. Why don't you tell us, tell us alleges bit about the story.

Ron Bergman, Interim Director, Bureau of General Services (BGS): Certainly. Ron bergman, interim bts director. I have with me today anthony sals, who is the town clerk of parl, south africa. Through the international city and county management association, we have arranged an exchange where anthony is spending a week here in Portland learning about how we do business. Learning about some public involvement, public participation that we do a very good job with, and learning about how we can take that back to south africa. Next month, I will be going to south africa to learn about how they do that on my own nickel, rather than the city's nickel, but it is part of a professional exchange that we work through icma. With that, anthony --

Katz: Why don't you come up here because the town clerk is very much like the city manager. And he's learning all about our government, but he did share with me something on a very informal basis when I had the opportunity to meet with him about a governing procedure that all of you might like to hear. So, just give you a second. Grab the other microphone.

Anthony Sauls, a City Manager in South Africa: Thank you. First of all, can I say that I am honored to be in Portland. And I want to thank the city for making it possible for me to be here. Although the city, it is through the icma, but I have access to your employees and I speak to them and they share their knowledge with me, and I have met some of the commissioners, as well, and I think that we have had very good sessions. Tom clark is the, has a designation, and in south africa, we were a british colony. So tom is basically a city manager. It is different. I made the remark that I don't understand how the system of government is working in Portland. And I said that seems to be madness and chaos at times. [laughter] But one is learning about it.

Katz: And of course, you know how I responded to that. [laughter]

Sauls: You agreed.

Katz: Yes, I agreed.

Sauls: But it seems to be working. And I know that having intersection with your employees and the commissioners that you are investigating some of these issues, yourself. And looking at how, if transformation, certainly, is needed, how you should go about that. And I am attending to the work stations on some of these issues. Basically, I think doing the same in south africa, going through a major transformation process. Looking at local government, changing the face of local government and make it developmental, and truly, to serve the people. And I think what you would like me to share that in south africa, the city manager has a little bit more power than city managers, I think, than the states, from what I have learned, is that if the city manager doesn't like the decision of council, the city manager will ask that his counter vote be recorded and the city manager will then inform them, investigate it, please. Secondly, in a disaster situation the city manager becomes council. [laughter] And he will take over all emergency agencies, fire, police, whatever is involved in an emergency situation.

*******:** Did you say the army?

Sauls: If the army is working within the area, is coordinating and he's the person that gives direction, you do this, you do that, you do that. So that you have a coordinated approach. And then you tell the

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council, for the time being, I am council, and this is a disaster situation, and once the disaster has been settle or we dealt with it, you get your powers back. But, at that time, there is other council decisions because you are not council.

Katz: So, I want to share this with you because I was sort of -- I was taken aback. And I never suggested that we ought to be going that far, but that was very interesting.

Sauls: I think you told me, don't get any good ideas, right? Thank you.

Katz: Thank you very much. Have a wonderful stay. And hope you learn something that you can bring back that's worth while. Okay.

[Proclamation: Minority Enterprise Development Week]

Katz: We have another item before we get to the agenda. I want to read a proclamation. It is minority enterprise development week, and grace wick is chair -- well, she's chair of a lot of things, and I want to read the proclamation and I think grace has some other people that she would like to introduce. So, let me start first. Whereas minority enterprise is an important element in the business section of Portland, contributing a lot of products and services, as well as providing meaningful jobs for our citizens and whereas owning one's own business is basic to the american way of life, and is important that all americans have the opportunity to participate fully in these independent business ventures, and whereas the week of october 1 through october 7 of the year 2000 has been set aside in recognition of the progress made by minority enterprise and to focus attention on the responsibility we all have to further their success. Now, therefore, I vera Katz, the mayor of Portland, city of roses, proclaim the week of october 1 through october 7th, the year 2000, as minority enterprise development week in Portland in honor of the invaluable contributions made to our society by minority businessman and business women and in recognition of our continuing commitment to the promotion of minority business opportunities. Grace?

Grace Wick (sp?): Thank you, mayor Katz, city council members, this is the 19th year we are celebrating minority enterprise development week, so it is kind of exciting for us, and I have a few comments that I want to --

Katz: Let me give you this and then I will sit down and listen to you. Congratulations.

Grace: Thank you. I appreciate it. On behalf of the committee that I chair, I would like to first of all, introduce the committee members and then I thought it might be fun for you to hear some very wonderful things that help you, I hope, do your jobs in an exciting way. The committee is comprised of members from the public and the private sector. I have sitting with me, maria from commissioner Saltzman's office. A wonderful contributor, bureau of purchases, city of Portland, for Multnomah county, sheila mcdaniel, port of Portland, jerry walker, metro, brandon williams, tri-met, jic walky, u.s. Bank, octavio gonzales. Key bank. Brent warn. Odot, amanda and brendan and merry joe witty. They are here, would you please stand so that we can acknowledge you? They are hard workers. I couldn't do it without them, and that's the truth. Thank you very much.

Katz: Thank you.

Grace: I thought it might be helpful to, this year, we are going to honor eight individuals. Seven will be the business achieve. Awards, and of course, the one special economic and community development award is given to an individual who actually plays a very valuable role in our local economy. I thought it might be helpful for you to know that the grocery seats for 1999, just for these eight individuals, were 193 million -- 193,822, 000. The tax contribution that they made is roughly about 64 million, and the personal contribution of the owners rounds out to be about \$15 million. I sat down with these individuals, and we calculated their projected gross receipts for year 2000 because that's just down a couple of months away, and for the year 2000, they will close out the year, these eight individuals, with about 356 million in gross sales, contributing approximately \$117,483,000 in taxes, and their fica contribution is around \$28 million. I share this with you because this is just a microcaucism. We are entering the millennium here, officially 2001, a couple of months away. This is the future for our country. The census declared san francisco recently as having the aging

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community being their most dominant community. This is wonderful. I celebrate that you, mayor, and city council, embrace all citizens of this city with your inclusive policies for all and your commitment to global diversity that maps here our city and throughout our state. Thank you for allowing us and honoring us every year with your proclamation, and this continued celebration. Of course, it will go beyond us. And I invite you to participate. We have three major events this year. Our luncheon, of course, which is at the convention center on october 5th. You, I am sure, all received an invitation. I give you a personal invitation. And we have a reception, u.s. Bank is hosting us at their main branch, 321 southwest 6th, this year. That's on october the 4th. 5:30 to 8:00, just buzz by. I think that the bank president wants to be on hand to welcome everyone, and of course, we are going to have a wonderful trade fair. The trade fair is there, we have one every other year, they are about 1500 to 2000 people that pass through that trade fair. And we have between 700 to 800 people sit down at our lunch. So, please come. Thank you. And see you there.

Katz: Thank you, grace.

Francesconi: Grace, since you are here, let me ask you one question, and it is two parts. But my perception is that minority business ownership in Portland as compared to san francisco and seattle, we are not making progress, as much progress. So, I guess my question is, is my perception accurate and why is it so and what can we do to improve it?

Grace: I don't think that, perhaps, progress is maybe the most accurate word. I think that progress continues in spite of maybe perceived desire, let's put it -- and I say that, we are operating under a reality of, of supreme court decisions that were laid on each state in each city, and I think the city of Portland aggressively and assertively took the leadership not only within the city, but to embrace the counties and surrounding counties to try to put together a program. It is not perfect, jim. Excuse me, commissioner Francesconi.

Francesconi: I didn't mean our city program, it is terrific, and I wasn't talking about the government side or the contracting side.

Grace: But, in progression, I think, believe it or not, I think that we have made a tremendous amount of progression. I think it is how it is presented and how it is counted to be real direct with you. I think that some of the people who may be addressing it, perhaps, may, may not have all of the facts at hand. There are hidden pockets within our communities that demand development, and those are, perhaps, the areas that you might be addressing, and yes, that's a continued endeavor. Business development, when there is investment, there will be return. And it is how it is approached. But, I say even in spite of the fact that maybe we may not have given it more than we have given it, I was surprised to learn about the, one of the women that we are recognizing, she and her husband, sue casa imports. My god, is hidden, a hidden talent that operates here, hillsboro, yakima, and downstate. And that is erupting, and I think that it is probably up to myself and other people involved, perhaps, to make that. We need more. We are not san francisco. We will strive to become that.

Katz: Thank you. That was nicely put.

Grace: Thank you.

Katz: Thank you. And on behalf of the city council, congratulations to all of the agencies that have been involved and I hope that we will all have the opportunity to celebrate the victories of your honored guests in october. Thank you. All right. Time certain.

Consent Agenda

We have -- let's look at the agenda, first. Consent agenda, item -- no consent agendas have been pulled. Anybody want to pull the consent agenda? If not, roll call and consent agenda. **Francesconi:** Aye. **Hales:** Aye. **Sten:** Aye. **Saltzman:** Aye. **Katz:** Mayor votes aye time certainly, item 1340.

Item 1340.

Katz: I am going to pull a george bush on subliminal. Defibrillation. Defibrillation. All right.

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Francesconi: If I could just introduce it briefly this way, you know, some of the decisions of the city council lately have been causing more of our citizens cardiac arrest, so we thought the least that we could do is put some defibrillators in our public buildings, and so the fire bureau, with its motto of always ready, always there, has responded. Now, the fire bureau is the fire and rescue bureau, and one of the things that we try to do through coverage throughout the city is be -- have our response times at four minutes or less, which we do a terrific job of. Part of the reason for that is are heart attacks, because if we get that within that period of time, the chances of survival rapidly increase. As we are going to hear here, there is more than 500 heart attacks in our town each year. The odds go up even greater if some first aid can be given before we arrive. So, with the mission of the fire bureau trying to make us safer and healthier, they have come up with this plan with the help of ohsu, osco, fred meyer, fire bureaus has helped take the lead on this, and it is a very good thing that we are about to hear. Ron.

Ron Mariani, Emergency Medical Services Coordinator, Fire Bureau: Good morning, mayor, and members of the council. I am ron, and I am the emergency medical services coordinator for the Portland fire bureau and I am here to introduce dr. Jariss hedges, who is the department chair --

Katz: Oh, you are doing that.

Mariani: A department chair at the Oregon health sciences university, and he's one of the co-investigators in this study. He's going to present the information about the study to you. Portland fire bureau will be working with pgs to do the training provided to the rescuers that will be responding to these incidents in the city buildings, and then, as well, will be providing training to a number of other locations that are not city buildings but public locations that have been selected as potential sites for high exposure for cardiac arrest, so with that, I would like to introduce dr. Hedges.

Dr. Jerris (sp?) Hedges, Chief, Emergency Services, Oregon Health Sciences University: Thank you, ron. Good morning. Mayor Katz and commissioners. My name is jaris hedges and I am professor and chair of emergency medicine at the Oregon health sciences university. As ron said, this is a team effort that brings together a lot of individuals in addition to the bureau of general services that will be working with the fire department in bringing this up close and at home here in the city hall area, we are also working with other city agencies in the vancouver and salem area to extend this project. I would also like to note that a big partner in this is the american heart association, and john chism, from the american heart association is here with us today. There are a number of people, let me move through this because I know that your time is precious, and I would like to tell you a little bit about what we are undertaking with this large project. There is, as the title indicates, we have support from a variety of agencies which produce automatic external defibrillators. These are devices which can be applied to, with surface adherent pads, to the chest of the patient who has suffered a cardiac arrest, and deliver a shock to the heart restoring a rhythm to the heart and hopefully, blood flow to the patient. Let me tell you a little bit about why this is important. Cardiovascular disease is really the source of most deaths in the u.s., And even though there has been a decrease in the number of patients dying from heart disease over the last three decades, there is still the problem of sudden cardiac death, where someone may be talking to you one moment, and then unconscious without a blood pressure or profusion, the next. In the u.s., Close to a million deaths from cardiovascular disease took place in '97. Of those about two-thirds, or around 60%, rather, were related to sudden death. We estimate that 1,000 times per day we are dealing with an out of hospital cardiac arrest, and that survivals are tremendous variability, although averaging around 5% survival in some communities, and in large cities, only .4% of patients survive, whereas in other communities, or special settings where there is rapid response with defibrillators, it may be up to 45% chance of survival once the patient actually has a sudden death with their heart stopping. We know that in a very closely monitored situation, and interestingly, where this has been demonstrated most effectively, talk about high-stress environments, has been in the casinos in vegas, and they are up to 60% of patients who have had a witness cardiac arrest have been treated and survived. We estimate that in the Portland area, greater Portland, metropolitan area, there's approximately a thousand out of hospital cardiac arrests happening each

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year. So, we have a lot of opportunity here. We would like to believe that we can address some of the issues that we know can impact survival. We know if there is a delay in 9-1-1 access, there is a delay in getting resuscitation to the patient. We know that if there is no bystanders, cpr, there is a delay in getting profusion going, and getting some artificial circulation that will enhance the effectiveness of the defibrillator, and if there is any delay in getting the defibrillator to the patient, that is a factor. These are what the american heart association has linked together as a chain of survival. Elements that we can work together on to improve and that if any link is weakened, we have a less effective approach to resuscitating patients. So, we need to work on early notification of our ems personnel, early activation and 9-1-1, cpr started, presumably, by bystanders, co-workers, and early defibrillation. And then higher level of care, which the paramedics initiate and are sustained through a hospital stay. Defibrillation is, as I mentioned, the passage of electrical current through the chest to essentially depolarize, to electrically neutralize heart activity, which is acting chaotically, and allow the heart's intrinsic rhythm to be reinitiated. And we have, over the years, introduced this technology in a variety of settings. Initially, it was used only in the hospital. Then paramedics became trained and expert in its use, and we have extended this to other ems providers. In some communities, fire and police under limited circumstances have been used as the agents to provide early defibrillation. At this point in time, what we are discussing is a means of dedicated volunteer citizens who work day-to-day amongst us being trained as individuals who can initiate cpr and early defibrillation. Other opportunities have included training of lay persons and family members and other communities and we are not looking at that at this time. We are looking at the use of dedicated citizens who have a, have accepted a duty to respond. We are not looking at whether or not a defibrillator works. We know that defibrillators work, but rather, we are looking at how can we implement this in a situation that enhances what our paramedics, our fire service does already. So, this will be looking at volunteer, nonmedical responders, and we -- we think that we can increase survival by the use of public access defibrillation and this will improve survival from out of hospital cardiac arrest by decreasing the time from collapse of the patient until defibrillation. As I mentioned, this is a five-county project involving municipalities, in Portland, salem, vancouver, and we are integrating ems in each of these areas. We held public forums in these communities in july to get feedback from the communities, and there will be multiple agencies involved in the counties participating. This will be dependent on the lay person volunteers. They will sign a consent indicating their intention to participate and be trained and to work with the fire department and agencies that will be overseeing this activity. They will assume responsibility. In some of the units within these communities, we will have what we call a control unit, meaning the building or facility will have response personnel, who are lay volunteers, who will provide cpr and early 9-1-1 access but will not have the automatic external defibrillator. In the city hall buildings, there's been a randomization process and all of them have been assigned to the aed training, and there will be a defibrillator present in those settings. So, we will be comparing the control versus the intervention aed training sites during this process. Our intent is, if this is successful and works as we anticipate, to roll this out at all of the sites by the end of this fiscal year, which would be, hopefully, by next july. There are laws which protect the volunteers in terms of serving as good samaritans and using this device. They will all be under the oversight of a physician supervisor. Our ohsu emergency physicians have volunteered to serve in this role, which will provide the volunteers protection under the good samaritan laws. So, in wrapping this up, cardiovascular disease is a major cause of death. It is one that will not go away, and we need to be pro active to treat it when it occurs. Sudden cardiac death represents a substantial public health problem, and our current approach to it is not ideal, so, we are hoping that by introducing public access defibrillator, we can get more community involvement, more efforts to support the rescue work done by our ems personnel, that will use individuals who will be trained above and beyond standard cpr techniques with the use of these automatic defibrillators, which fortunately, they interpret the rhythm and they give very direct instruction so it is a very simple process to use, and one which we feel all who go through the training

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course will be comfortable and confident to undertake. And we will also attempt to work with high-risk groups who are targeting places where there have been prior cardiac events, trying to work with personnel there. I think that there's been a tremendous interest on the part of the community to support this effort. And we will be looking at improvements in survival, neurologic outcome, quality of life, and also the use of resources to care for patients who suffer one of these out of hospital deaths. Any questions?

Katz: Thank you, dr. Hedges. Questions?

Francesconi: I don't know -- I didn't ask you to do this ahead of time. Is there a way that you can kind of demonstrate, because when I think of defibrillation, I get the picture from er, where we get these paddles and we get to zap somebody. Can you explain what this really looks like and how it is going to happen?

Hedges: Thank you for asking. Ron has one of our trainers here with pads and --

*****: What's the best way to do this.

*****: Do you want to demonstrate on me? [laughter]

*****: Actually, this device, we have to hook it up to one, and the way -- this is an actual device, so it is a simulation of the device, and you can see how easy it is to operate. Essentially, when a patient is identified by either not breathing and not having a pulse, by the rescuer, they will apply this device to the person, and essentially, what they will do is turn it on and it will prompt them through the entire scenario.

*****: Apply pad to patient's bare chest. Plug in pad's connector next. Next to the flashing light.

*****: This is applied to the patient. It is now just telling you to stand back.

*****: Press firmly to patient's bare chest.

*****: You recognize that and pull the pad away. Make sure that the pad is securely attached.

Francesconi: Good, put it on your chest. You don't have to take off your shirt. Go ahead, let's see what it would look like.

*****: Analyzing rhythm. Do not touch the patient.

Katz: You could die before the tape runs through. [laughter]

*****: Those are details, mayor, details.

Katz: Speak a little faster. [laughter]

*****: Stay clear of patient. Give shock now: Shock delivered.

*****: Essentially, that's, that's the entire scenario, and it you get three shocks and then it prompts you.

Katz: Thank you.

*****: So you do this before cpr?

*****: Stay clear of patient. Deliver shock now. Press the shock delivered.

Katz: Does it monitor the rhythm or you have to -- it monitors? It analyzes the heart rhythm?

*****: It completely does it automatically, analyzes the heart rhythm, and continues to monitor the patient.

Francesconi: Nothing, you should just be speaking into the mike, but it's all right, don't worry.

Hedges: The device, you know, it does continually monitor the rhythm, so if it changes, there will be a notification. Cpr can be initiated before the device if the, someone is getting the device and bringing it to the patient. That will be part of the training, but as soon as the device is brought to the patient, we will want to place the pads on and initiate the sequence. It seems like a long time, but if the pads are on, properly placed, it takes about ten seconds to go through and analyze the rhythm and make sure that everything is prepared.

Saltzman: Do those defibrillators have multilingual capabilities?

Hedges: There are some, you know, language -- obviously, they are installed -- these are installed with english, but you can get voice chips that have other languages. Now, my understanding, though,

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is that we will be limiting it, at this point in time, to just english language, but, you know, that can be done.

Katz: Is the goal to have these available to consumers, for consumer consumption?

Hedges: That's an excellent question. The goal of this study will not address that. We are looking only at dedicated programs where trained volunteers will be using them. However, probably in the next month or two, there will be an article in jama, that will discuss the pros and cons of consumer access to public, to the defibrillators and whether or not that's the next step that we should go, and there are several people advocating that these should be available through medical supply houses for high-risk individuals.

Katz: Right.

Hedges: Currently, that's not the case, but that debate is ongoing.

Katz: I can see the profession being a little nervous, giving that authority to the consumer, but it appears to be very simple to use.

Hedges: Absolutely.

Katz: Easier than opening up a bottle of aspirins. [laughter]

Francesconi: So, let's say for some reason a person passes out for something that's not heart attack related, but then the defibrillator is used, can any damage be done?

Hedges: What the defibrillator is designed to do is to recognize a patient's intrinsic heart activity. So, first of all, it will not allow you to shock unless you have the leads firmly applied, and if there is motion of the patient, not allowing a proper reading, it also will not allow a shock to be given, and if the patient is, as you would expect, holding still, the pads are applied well and there is a good rhythm, it will not allow a shock for that, either.

Francesconi: Okay. That's good.

Katz: Thank you. Further questions? Thank you. This was very interesting. Would you send us a copy of the article from jama when it comes out on that issue?

Hedges: I will do that. I would be happy to.

Katz: Okay. All right. Time certain, 1341.

Item 1341.

Katz: This has been amended, so I need a motion to include the amendment.

Saltzman: So ordered.

Katz: A second?

Francesconi: Yes.

Katz: Any objections, hearing none, so ordered. All right. Let me, I am going to give our guests the floor, but there's been a lot of discussion about how did this happen, and I have heard a variety of stories through the legislative process, and I can only imagine if it happened late in the session, how it happened. The question is, that this is what we have been handed, and the agencies, commissioner Francesconi and others who have been working on it, have come up with a solution that they think will best meet the very short and unreasonable deadlines. Having said that, we have a couple of months to begin to get the community ready. You are going to hear that, and I have asked, and I think that commissioner Francesconi also has asked that we monitor the cases and that we provide enough analysis for us so that if we see that this is not working at all, whether it is not working for the neighborhood associations, not working for the police, not working for anybody, that we make a case at the next legislative session, at least we will have some hard data to show because we may be the only jurisdiction that is having problems because of our size. So, wanted to let you know that there is going to be work continually done on this issue. Having said that, let me turn them -- the presentation over. Mike first, and then chief croaker and then captain ferrar and then captain david lane.

Mike Sanderson, Bureau of Licenses: Your honor, members of the council, I am mike sanderson with the bureau of licenses. The city's current liquor license notification and recommendation process has been in place with only some modifications for nearly two decades. However, over the past two

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legislative sessions, state legislators passed several bills affecting the city and its citizens' ability to have their concerns heard if we continue utilizing the current process. Legislation in short, mainly the amount of time that local governing bodies have to forward their liquor license recommendations was the time catalyst in a series of process restricted bills, necessitating our bringing this liquor code before you. Under the new state statutes, cities, and counties are given a time limit of 30 days from the receipt of an application for new outlets and changes of ownership and 60 days for renewals, upon renewal applications to forward endorse. Recommendations to the olcc. We can get a 45-day extension in cases where a specific basis for an unfavorable recommendation is discovered within the deadline period, but only if the basis is consistent with the state -- the state's existing rules and only if the olcc approves. If the recommendation is not received by the deadline, the olcc will be permitted to proceed with the application as if the city's recommendation were favorable. The correct process has routinely taken more time than that, than that which will be allowed as of January 1 of 2001, especially on controversial applications where there has been substantial neighborhood opposition. The ordinance before you codifies the need for city bureaus to notify neighbors and each other, and it streamlines the city's endorsement recommendation process to speed the information-sharing between the stakeholders in order to meet the reduced state mandated time lines. Since the passage of the existing city code, a number of both functional and organizational changes have resulted in significant resources having been added by the city. And this new code seeks to more efficiently utilize those resources, which include the office of neighborhood involvement, neighborhood crime prevention specialist, neighborhood liaison officers and neighborhood response teams. This is an addition to the existing drugs division, liquor license investigators and the city's noise control officer. Liquor license application dollars currently spent on license bureau staffing will now be directed to more effective and more efficient citizen involvement efforts through existing only programs. In looking at the shortened olcc time frames, it is important to note that there is no time limit imposed on the olcc's own process, which continues after the city's work is done. As a result in those cases where an unfavorable recommendation is not found during the city's investigation, enhanced and more timely initiated efforts to develop good neighbor agreements and other compromised arrangements can continue until an application is finally approved or denied by the olcc. In summary, the proposed code reduces some city process steps but the remaining improved process steps shift resources in a manner more likely to enhance citizen involvement in the olcc's application investigation and the actual olcc hearings process and it does so in a more expeditious way earlier in the olcc process than previously was possible. With me today is chief croaker with the police bureau, and staff of the police bureau, captain ferrar, and he will provide you some details from their bureau's responsibilities under the proposed code changes, and also representatives from the office of neighborhood involvement here, who will describe the notification process that we all envisioned. Thank you.

Katz: Thanks, mike. Chief?

Chief Mark Kroeker, Police Bureau: Thank you, mayor Katz, and members of the city council. As you have discussed and have heard today and you have the ordinance there before you, the change that we are looking at is a change in the ordinance that allows the police bureau to work in a partnership with the office of neighborhood involvement and the olcc and this endorse. Process. Now, the partnership that we have, obviously, is there already with the office of neighborhood involvement. Other crime prevention specialists and the neighborhood response teams and our block captain program, all of that linking in to the neighborhood concerns, as they surface up to us and community policing, of course, depends completely on the partnerships that we have with neighborhoods on working in concert with them on those issues that are of importance to them. And I can't think of too many items that are of more concern to, to many neighborhoods than the proliferation, the expansion, the renewal of liquor establishments in the neighborhood so this is very, very important to neighbors. It is very, very important to community policing efforts on working on that second goal that we have, and that is improving the quality of life in every neighborhood. And so the challenge to us now in this

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time limitation is the manner in which we can produce the neighbor's viewpoints and work that through to a point where we can add to that the investigation that the drug's division meets in order to have a solid response to the olcc at exactly where we stand to do that in a rapid way, is a challenge. So, if this is implemented between now and January 1, the implementation date, we intend to work together very aggressively to resolve any problems that would prevent us to have a very smooth transition and to adopt this process which will be in place at the first of the year. Then, of course, as you mentioned, mayor, we really need to look at the legislative impact on the larger scale of what this is doing to restrict, if any way, the neighborhood input into this very, very important issue that is of concern to them. They need to be heard and if the time allocation and despite our best efforts to bring forward their concerns and to add to that our investigations, if that's not doing it, then I would be the first to recommend to this city council that we address, address this in a legislative issue in Salem. So, we are ready to work in a cooperative way. We think it is a very, very measured approach and a good process, although it accelerates everything. We will pledge to do the best that we can to make sure that it is a thorough process, and although a much more rapid one.

Katz: Thank you. Captain?

Jim Ferraris, Drugs and Vice, Police Bureau: Good morning. I am the commanding officer of the drug and vice division, and I have the responsibility for the liquor license investigations. The changes -- Jim Ferraris. The changes in the ordinance before you or our attempt to craft a response to house bill 289. 2. As you heard limits us to 30 days for processing and investigating a new liquor license application, and limits us to 60 days for renewal. Even though those time parameters aren't the best in which to conduct a quality investigation, I want you to assure that we will do our very best to conduct quality work. We will work hand in glove with the office of neighborhood involvement and the license bureau to transmit the concerns of our neighbors and our community about liquor establishments to the olcc. During the review process, as outlined in the ordinance, the police bureau will make one of three recommendations to olcc about new and renewal applications, and it is similar to what we have done before, when we have come before council on unfavorables. First, if we determine that a lawful basis exists for recommendation as an unfavorable, on an application, we will forward an unfavorable recommendation directly to the olcc under the signature of the chief of police. If there is substantial neighborhood concern or opposition to the application, or if there is evidence that indicates that noise will be a significant problem at a location, and although we may not have found that there is evidence supporting an unfavorable recommendation, the police bureau will take the position of no endorse. We will make a no endorse. Recommendation directly to the olcc. But, a company -- accompanying that recommendation will be some pertinent documentation that the office of neighborhood involvement will supply us that is specific about that particular neighborhood opposition or concern or evidence of any noise issues that come from the area surrounding the applicant's location. Further, we will request olcc to hear testimony from any interested parties. Primarily, our community. And third, if we find no basis for an unfavorable recommendation, we will go ahead and forward directly to the olcc a favorable recommendation, but we reserve the ability to attach conditions or restrictions or any recommendations with that application as deemed necessary to the olcc about the applicant. Upon passage of this ordinance, though, we have to use the time between now and January when that house bill goes into effect to resolve any conflicts that exist or work out the bugs, if you will, to insure that we have a smooth process in place. And we will track our progress on this, and we will report back to you if you desire. And finally, just to echo what Mike and Chief Croaker have stated, we need to look ahead and insure that the issues that have been created by house bill 2892 are addressed by the city in its next legislative package. Thank you.

Katz: Let me just ask, I just thought of a question, Mike, you know the troubled areas, the trouble licenses for the most part on renewal. And so it is possible to flag to the neighborhood associations even before 60 days.

Ferraris: Absolutely.

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Katz: Okay. All right.

Art Hendricks, Crime Prevention Office, Office of Neighborhood Involvement (ONI): Good morning, mayor, and council members. I am art hendricks and I am the crime prevention officer in the office of neighborhood involvement, and I will be talking about the office of neighborhood involvement's role in the notification process. I want to state first off that the position of the office of neighborhood involvement is that we feel that this is a bad state law and that it is really a bad thing for the neighborhood input. So, the 30 days for complete citizen's involvement is very difficult and we have had opportunities to talk with neighbors and talk with folks in the community. So, we are concerned about how to provide a true opportunity for neighbors to voice their concerns. Before I talk about what the office of neighborhood involvement is going to do, we have looked at a half a dozen things that we could try to amend and streamline in this process so that we could have neighbor involvement, like looking at amending the application process to give neighborhood associations and neighbors more time before the application is turned in. Changing how we can change the response of the categories, looking at how to stop the clock, looking at our noise ordinance and seeing how we could beef that up, and all of these things by state statute are not allowed. So, really, in streamlining this process, what we have looked at is that the role that the office of neighborhood involvement will play will be education and training for our neighbors. In talking with folks, there is some confusion between the state statute and the city ordinance, so we feel that it is important to educate the city overall on the state statute and on the process, so we will be developing public information about the new system and how they can voice their concerns through the office of neighborhood involvement. We will be tracking as the mayor has stated, and we will be developing a data base to track before the - - any concerns that might preexist within communities, if the application is granted by olcc, order some concerns through that process, as well as after, new applications have been, if they have been granted, what are some of the concerns with those along with the renewal. We will be looking at maximizing our technology, so we will be setting up a web page looking at list serves and ability for folks to communicate electronically, as well as looking and we -- at commissioner Francesconi's suggestion, at ways that we can start focusing on changing the state statute, so we will be looking at developing a task force that will allow us to look at issues of saturation, which would need legislative change. There's been a lot of concern from neighbors around the liquor density issues, as well as some other things and tools that can be used that would require state statute change. Looking at models for stronger good neighbor agreements, such as the kearns neighborhood, which really have good models in place, and sharing that with neighbors. So, our plan is to inform neighbors and neighborhood associations, upon receipt from the bureau of licenses, that there is a new applicant and when remodels are in, establishing a system of notification and getting feedback from neighborhood associations, working, if neighborhood associations need help in changing their procedures, because part of this, I think, neighborhood associations may need to look at how they are going to need to prepare themselves for a quicker response than currently exists. If they choose that, we will try to provide them with tools and resources to do that. And then we are to improve the notification with property owners. Again, we feel that this is a bad state law, but we will be tracking and reporting back with council in partnership with the police bureau and the bureau of licenses what we have encountered in this new process. And it will give us some time to iron out the, the kinks, if you will, before the state statute goes into effect on january 1st. And if there are any questions, I can --

Katz: I have a question. And it is a question that you have answered. If not you, mike has answered before. Can we, can we, through a city ordinance, restrict the hours of all establishments in the city of Portland?

Sanderson: I would probably defer for a definitive answer for the city attorney, but I do know that there is state statute language that allows cities and counties to regulate the time, place, and manner of places that sell alcohol or provide entertainment, that's my best paraphrasing of how you would accomplish that, though, would be a long road.

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Katz: Thank you. All right. Anybody else want to testify? Do we have a signup sheet?

Gary Schwindt, SW Neighborhood Coalition: Good morning, commissioners and mayor Katz. I am Gary, I reside at 10706 SW 63rd place, 97219 in Portland. I am here to, before you as a representative from the southwest neighborhood coalition. Southwest neighborhoods have been involved in the discussion that's led up to the liquor license ordinance. A reasonable doubt exists that you are considering today. In giving the atmosphere created in 1999, the legislature, we believe that the process described in the ordinance is probably the best working solution that can be developed in response to the 30-day window for comments. We appreciate the work that the staff at the bureau of license and the police bureau and any council members and others, that contributed to the development of the new ordinance. I might add that we are very disappointed that the city did not take a more proactive role in the legislature when these ordinances were passed, and we feel our neighborhoods could have been better represented. The unfortunate outcome of this process is that it places additional burdens on our neighborhood associations in terms of the time frame provided for public comment. Because our association normally meets once every 30 days, we anticipate this ordinance will, sometime, result in calling special meetings to adequately give a response to a license application and the time frame by the legislature. This will be a challenge to the system that relies on volunteers and volunteering one's time. It also places an additional financial burden on neighborhood associations as we must provide meeting notifications to all interested parties for special meetings as described in the public meeting's law. In Portland, we have a neighborhood structure with its set meeting times, most of our neighborhood association. A few members of the city council are more aware of the time frame within which our neighborhood association's their business than most public. It appears our state legislatures in Salem are not fully informed of our neighborhood association structure here in Portland. And perhaps, we can look at ways that we can improve this situation and perhaps, we should start with our own local legislatures. We wish, also, to keep the door open for the possibility of a Portland to seek legislative amendments to this 30-day window if it is not workable. We hope that the door, that you folks, will help us keep that door open. Thank you.

Sharon Ward, former Chair, Kearns Neighborhood Assn.: Your honor and council, my name is Sharon Ward, 1025 northeast 33rd avenue. I am the former chair of the Kearns Neighborhood Assn. and current public safety delegate, and I have worked on liquor licenses for the past seven years. And I am speaking today, though, as an individual, not as a representative of the entire board, because I can't do that given that our board meeting isn't until next Wednesday. So, I can only speak as an individual and that exemplifies the problems that neighborhoods have. Rather than reiterating everything that the former speaker said, when I do agree with, I would say, first of all, I wanted to thank Mike Sanderson, who I hope that you know is a wonderful employee for the city, and really helpful to the neighborhoods, especially the way that I interact with him, with regard to liquor licenses. He gives us lots of advice that otherwise we would be in a lot of trouble without. I am personally supportive of this code change. I think that it is really important. It gives us an, a person to help shepherd that process, especially in light of the fact that we are all volunteers and we don't have time to mobilize. And as you know, the current neighborhood has Burnside on one side and Sandy on the other. We have a lot of issues with regard to the livability. So, although the code, I don't feel, is perfect. I think that there are lots and lots of issues that we can address in the future. I think it is a really important start and I would urge you to support it. Thank you.

Marty Birkenthal, Chair, Northwest District Assn.: Good morning, mayor, members of the city council. I am Marty, president of the Northwest District Association, I first want to say that I do commend the city for their efforts in coming up with a process. It makes the best of what I can characterize as a bad situation, and I feel that many people in this room and others in the neighborhood agree with me. In my reading of this ordinance last night, I found myself wanting a little relief to step back and get some perspective on this, and I found myself wanting to take alcohol and substitute some other nonemotional word to get a better perspective, and I said, well, okay, coffee. And every place

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that I saw olcc, I said well, let's put starbucks, and I read through the ordinance and I think this exercise points out that what we are talking about is determination of balance, and of course, balance for one person or group is, may be quite different as defined by another person. So, we need to bring that back to who defines the balance. We, in northwest, are very, very concerned about the, the agreements that have been negotiated over the years, and that have taken much longer periods of time than 30 days with regard to the closure of licensing at 1:00 a.m. We are also concerned that the, the licensees have not sold fortified alcoholic beverages in large containers, another concern that we feel may be undermined by the new legislation. We fully acknowledge that in the long-term, the most effective solution will be through legislative changes to give the neighborhoods more say in control and defining what the right balance is. But, in the short-term, we must explore an exercise every possible way to protect livability. That being through tightening of nuisance laws and their effective enforcement and also declaring other special impact areas in addition to the three that are identified where there is a basis for oversaturation, incidence of crime, traffic, litter noise, and other types of incidences that deteriorate from neighborhood livability. We are very concerned about how we, as a neighborhood, can meet a very ambitious 30-day review process. And I think what it really is going to come down to three elements of cooperation, coordination among the city bureaus, and communication that will determine the success of this program. And the message that I have from our neighborhood is that nwda is committed to working with the city under this process, and in the long-term, we are committed to seeking legislative changes that will bring about real, meaningful change. Thank you.

Katz: Thank you, marty.

Arlene Kimura, Hazelwood Neighborhood Assn.: Thank you very much. Good morning, I am arlene, and I am with the hazelwood neighborhood association in east Portland. We have just begun our process of looking at this liquor licensing issues, as in the past, we do not have a very large commercial area, but the extent of the commercial areas are, are developing more and we are getting more establishments other than the ones that we have had for years and years that are serving liquor. We have gone over this procedure. My board has reviewed it. We have talked to commissioner Francesconi's office, and I must say that mr. Sanderson has been extremely helpful in giving us information for making full judgment on what we consider information we need to make a correct judgment. We support the city process as is lined out. We are actually frankly very uncomfortable with the time frame, but I think that everyone is. And we are urging that the careful monitoring and the possible legislative thrust be still kept open. With the office of neighborhood involvement, have asked that we work with him, and I think that we will. Frankly, in terms of our scheduling, I have special meetings all the time, so I have always am quite used to that, but for a lot of neighborhoods, this is a really big change, and I think that, that we will have to respond as best we can, but I do hope that this, this proposal gets passed and that we do the monitoring. I support the, the process of involvement because one of the big issues that we have had is we have not been able to get enough information in a timely manner, and with the police bureau being the point on this, we feel that that would be a better way of addressing issues that we don't always hear about. Specifically, in regard to how many calls that they have had or noise issues. And we ask that the city go ahead and monitor this and implement this process and give all of the neighborhoods involved in trying to get us into the transition. Thank you very much.

Katz: Thank you. Anybody else, Britta? Anybody else want to testify? Questions by the council? Let me be parochial for a second, mike sanderson, in northwest, we had rules with regard to one establishment about closing at early hours. Has that sunset, or --

Sanderson: The individual location is closing at the prescribed 1:00. Others, however, that followed suit involuntary -- and voluntarily agreed to close at 1:00, now believe that enough time has passed that there is no longer a need.

Katz: And tell me, when that happened, roughly.

Sanderson: I became aware of it about seven, eight months ago.

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Katz: And I want to tell you that about that time, things have dramatically changed in the neighborhood. It is almost every night that we, we can hear loud, I can tell, 11:00, and then 1:00, it goes through the night, and it just happened recently since our work here, things really calmed down dramatically in northwest. Wanted to let you know that. Okay. Roll call.

Francesconi: This is a very creative effort on behalf of our bureaus to, as they say, make lemonade out of lemons, that the jury is still out on how sweet the lemonade is going to be. Now, one of the my suggestions, one of the suggestions that I would like to make is if we could get a six-month report, probably to commissioner Saltzman as to how things are going and then a formal one-year report to the city council, I am not going to make that in the form of a motion, but that's one of the suggestions that I will make. I actually think that there are three items in this that make it towards lemonade, and the first is, for the first time I think that it gives citizens more input on what the police recommendation is going to be to olcc. So, the police won't operate, not that they did, necessarily, but the guidelines, the criteria for the police recommendation are changed in that if there is significant neighborhood opposition, then there cannot be a formal approval -- a favorable recommendation. That's a big change in my view. It gives citizens more input on a very important criteria that olcc takes into consideration. The second is, it clarifies -- it actually creates an advocate in the right bureau. The bureau of neighborhood involvement for the citizens. A formal advocate, and an organizer for the citizens. And as commissioner Saltzman is seeking to kind of redefine and strength the roll of the neighborhood involvement, this fits right together with that. I really appreciate the words of Sharon towards Mike Sanderson because I think that he's been underappreciated and Judy has also performed that role. Mike has done it for a whole lot of a period of time, but frankly, he's been doing it, you know, where we make a record -- the bureau of licensing makes a recommendation, it is kind of hard to also be the organizer and advocate and et cetera. It creates a conflict in roles and responsibilities. This clearly creates an advocate in the right bureau to help the citizens prepare and organize. Which brings me to the third point, which is also a cleaner process in that the people making the decision, olcc, are now going to be put in a position that they have got to deal with the citizens in the neighborhoods instead of using us as a buffer. Has been very frustrating to me, personally, over the past four years in many of these cases where I have gotten personally involved, my staff has gotten involved. The bureau has gotten involved at the expenditure of a lot of resources on behalf of the city, trying to negotiate on the paragon, on Cleo's, trying to get a good neighbor agreement, and then I don't even know if the decision is final. If we make all of those decisions and then that's the way that it is going to be, then maybe it justifies it, but given the system where somebody else makes the decisions and we do the work, doesn't make a whole lot of sense. Now, having said that, I do believe that that -- there are some legislative changes that need to be made. The 30-day window is too short. We do need to look at this issue of neighborhood saturation, as well. Because, it is unfair to some neighborhoods. But, we also have to build a broader statewide coalition on this issue. The other tool that we have out there that hasn't yet been mentioned is our chronic nuisance ordinance, which we can use. I actually spoke to Madeleine, who is more familiar with this, than I, as to does that need any strengthening, and the answer is no, it is plenty strong. The problem is that the documentation ahead of time leading up to the chronic nuisance, which brings me, again, to the neighborhood involvement office, and this is, I haven't had a chance to talk to you ahead of time. But, if you can talk to Madeleine and the police as to can you play a more active role in documentation on the chronic nuisance ordinance, not just on liquor cases, but on other kinds of cases, to help citizens do the documentation. I actually was involved with this before I was in office, and the hard part is the day-to-day work it takes to do the documentation. Finally, I guess I just want to thank a few people. Again, it is an amazing effort. The police and licensing have cooperated for the long time, but the degree of cooperation here among everyone is to be commended, so let me thank the following people. Brian Steed, Nancy Ares and Mindy, who did tremendous legal work for us. Captain Gym Ferrars, Marcia Palmer, Art Hendricks, David Lane, Frank Dickinson spent a lot of time on this, Jim Wadsworth, Lieutenant Larry Cochever. Sharon Ward and

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arlene and many other citizens who gave input on this because of their input, we extended the notice requirement from 200 feet to 300 feet, and that just happened this last week. Christina germane from my office, but I would like to especially recognize in conclusion, mike sanderson for the work that he has done in forcing the law and at the same time, helping our citizens in protecting our neighborhoods. Thank you, mike. Aye.

Hales: Aye.

Saltzman: Well, i, too, want to comment the city staff and people in our offices and the bureaus who have worked to woman come up with, I think, is the best situation that we can do under very trying circumstances set forth to us by the legislature. And I just want to say that I think that we all have to sort of buck up and really embrace this with the most positive approach that we can because I don't think that, frankly, I mean, if the legislature doesn't change leadership, this is the same legislature, that will be in session that gave us this law, so I don't think that they are going to be real sympathetic to giving us more time right away. Especially as somebody pointed out at our briefing, they are not too sympathetic to a city coming down. They are asking for more time when they haven't had time to make this process work or fail, so I think that we really, you know, we have got to take the best, we have got to make the best of the situation and I think that how we approach this and our attitude will really be pivotal in that regard. So, even though we are not happy with the time line, you know, you can step back a step and say, there is certainly nothing wrong with the government trying to do something quicker, and that's really what this is about, even though we may not think that it is giving us enough time, that's try to do something quicker. And I think that the track record will develop and we may build the case and may be able to take that to salem. But, in the mean time, as commissioner Francesconi says, I do sort of relish the fact that now the liquor commission, itself, is going to have to involve itself more in these issues because our citizens will, no doubt, be appearing more and more at their meetings on these license renewals or issuing of new licenses, and I welcome that. I mean, these citizen appointees need to see that. And need to live in our shoes for a while. So, this is a good thing, and I think that it is going to serve us well. Aye.

Sten: It is a difficult situation, and I do appreciate all the work that all of you have done to try and put this new approach together and hopefully it will work as good as it can given the circumstances, aye.

Katz: I would like to add one other thought in terms of the noise issue. This was also debated in the legislature, and we are constantly hampered with our ability to deal with this issue. A lot of the liquor license issues are related to serving people who are intoxicated or underaged or fights in the parking lot or shootings in the bar, in the tavern, and legal activity -- illegal activity, but there is a component there, that's beginning to really be an irritant and has been for a while, more in some neighborhoods than in others, is, as we grow in our neighborhoods and as we build a multifamily housing and additional units in the community, there are more people who are impacted by the loud noises after people leave the establishment. And it is as they go to their cars, screaming at one another, and sometimes using foul language, but very loudly, carrying on their activities on the streets, it is impacting the livability of people in those neighborhoods who happen to live very closely to a main street or a town center or a main thoroughfare. I don't know how we get to that. I don't know how far we can stretch the chronic nuisance ordinance. I don't know whether the noise task force is going to be looking at that. I would recommend that they do take a look at that to see what we can do especially in communities that are, that are impact areas with a lot of establishment, and a lot of people hitting the streets from 11:00 to 2:00 to 3:00 in the morning. But, having said all of that, this is, I think, we have made lemonade and we will be monitoring it to see whether we need to go to the legislature and ask for major amendments or some tinkering in terms of the time line, aye. Thank you. 1342.

Olson: Should we do the regulars since it is 11:00.

Katz: Okay. I don't know if there is anybody, just, just -- Let's come back to it then. All right, regular agenda, let's see what we have here, do you have people coming?

Sten: I was going to say a few words.

Item 1367.

Katz: Commissioner Sten?

Sten: Thanks, mayor. We had quite a few agendas so I decided not to make a recommendation but it looks like this is a financial transaction, but it is a very exciting one. I think that most of us were called, except commissioner Saltzman, a couple of years ago right before dan on got the council, we had a lot of controversy around our preservation ordinance and how we were going to try and address the issue of losing old buildings in the city that are affordable housing and have been for a very long time. One approach that we took was the preservation ordinance, which, I think, is a lot of controversy, sometimes it got overlooked, only dealt with 100 buildings in this city that were under a specific type of federal contract, and that ordinance has been amended and seems to be working well. We saved all nine of the first nine buildings that have come up under that ordinance, and we actually have a compromise that, that our opponents now are comfortable with. I wouldn't say that they love it, but they can live with it. And what came up during those discussions is that, a very great message from the private sector, and particularly two people who aren't here, ted gilbert and gary brenke, who came to me and said, we ought to be more proactive in saving these buildings and we really ought to go out and try and create friendly transactions for buildings before they are in crisis, and to make a long story short, ted and barry and a group of other private folks have joined up with the city of Portland and the housing authority and created a nonprofit, called the preservation trust. That preservation trust will be privately run and privately managed under a nonprofit license but it will have kind of an auxiliary or a collaborative relationship with the housing authority, and what they will do is go out and use their contacts in the private sector, try and help us find buildings that could be mutually bought at a good price, save them now before they are in trouble, and we hope over time to be able to save at least 500 units a year, is my hope, over time, which I think is kind of, in a lot of ways, the missing piece in our housing strategy because we are doing a great job of building new buildings, but if you are losing them at the same rate you are building them, you are staying even and sometimes you are not even doing that. And the city's role in all of this is the housing authority is going to use their bonding capacity as the underlying permanent financing for these buildings. But, that takes a long time and that can often -- you may often want to wait. You may not want to sell bonds this month because the rate isn't good or something, something, you want to have economies of scale, so bank of america stepped up and offered to put a line of credit in place that would be immediately accessible to the preservation trust, which also allows them to buy quickly because the idea is if a building comes on line, there is a price that the owner can agree to, at the rate that the government closes transactions, you can lose the buildings. So, bank of america is prepared to finance 100% of building acquisition, which is a little unusual, and the city of Portland said that as long as the housing authority signs off and says that they will finance it, we will guarantee the interim line of credit, so it is a bank of america, city of Portland, housing authority, private sector deal with the preservation trust, so it is a little bit complicated but I think that it is very exciting and they are not here, either, because I didn't know exactly when this would come up and I didn't want to have the group sitting around, I thought that they should go and look for buildings, instead, if they had an hour to spare. But, I did want to thank the folks and the mayor's office who really dug into this and mayor Katz made a decision in the budget that this is something that, although I don't expect that will take any cash out of our budget, does obligate the city of Portland, and she gave instructions to them to make this happen, so I hope our next presentation will be the first set of buildings that we have saved about a year later. So, with that, that's what this is.

Katz: Anybody else want to testify? If not, role call.

Francesconi: This is a terrific deal. The fact that there is no testimony should not take away from the work that's been done. This is by ted gilbert, mr. Breneke and commissioner Sten and everybody else, the housing authority and may think bank of america, getting the private sector more engaged with

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this issue, with the city trying to get support, is a terrific accomplishment, commissioner Sten, and will help our most vulnerable citizens, aye.

Katz: Commissioner Sten, you august to be congratulated on that. It is thinking out of the box. It uses the tools that we have available, but it puts it together in a different way, and it is going to work. Thank you very much. Aye. 1368.

Item 1368.

Katz: Is carolyn here? Noticed you were busy working. Would you pull up the mike closer to you?

Carol Lynn Drennen: Sure. Mayor Katz and members of council, my name is carol lynn drennen, and I live in the columbia river gorge. And I am here today to address the city council regarding a problem at the Portland airport. No one should have to experience what I went through on may 19th of 2000 at pdx. In my wildest dreams did I ever think that I could receive a ticket while actively loading luggage on the lower level at the Portland airport or for any airport, at that matter. With all of my travels, and I do travel often, I left the airport so angry that evening. I am on a mission now to make sure that what happened to myself will not happen to anyone else. What is ironic is that the more people I speak with about my incident, the more stories I receive from others that have gone through similar problems at the airport. I knew that evening that if this happened to myself, if -- it, for sure, is happening to others, and boy, was I right. In a matter of three minutes or less, my husband loaded, by himself, his carry-on suitcase, one, 75-pound box, went back into the terminal to retrieve another 75-pound and 145-pound box. That is when I was approached by a very rude traffic officer, yelling at me to keep on moving, lady. And threatening me that he was going to write me a citation. He did not care about anything. Did he offer to help? No. Were there any staff at the airport in the baggage claim area to help? No. What more can one do when traveling alone than to carry out what they can at one time and using a smart cart to add. We all know that you are not allowed to leave your luggage alone at the baggage claim area unattended at the airport. We did the best that we could that evening under the circumstances. The easy way out was for me to pay a \$25 ticket. But, I couldn't let myself do this as I knew that this was just plain wrong and the behavior of this traffic officer was unacceptable. Today is my fourth day away from my office regarding this issue with eight hours of travel time. The first trip was to plead not guilty to a judge regarding the ticket. The second trip was to appear in front of the judge who basically told me to read the signs, loading, unloading, immediate. According to the judge, immediate means exactly that, 30 seconds or less. Immediate. As he stated, I was not immediate enough. My third trip when I came into Portland, was with a news crew and we went to the airport to do a story on my incident and to share with others the existing problems at pdx. Today, as I sit in front of council, it is my fourth trip into Portland. Everyone in hood river that I speak with tells me that I am wasting my time today, that nothing will be gained, well, actions speak louder than words. Are they write? Well, only time will tell. Open your eyes. This is not just a city of Portland issue. Nor just a port of Portland issue. If both offices do not join and have meetings of the minds and fine tune the issues at the airport, within the next five years, as traveling in the northwest increases, this area will be a total nightmare. We, as a whole, need to realize that this is both a city problem and a port problem. If the port cannot hire a staff that is courteous and helpful for all of the tourists and passengers visiting our area, and visitors will want to return and tourism will be affected. I have heard that these issues have been addressed before council before and one can address these issues time and time again as I am doing today, but if no one will take a stand to correct these issues, Portland will 23409 not be the special destination site that it is today. I know for a fact that if I was a tourist on may 19th, 2000, visiting Oregon, I will never return. The port of Portland needs to understand that the project that they took on in expanding pdx was just as stressful to travelers as it was for them. Management should have stressed to the employees while this expansion was taking place to be extra helpful during this period. With one level closed and one level open, you had twice as much traffic in one area. Now, that the project is near completed on the lower level and tourism is on the increase, a staff must be trained accordingly to treat each and every traveler with the best service available. A

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system needs to be adapted to allow passengers to receive their luggage without receiving citations. A system needs to be adapted to allow the hosts of guests to have a place to park for 15 minutes or so at the baggage claim area, which would give people the opportunity to greet their guests in a system -- and assist them with their luggage, as there was metered parking down below before the expansion started. And I am very concerned and thank you for your time.

Katz: You made a trip to my office, as well, I think, carol, and --

Drennen: That was last week.

Katz: Last week.

Drennen: I missed your meeting by two minutes.

Katz: And we, we did contact the port of Portland. Let me tell you I got an e-mail yesterday. As a result, this came from lisa clancey, regional affairs manager of port of Portland. As a result of carol's communications with our aviation director will be sending carol an apology letter and refunding her fine. We have begun an internal investigation of the incident and are developing new policies for our parking control representatives regarding citations, which we believe will be more user friendly.

Hales: Sounds like you didn't waste your time. Thanks for doing this.

Drennen: Well, you know, and it is sad but I did get a call after all of these trips in and all my correspondence with the port of Portland, and all of the other important individuals that I felt needed to be contacted, and nobody called me back or showed any concern until I got alaska airlines involved and your office and I did get a call on friday offering to pay my \$25 ticket, and I told them that it wasn't necessary. It was too little too late. But again, I appreciate your time. I just want -- I deal with a lot of tourists in my business, and you know, this is a special area, and I knew, like I said, if it was happening to me, it was just so terrible that night, I left so bitter, so bitter, and that's not why I live here.

Francesconi: We appreciate you doing this. But I think that if you can take some satisfaction from the issue, the fact that they are going to institute the training, so you should feel good about that, that you did that.

Hales: And from my experience here with our own employees, it really does take a citizen making an articulate complaint before the people in charge, in other words, the port or us, depending on whose employee it is, often can really have the pressure to make the changes. Maybe we should get to it instead of after the fact, but what it often takes, we worked a lot on our building permit system here in terms of that customer service attitude, and frankly, it took people complaining to, to get us to make the changes. So, you really have done a lot of people who you will never meet, a service in terms of having them avoid that kind of incident that you had to experience. So thanks.

Drennen: : Thank you.

Katz: Thank you, carol. Okay.

Olson: We have someone else who wanted to testify.

Katz: Come on -- yeah, we usually don't do that, but we will -- I will ask the question, is there anybody from the port that wants to respond?

Olson: Yes, ma'am, there is.

Katz: Okay.

Sam Fowler, Port of Portland, Int'l Airport: And I will be brief. Mayor Katz, commissioners, I will be very brief. I am actually I am here to -- I am sorry, I am sam fowler and I am senior manager of operations at the Portland international airport. And I have spoken with carol and we are basically here to agree with carol, I mean, one of the things that we work very hard at is to make certain that everyone is treated fairly and the things operate efficiently at the airport. We deal with 3 1/2 million people. I am here with additional port staff. Our staff has been trained throughout the year for customer service. When you handle that many people, unfortunately, you may have these type of incidents. We have, in fact, initiated a brand new training program for our staff, and I was the person that carol spoke with last friday. Not to offer to pay her the \$25 because we thought that the money

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was not the issue, but simply to let her know what we were doing, so we have, in fact, initiated those measures that he spoke about.

Katz: Thank you. Okay. I hope that we can move on this. All right. Item 1342.

Item 1342.

Denise Kleim, Office of Planning and Development Review (OPDR): Mayor and council, I am Denise and I am with the office of planning and development review. This request as to increase our revenue for mechanical permit fees by 15%. This is the last of a series of our fee increases, and it comes to you delayed from the other fee increases because we were working with the industry to resolve issues or concerns that they had with our increases. You just were handed a letter from the Oregon plumbing, heating contractors association, articulating their concerns in general terms. Basically, what we have come to in the proposal before you today, increases the commercial fees by 15%. But, leaves the residential appliance fees at the same rate that they are now. But, because we are now under direction through the state, through the tricity building industry service board to change our fee methodology, there is an impact on new single family residences. That, unfortunately, can't be avoided. Our current fee schedule gives that sector a package deal that is not in the new fee methodology. So, there is an increase, although there is no increase for remodel alterations, those kinds of projects, bailiff the new methodology, unfortunately there is an increase for a new single family. We have spoken to the home builders and they are aware of the impact of that. Our current recovery rate for mechanical permit fees is only about 60%, so even the 15% fee increase, we won't be up to 100% on this program.

Katz: Questions?

Hales: Thanks, Denise.

Katz: There is nobody here to testify, roll call.

Saltzman: Good working, and working with the industry, aye.

Katz: Mayor votes aye and we stand adjourned until 2:00.

At 11:05 a.m., Council recessed.

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Item 1369.

Katz: What we will do is we will get the report presented to the council on the reasons for all of the denials that you have made. And then we will open it up for testimony. And if you have any other way that you want to help us organize it, jim would be more than happy to hear from you.

Jim Wadsworth, Director, Bureau of Licenses: Mayor Katz, city council members, I am jim wadsworth, the director of the bureau of licenses and my capacity today is the chair of the taxicab board of review. The city ordinances require safe, convenient, reliable, available, and affordable ground transportation. Safe, referring to the public. The driver of vehicle safety, convenient, referring to the ease of the service, available, referring to the accessible to all who wish the services. Reliable, referring to 365 days, 24 hours a day. Affordable, referring to rates commensurate with the type of service provided. Balanced regulation insures the above and at the same time, allows companies and drivers the opportunity to be economically viable providers. The city uses the convenience and necessity method of regulating taxis, a method used by 80% of all regulating cities. The best achieve the intent of the ordinance for the city, public, and providers at the best cost to all participants. In addition, to a study is performed to measure and analyze the demand and supply aspects of ground transportation services. The 2,000 by annual study showed no need new companies. They are allowed to apply for a permit, an existing already permitted companies may apply for additional vehicles in spite of the findings of the study. As Portland has grown and become a regional center for ground transportation, the providers have changed as well. The 2000 demand study also bears this out. All permitted Portland companies serve the region beyond our city limits. Since 1990, vehicles have increased by 60%. 9 drivers have increased by a net of about 60%. That's a net increase with an annual turnover rate approaching 50%. Since 1995, the introduction of new types of ground transportation services, such as the presently unregulated executive cars and shuttles, the expansion of medical transportation providers, the regionalization and growth of the Portland area, the increase in tri-met service and max ridership and the change in the way that services are provided by companies due to the region aspect and by technology advances, such as computer dispatch, global positioning satellites and cell phones, have greatly changed Portland's ground transportation system. In the year 2000, we currently face the following risks. Supply exceeds demand. Pending transportation changes, such as the airport max, will affect ridership. Economic viability of drivers and companies is threatened. Unfair playing field exists for all providers. Drivers are working longer hours for less pay. Vehicles, drivers, and public safety exposures have been increased. Noncompliance is more tempting, which undermines regulatory efforts and those that are complying. And our service quality is at risk of deterioration. The taxi board has appointed several subcommittees to deal with the issues facing ground, the ground transportation system. To mitigate these risks and help change our regulatory program to deal with the future. The taxi board has reviewed all the requests for which council here feels today. The board denied the request based on the 2000 study and in consideration of the risk, as I mentioned earlier. The taxi board asked that council support the board's recommendation that no additional new companies or new vehicles for existing companies are required at this time.

Katz: Do you want to very quickly go over the 2000 study, or have john --

John Hamilton, Taxicab Regulator, Bureau of Licenses: I am john hamilton. Bureau of licenses. There were some conclusions and recommendations we had that reported at the april meeting of the taxicab board of review. And the first one was the taxicab supervisor recommends that the board remain open to the possibility of expansion, even though the studies showed that there was no need for cabs at that time, at this time. Pending the completion of the by annual review with the details of all of the statistics that we gather in measuring the environment, such as airport traffic, the items with regard to the conventions and convention delegates. Traffic patterns, transportation patterns, as it

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relates to tri-met, and there are a total of six all together that measure the environment, and the 7th one measures the utilization within the industry. I recommended that the board, second, I recommended that the board establish a subcommittee to investigate ways to promote the objectives of integrating efforts and having taxicabs become more like paratransit services, by networking between the city, tri-met, the airport, other public agencies and private organizations. If I could just make a comment on that. The taxi industry is, as more and more demands are being made on it, many people feel that we need to, to get more in a partnership mode rather than in a regulatory mode. And we figure that the regulations, the compliance issues, a lot of that can be taken on by the industry, itself, and the code, in fact, states that that should be the case. Other things would require just direct enforcement, and I don't want to go there, I will stick with my four things. I recommended that the board establish procedures to formalize ongoing cooperation among city, tri-met, and airport officials on the nature and coordination of the respective missions, responsibilities, regulations, and expectations. One thing that -- one thought that comes to mind is a lot of duplication is going on with regard to regulation, and in order to make administrative costs, as well as possible, we could stop the duplication, it would be a more comprehensive plan for everybody, as far as compliance and regulations go. And finally, I recommended that the board resolve to support the bureau of licenses investigation and recommendation to the board and city council regarding the possible station of other existing city agencies, other government agencies, and industry drivers and companies to enhance monitoring and enforcement of, of -- With me, also, is michael, who is our driver representative on the board, and michael has a few comments about some of the things that we mentioned. Michael.

Michael Tolley, Taxicab Board of Review Driver Representative: Good afternoon, mayor Katz, members of the council. I am here in my capacity both as a member of the taxicab board review and as a representative of the drivers, is a happy coincidence from both perspectives, I am able to say the same thing to you, that we do not need more taxicabs in Portland at this time. I would ask that you support the taxi board's recommendation for no additional cabs for the following eight reasons. One, the by annual study on page 4 found that, quote, few, if any additional cabs are needed," close quote, at this time. Subsequently, 65 taxicabs and an increase of 20% creating an oversupply that exist today was created. The innovative service that was promised failed to materialize. Two, this year's by annual taxicab summary report concluded that, quote, the current taxicab supply exceeds current and anticipated demand over the next two years, close quote. Three, the taxicab board voted unanimously nearly to deny permits either to new companies or to approve additional permits for existing companies. This followed a procedure with all of the board members reviewed the applicants on nine criteria. The possible score of 360, the highest score among any of those eight companies was 217.7. 60%, a failing grade by any measure. In your packets before you, you have the results of a survey of drivers that was done in may and june of this year. It shows that by ratio of better than 30-1, drivers in the city feel that there are enough cabs at this time. 20% answering that there was the right number. 77% that there were too many cabs. The results of this survey were reinforced just yesterday when I spent six hours talking to exactly 100 drivers from the pour companies, 52 from broadway, 42 from green, 12 from Portland, two a man, and woman, each told me that they are so economically pinched and work so many hours that they cannot conceive of having any more cabs on the street to have to compete with. Five, the number of taxicabs cuing up at the airport has nearly tripled from two years ago from figured supplied by polly nelson and this year from dean robbins, who, respectively, the commercial roadway managers at the airport. It is not uncommon now to find from 5020100 vehicles wading up to two hours to get a trip out of the airport. Many of these drivers, talking to them yesterday, told me that the reason that they work at the airport is because their companies do not have dispatch business to entice them out of the airport. Six, the two new companies that entered the market in 1998 need time in the board's opinion, to settle them and have an opportunity to succeed. Number seven, the board is in the process of writing rules that will make us better able to readily identify the permitted vehicles in the city and make certain that only the allotted number of vehicles are on the

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street. Eight, the addition of additional permits at this time will cause drivers to work even longer hours than they now work. Sometimes, 16 to 18 hours a day, which would pose a risk of safety to themselves and to others. Drivers who have been on the road for 18 hours would present a clear and present danger to the public, health, and safety. Those are the reasons. But, there is one more reason that is, comes from the heart. There is, among you, a commissioner, whose dad was a taxicab driver. And that commissioner, perhaps, had part of his college education paid for by money earned driving fares about the city in which he worked. Allowing him to get a college education, leading to a career, allowing him to sit on this council. There are 650 folks out there who have driven taxicabs with hopes and dreams, many of them with kids, many of them wanting to put their kids through school, and one day, perhaps, see them sit on a city council. That's not going to happen if you put more cabs on the street and make these people, who now work three, sometimes four days to pay their kitties with a little bit left over to live off of, to put any money aside for dreams, like college. So, I would urge you to vote to uphold the position of the taxicab board review.

Katz: Thank you. Questions? Go ahead.

Saltzman: This is my first time through this process, so maybe bare with me a little bit. But, I guess I am, I am trying to reconcile the fact that you have two new companies now, and I think that every one of the existing companies asking for more permits. And okay, these are businesses, they have to make a profit or they don't survive. Somehow, they have found that this is, I mean, they want these permits, I guess, because they feel the business is there, and yet I am hearing what you are saying, on sort of behalf of the drivers, so I am trying to reconcile that, and maybe I am not going to put words in anybody's mouth, but I guess the conclusion I am led to believe is that these companies are so insensitive to the plight of their drivers that they don't care? Is that the right conclusion? They just want more permits and the drivers, how many hours they work?

Tolley: I wouldn't care to accept that particular characterization about the companies, but drivers do feel, to a large extent, that the companies are mostly interested in profit. One thing that I think you might hear today is that by allowing more permits, you would be, companies would be creating jobs. They are creating jobs -- a job is a place where you can get health benefits and where you can get vacation pay and where you can build up money for retirement. Folks that drive cabs in most companies simply pay to rent a vehicle and in many cases, they are on their own to find a way to make that money. I don't want to lay this on the companies, but I think that drivers who are on the street have a better idea of how many hours, how hard they have to work than the companies do. And the folks at the companies sit in offices, drivers are on the street. I have seen, as a small example, on saturday night when I was finishing driving, there were eight cabs lined up in front of a single night club in downtown Portland. Hoping to get a fare from there. Imagine being the eighth cab in line and hoping to get a fare. I mean, that's -- obviously, a very focused example, but, you know, I know the companies need to make a profit, but that's four companies, or six companies making this application over here. There is 650 microenterprises that are the back-bone and allow these companies to exist over here, that are on the other side of the equation.

Francesconi: There is also a couple of other things. This is really a tough issue, commissioner Saltzman, but there is a couple of other things that are operating here, and that is some of the smaller companies would -- will tell you when, I am sure, that they need more permits in order to be able to service the whole city and just do things. So, I think you are going to hear that from some smaller cab companies. That's, that's one factor. The thing you are going to hear from some other companies, I think, that efficiency of operation and that by adding more things, they can do more. So, there is that, that other add issue, as well. So, it is a complicated, and then there is another school that can say that by opening up more opportunities, we get more people an opportunity to compete who have no other options.

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Katz: If I recall correctly, I had a concern how many years ago it was whether a small company with, let's say, ten cabs could, in fact, develop a dispatch system and cover the whole city, and did that ever occur?

Wadsworth: I believe, mayor, that the smallest company that we have right now is 17 cabs. We have another company that has 19, and then one that has 26, and we jump up to 50 --

Hamilton: 48.

Wadsworth: 48. And then we have two that have 126. One of the questions that we raised in the council work session was the expanding regional aspect of Portland and how far flung things are now, and the fact that particularly from the airport all of our companies are going to service other cities. Our region has become more regionalized, and we have, we have a, a, a system that, no, sir looking at the city of Portland. As those companies pick up more business, their cabs get more far flung. It is more difficult than to bring them back and to service other areas. Those are things that from a regulatory program standpoint, we need to -- we need to look at and try to work our regulations up into that realm --

Katz: That wasn't the question I asked. Are they involved -- do they have --

Wadsworth: Could they service the whole area?

Katz: No, do they have a dispatch system now to service the city?

Wadsworth: Yes. Each company has a dispatch service. We do not have a city dispatch service as we have with the tow desk. But, each company provides those dispatch services. John, do you want to --

Hamilton: Mayor Katz, council, the smaller three companies, actually fall into two groups. Sassy cab, is one of the rather successful companies, and I think one of the reasons for that, although they are allowed to operate 17 cabs inside the city of Portland, they have a total of about 35 cabs, and most of their work is done out in Oregon city and clackamas county. And so, their request was just to let more cabs come into Portland as they saw fit. But, they did not appeal the board's decision. The other part falls on Portland cab, who have 26 and 19 cabs, yes, they do have dispatch systems. Honestly, I recall your at the same time, mayor Katz, and I think that you had said that, in fact I agreed with you then, and I agree with you now, you probably can't do the city justice with fewer than 45 or 50 cabs. So, even though they have got a dispatch system, I feel in many ways, they are in a catch 22. You can't grow until they have more cabs. They can't get more cabs until they have the business.

Katz: Well, and the other catch 22, and I just saw it the other night, I asked for a specific cab company for a specific reason, and I got another cab company and it was a call button at a hotel that only called one company to come out. So I don't know how you can develop a healthy dispatch system when at least in the area for tourists or dinner guests at a hotel, there's one button that you press.

Hamilton: I want to respond to that --

Katz: And the woman at the desk did not understand what I was talking about.

*****: That was --. [laughter]

Hamilton: The smaller companies cannot compete with the small amount of cabs that they have. Green cab probably has enough to compete. They are trying to get their feet, you know, they are trying to recover from their newness of the business. I don't think more cabs are going to help them. But, Portland and the inner city cab have been in business for a long time since the '70s. They don't have phones and hotels, et cetera. But again, if they can't -- if they don't have the cabs, you are going to hear them testify about this, because I have talked to them over the past week. How can they get contracts if they can't promise that they will have the supply to meet the deal. The details of that, I would like to leave up to the individual companies. But, I want to return to something else that I talked about earlier, and that's integrating the efforts with, and I mentioned, pulva, also included in that is with the downtown hotels. That's an important issue both with regard to taxies and town cars, or executive cars. So, we do have a game plan. We have a plan to, to improve the industry and to improve the cities and tri-met's involvement and airports and other agencies, and we do believe the

competition is the thing, but we need to get these, you know, they just have to get bigger before they can compete. And they say competition is what they are supposed to be doing.

Saltzman: I guess, I just want to follow up on that. It seems, if we grab a franchise to a company, I don't know if that's the right term, whatever the right to do business as a cab company in Portland, and one of the requirements in order to get that franchise is that you provide city-wide service, and yet we are all saying, if you have 17 cabs, you can't do it. Shouldn't there be some obligation on our part to make sure that those companies get to the critical threshold of cabs so that they can, in fact, fulfill their -- what they have said that they will do?

Wadsworth: Commissioner Saltzman, you are absolutely correct, and that's one of the things that we mentioned at the work session was that our regulations have not kept pace with the growth and the demand and how we need to do business in the city of Portland. We are still operating where we could probably have said, yeah, if you put a cab company out there with 20 cabs or 19 cabs, yeah, they probably could make a good run at it. Our population has increased. We have unregulated carriers right now for transportation providers that have been causing problems. And we have more of a regional picture. We have a couple of cab companies that have cabs that operate exclusively out in the suburbs. We have one company that's trying to utilize their cabs in the suburbs and the city, both. To try to eliminate some of the dead-head runs and things like that. The business has changed. We have grown. We have not kept up with our regulations in how we are looking at the industry with how the industry is having to operate now in this environment.

Francesconi: Commissioner Saltzman, I think you have gotten to the root of the matter quickly. I was going to say this later, but what the bureau's approach, first of all, we allowed 16 new cabs to come in last time, at a time that it was tenuous as to whether we needed more, and it was a new company, not the small existing companies. So one of the things that council has decided, is the biannual study right that there is too many cabs out there? Then, the question, if you say no, there is not, then approaching it the way that your question suggests could be a reasonable approach, but I think that the taxicab board and others, part of the strategy, at least of the bureau, is that we need to take -- there may be companies out there that have too many cabs on the streets than there are permits so, first we have to have a system to eliminate them. Then we have to have some clear criteria by which we award contracts and I think that your point, which I agree with, is giving some attention to the small companies, that can't meet that, perhaps should be a consideration. I think that it should, personally. But, we don't have criteria to make that decision now, and that has to be processed through the system because finally, we need to have a system to -- with some clear guidance as to taking away some permits if things are not handled correctly, as a way of allowing more competition for those that are doing it right. So I would ask the bureau to do all those things and I have also asked them, and I am going to say this later, but I will say it now, I think that we need another biannual study done next year. We need not in two years, we need all of these steps in place that I just recommended, and then we need to revisit the issue with some clear criteria, including especially the issue of how do you reward competition and inventiveness and some of our companies are very -- are doing a good job, but also, how also do you write the imbalance and unfairness for some of the small companies? That's what I say.

Saltzman: So you are asking them to develop criteria that would allow us to make a decision, maybe not this round, but the next round that would take -- that would allow us to take these types of considerations into our decision making?

Francesconi: And quicker. Not in two years, but I would like to do it in six months, that may be pushing it, but six months to a year.

Saltzman: So we could say, six months to a year from now, if there is a new cap company versus an existing company -- cab company, we could state a clear preference to make the smaller company whole rather than giving a new company, bringing a new company in?

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Francesconi: That's right, and I also see -- I think that the thing has been dangerous, and this is my own personal opinion now, but we have had a counsel over a 20-year period, I don't know how long a period, kind of making decisions without sometimes clear criteria. And we need that because this is a complicated situation. And part of the issue is having a taxicab review board with driver representation to make some of those balanced recommendations to us. So, we need that, and we need it fast. Can you do there in six months? [laughter] If council gripes, we will do it in six months. Let's shoot for six months because there is an inequity here, to the drivers, as well as to some of the companies.

Katz: And it is --

Francesconi: Especially the drivers, but some of the companies, as well.

Katz: It is funny, the lack of criteria. We had a conversation here many, many years back, when we just, you know, opened it up to everybody. And stopped regulating it and let the best person. [applause]

Katz: Shhh, and that wasn't looked upon terribly favorably by the rest of the council, and that issue was raised because of all of the complications in terms of the companies and the drivers survival, but we will hear some testimony. Did you want to say anything?

Tolley: I wanted to say, with what commissioner Francesconi said, that I think a lot of us on the board felt that the current way of measuring the criteria and rating the companies, we were much too boxed in, numbers one through five, and with our considering this, and one of the things --

Katz: Not terribly sophisticated.

Tolley: One of the tools that I think that we absolutely have to have is the ability to lower the numbers of permits that our company has if they are not meeting expectations to give them to companies that offer something new and innovative.

Katz: Which is what commissioner Francesconi said. Okay. Any further questions? If not, let's open it up to public testimony. For those of you who have never been here before, how many want to testify? All right. I may start -- I will start with three minutes, and I may go to two, depending on how much conversation goes on between the council and the folks testifying. We will start with three minutes and on your screen, there is a little time to go, and you will hear a little buzzer and we will cut, finish your sentence and we will cut off testimony at that time. There may be opportunities for further discussion, if somebody asks you a question. Okay.

Francesconi: Wait, let me ask a question about process. I think that what this is a formal hearing, and it is actually four hearings, I need help from the city attorney on this, because we have four companies appealing, so I think that it would be better to have the companies, one at a time, make their cases and they may need more than three minutes. I don't know --

Katz: How is it structured?

Francesconi: That's how I would see it, as well, that the companies, and nancy here is our city attorney, has advised us that we need to hear each company's appeal.

Katz: And the company is represented by?

Nancy Ayres, Senior Deputy City Attorney: We have an owner, general manager, pretty much for each of the companies, and then the new company that's applying has their attorney and representation here, as well. So.

Katz: All right, and then nancy, when would you allow those who support the appeal and -- or --

Ayres: I think that they could testify after the applicant --

Katz: After. After all of the applicants have done that.

Ayres: Yes.

Katz: Okay. So let's, let's take five minutes, then, for each application. Is that all right, commissioner Francesconi? Okay. So let's take each of the appeals first.

Francesconi: Jim, why don't you just call them up.

Wadsworth: Why don't we start with the new company that's applying, and that's white van.

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Rick Hattenhauer, White Van Shuttle attorney: Mayor Katz, I am rick and I represent white van shuttle, it is an organization that's, and there is another person with me, loni nola and general manager, chester naught. I will let you, of course, ask any questions that you want of mr. Nola but the concern is, sometimes he gets tongue tied and he doesn't understand english always perfectly. However, on his behalf, I want to say that he's a very investigate man. I represented him for years. He will get his point across if you will bear with him. He's run his small company into a successful shuttle business from the port's airport. During this application process, the review board found he was a viable application. A viable applicant. I will note that the taxicab combined rating sheet voted his company higher than an existing company, radio cab, and it is kind of in the catch 22. It can't get before the market to try to do anything innovative because it is the new company, and if you are not going to add any new taxi companies or permits to permit white van to participate in the market, it will shut down innovation, which is part of its application process. It showed that it would like to do group rides, and not individual taxi rides. It also addressed driver concerns in that it wants to have a situation where the drivers, themselves, will make much more money than they would in an existing companies. Essentially, what white van will do, and believe me, it appears to be profitable, but it will charge the drivers less to drive a white van shuttle. It is willing to be audited on that fact that it will do so. So, the drivers should want to work for white van shuttle because of the economic benefit. White van agrees that this taxi issue is probably a regional -- a regional concept. The city of Portland can only grow so much, but the tricounty region is growing a lot, and that's where white van already has some work in beaverton, tigard, and hillsboro. It has a permit to work in those cities. It needs to be able to get through the city of Portland, pick up fares, if you will, so it is not a dead operation. That's one of the reasons it intends to use vans so that it can take groups of riders. It intends to offer the riders nonmetered fare, so that the driver, so the passengers will be enticed to use it because it will cost them less money to use a shuttle-type of service.

Chester Gott, General Manager, White Van: Yes. I am the general manager of white van. An Oregon corporation, and was to address a couple of issues. Earlier in the year, it was in the Oregonian newspaper, that this was a new window of new opportunity and we have been operating as an unmetered taxi, if you will, for a number of years since 1995, have a lot of experience in that area. Have hauled hundreds of thousands of fares successfully, and we are very familiar with the ground transportation business. We, after the window of opportunity issue came up, we set out to take part and participate in that window of opportunity and we completed every task that was asked of us. We have -- it comes down to a couple of issues, and those issues I would like to address real briefly. One is that we had no experience in the, in the taxicab arena, and that is not true. We operate, basically, the same way, to and from the airport. It doesn't really make any difference what the destination is or the pickup area is, it is ground transportation on demand. The other issue is that we could not find, perhaps, could not find a number of qualified drivers to, to drive our vehicles, and that isn't true, either. For a couple of reasons, there is always people wanting an opportunity to ride. We ran just a small ad just not too long ago, and we were overwhelmed with replies, and I had interviewed over 20 of those applicants and many of them even college graduates, are more than able to fill, fulfill that job. So, just two of the, of the reasons that we were given that we probably could not participate in this, and I repeat those.

*****: Do you want me to make a statement?

Katz: You have about -- you have about 30 seconds if you want to say anything.

Lonny Noinola, President/Director, White Van: I am loni -- loni, and just one, in one meeting I just want to state to the, to you and the commissioner, in 1994 and '95, I am a cab driver for a company in new york city, taxicab. My experience from the cab is working at there, they allow you to work at 12 hours a day for a shift, that gave me like \$4 will you know for them to pay, and I think that that's real too expensive for the driver to pay the company, and it just left very little for me, after the gas and everything, to feed my family. Then in '95, I worked for a small company in new york city. I think

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that they have about 19 cabs. And in six months, I worked with the city, I paid \$400 \$440 a week, that's my cab, my gas, my own airport fee, it is very expensive for it, for the key, and that 100% I work on my own. I never get any phone call from the dispatching that leaves your permit and you do on your own. And if you don't come up with the \$420 or \$440, if you can pay -- your permit is gone. Everybody has worked pretty hard to pay it through the company. This opportunity, if they grant the permit for white van, I want to promote the, the professional working place and I am operating at the white van. All the drivers, they have like a partnership effort -- the company takes responsibility for the vehicle and even airport fee. So, I see the way the public will get the best benefit is from, you know, the company. They must charge the key to the driver so they don't have to work 16, 18 hours a day, that is, you know, for the public safety. We call them as a professional driver and they call them a professor driver but the way the company treats them at charging the key pretty high. I don't see that is very right to do that.

Katz: So what would -- what you are saying, is that your management style will change the way that you deal with the relationship between the company and the driver?

Noinola: Yes, ma'am. It will be -- the key, it will be only \$250, that just cover the insurance and --

Katz: Okay. Questions?

Saltzman: You right now, have a fleet of five vans and you want 40 permits? Would those be for vans or for, for taxicabs?

Hattenhauer: Taxicab, is 40. That's what I am asking for, 40 permits.

Saltzman: This would be sedans, not vans.

Hattenhauer: Half would be vans initially and half will be taxies, initially.

Saltzman: Would they all have the zone fare and the share-a-cab approach or is that --

Hattenhauer: Yes, but practically speaking, the vans work better for that because you can get more people in a van than you can a taxicab.

Saltzman: Is you would have a combination of zone and meters?

Hattenhauer: We will have both.

*****: May I --

*****: Certainly.

Noinola: I decided to have the 50% of the freight -- 20, 20 van, I am planning that the people, to and from the airport, the people in the suburbs, be on the fare and the people going from hotel to restaurant from their home to use the meter like a regular taxi.

Katz: Further questions? Thank you. Jim.

Wadsworth: I am not sure if the other new company is here. They did not let us know that they would be here. It was cladel doing business as pdx taxi.

Katz: I am sorry. I was --

Hamilton: I do not believe that the other company that applied is here.

Katz: Cladel pierre taxi.

Wadsworth: All right. We are going to call the four existing companies to make their appeal and we will do it in reverse alphabetical order so Portland cab will be first.

Darrell Cornelius, Portland Taxicab Company attorney: Good afternoon, madam mayor, commissioners, I am darryl cornelius and I am an attorney. I represent Portland taxi and have for years. With me is walter johnson, he's a secretary treasurer of the company and he's also the chief operations officer of the company. Portland is one of the two small companies, as you know, they applied for an additional 20 cabs. They did that so that they could compete with the other cab companies, but more importantly, so that they could broaden the type of service that they provide and serve a larger area. Two years ago, they also applied for 20134 permits. They were denied those permits two years ago, and at the same time, when you granted two new companies a license to operate in the city and those companies were given 65 cabs. The Portland taxi needs to have the additional cabs permits on the streets so that they can provide the services that they want to provide.

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Be innovative and do the things that they have been asked to do by you, but can't because of the limited number of cabs. Mr. Johnson has some prepared remarks. I want to -- I want to turn this over to you so you can tell you from the company's perspective.

Walter J. Johnsen, owner, Portland Taxicab: Good afternoon. Our company is appealing the decision of a taxicab board of review not to issue any new permits because we do not agree with their conclusions that no new taxis are needed. We disagree with that statement because we have to turn down calls every day at our company. As we do not have any cars to cover all of the business that we presently get. Recently, we were not even considered for a tri-met lift contract because we do not have enough vehicles. Our dispatchers have to give calls to other companies daily that we are unable to cover. Our company has been in business more than 23 years. We started with 15 permits. Since then, the city has granted us an additional 11 permits. Five of which had to be accessible vans. Even though they were limited to the fares that they can handle and we get about one call per month for inaccessible van. We are disappointed that the board agreed with the motion to not consider individual companies, company permit applications but simply vote not to issue more permits to anyone. I don't know how they can say supply exceeds demand when there are so many town cars operating like cabs. You may get a cab in ten minutes if you call from the downtown area, but try calling from the deepest southeast or northeast. The taxicab board of review has been making rules and recommendations for years but nothing has been done to help the two smaller companies. We desperately need 20 additional permits. Mr. Hamilton, the taxicab supervisor, has stated in the past that a company should have 50 permits in order to try to adequately serve the city. The city granted green cab 48 permits to start their company. We have been operating with considerably fewer permits and we are not able to adequately serve the metropolitan area or our business in the east county. A taxi regulation state the, and the company will respond to all calls for service in the city limits. The boundaries between Portland and the surrounding communities are being crossed with greater frequency. The biannual report only covers the population in the city of Portland, not the outlying areas. And does not consider state and government contract business. Currently, we cover about 75 calls per day per tri-met medical transportation. We also have a contract with the military interest processing station which ties up nearly half of our vehicles every day. On thursday, july 6th, there was a case where the population in Portland is growing at about one-half a percent a year, and the suburbs are growing at a rate several times that, due in large part to the families with children are looking for larger homes and yard space and are no longer easily found or afforded in the city. The areas that taxicabs are expected to serve are nearly as large as those by service by tri-met. Our company has concentrated on serving the east side of Portland because of our size, only. Our company has been approached by hotels and organizations and we would like to take advantage of some of these offers. And actively pursue new contracts. But without the resources to cover any new business, it becomes an, an exercise in few tilt. When a customer calls and gets told, sorry, we don't have a cab right now, that customer will call another company and the next time they need a cab, they will call the company who transported them the last time that they needed a cab. The city of Portland, taxicab regulations state their purposes to foster competition, but if you cannot cover the business you get, and you cannot grow to cover that business, then competition is going to dry up and then you end up at the airport. With more permits, we could provide so much more service in all the areas. Thank you very much.

Katz: Thank you. Questions?

Francesconi: Just one question, sir. You are very eloquent and powerful on the issue of the small cabs. On the issue of the larger cabs or the total number of permits, you have a, do you have a position on broadway cab's appeal, should we give them more cabs, too?

Johnsen: Actually, I think that broadway has more cabs operating out there. They say that they only use 136 in the city of Portland but we see a lot of the cabs from outlying areas, coming in through the city and you know, this disrupts all of the services, like michael probably raised the fact that one night,

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eight cabs standing there, how would you feel like being the eighth cab. That's not really going to be a right question because you are never going to be one until you are the eighth first. There is lines anywhere you go. If you are going to go to a mass and there is no cabs, it is not being serviced right. There is something wrong. And we just need, in order to comply with what they want to cover the areas, you just can't do it with 20 cabs. There is no way and no how.

Francesconi: If I am understanding your question right, you agree -- do you agree that there is too many cabs for whatever reason on the street, but it is an unfair distribution because it penalizes the small cabs?

Johnsen: I can only go by our company and our drivers, in our application, we have a signed statement by almost all of our drivers that they feel like we could have more permits and it would not harm them a bit. It would keep their leases low. I believe that we have the least amount of -- least paid by company, we are the lowest in the city of Portland. And we want to keep it that way. We don't make a profit. Our company just runs smooth, like it is right now, and we try, but in order to keep business, we have got to service it, and if you can't service it, in the last few years, tri-met has really taken a big chunk from our ability to serve the, the regular people because I don't know where this is leading to. It seems like there is more and more business for tri-met and for other government agencies. They are using cabs like they never have before.

Cornelius: I think that priority, the smaller companies should be given some priority with respect to additional permits so that they can be more competitive and provide the services as a full, full company.

Saltzman: You mentioned that you, you choose right now to concentrate on the east side, exclusively?

Cornelius: Northeast.

*****: Northeast.

Johnsen: Northeast and gresham area. Gresham area is growing very fast.

Saltzman: If you get the additional permits, would you expand your area of coverage or would you still choose to just service that area?

Johnsen: Oh, no. A cab driver goes where he can make money, I mean. Our cab drivers, I don't have hardly any of them that say that they are not making money or they would be going somewhere else, and as far as working 16 hours a day, they don't do that at our company. When a cab driver marks the service, we write his name down and you know, we don't let him work more than 12 hours and most of them don't. Now, where michael is getting his information from, I have no idea because in his statement, he got a, a, I think, a questionnaire, something from 177 drivers, there are over 650 in the city of Portland, 177 is, is, what, about not even a third, and how can you go by what a third say. That third is probably not working and the others are out there working and making their living.

Saltzman: So, if your company gets a call from southwest Portland.

Johnsen: We do cover it. What we do at our company.

Saltzman: You have to as a requirement of having a contract. You have to be city-wide.

Johnsen: We are city-wide. But, what we do at our company, when they call, you talk to a dispatcher. You don't go to a computer, and when they ask how long before a cab, we give an exact time and if we can't get one there for half an hour, we tell them. And if they say, I can't wait, we give them another number. We have been giving them a green cab because they are not on computer systems and they can't talk to a normal person.

Katz: Okay. I am not laughing at you, I am laughing at your comment about they can't talk to a normal person.

Johnsen: If you call, you can find out. [laughter]

Katz: Okay. Thank you. Further questions? All right. Jim.

Saltzman: Thank you.

Wadsworth: Next will be new rose city.

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Katz: Will the -- put the mike toward you when you testify.

Arthur Palmer, New Rose City Cab: Your honor, and commissioners present, my name is arthur. I founded the cab company. My testimony here today, some will reject it, some will -- most will not even like it. I think it is necessary to give this testimony for the council to understand what really is happening in the cab industry. First I would like to think that the commissioners, found time and come to the office and explain our concern, but you are much broader. This is about a whole community. New rose city cab company has received only eight permits, eight permits in 30 years. 30 years, only see eight -- only received eight permits. We believe and the record shows that is because of race itch. That is not taken into consideration. You call the city to be served. By the cabs. That better come down and be addressed to make sure that racism is not a factor to keep a company from growing, expanding. We cannot reach and serve and compete with anyone else because we can't unless we change our color. As I said, we appreciate the time that the commissioners took to hear our concern before we got here. The mayor's office was unable to find the time to talk with someone there, to address our concerns. We know that there is full-time complaints. So, we understand why they couldn't find -- we accept that, anyway, because we know -- that being the case, what I am going to say, would have to be accepted, the only way I can say, I don't have a broad vocabulary. Mine is small. I can say things as I see and understand them. We believe that the recommendation before you is put there put there by a few hands, a few people that are trying to manipulate this council to keep control of the cab industry and keep the segment of the black community out. Or making a livid setting. Here. I spent a big portion of my life in this industry. I know this industry. I spent over 30 years in it. This handful of racism and control industry, I did it since 1946.

*****: We didn't get any more permits until the people on the street could march in and holler about doing justice. 30 years ago. And only because one counselor sat up there that had enough courage to challenge that group, and asked the question, to a radio dispatcher, these companies would not force their drivers to come into the so-called black community at that time, and put our names on posters, upside apes and monkeys, and make us something but qualified to do this type of work. They talked and what happened out there, if a person gets sick in the middle of the night in the cab, I report it to my supervisor the next morning, but did he do anything about it, and he said, give him a permit. That's how we got started, born out of racism and that same group still tries to hold on. And rather than to see new cab companies get any more permits, they said, don't give anyone the permits. They know you are fair minded council, that you breathe inequality. You want equal opportunity. We don't need to keep the issues alive by that.

Palmer: Not to issue anybody permits now because they know that you look at this record, and you say what is this, eight permits in 30 years, is we believe it is because we are black? You are too fair minded for that. And you have to consider to give us permits. So we believe that that issue would have to be built into whatever system, taken into consideration by you to make sure that this is not happening, that we do get a fair chance and share. I am not going to try and address the question about, don't need them. All I know is rose city needs more permits, that's all I can say. And that community can testify to that.

Katz: Thank you. Questions? I just have a question, according to the survey, in new rose city, 93% or 14 of your 45 permitted drivers think that there are too many cabs out on the street right now. Do you want to respond to that? Identify yourself for the record.

Patricia Montgomery, New Rose City Cab: Patricia montgomery, rose city cab company. Our drivers were approached at the at pdx. You can go up to almost any driver at pdx at this time and they are going to tell you there is too many cabs in the city of Portland. The airport is flooded with cabs out there, and our intent is to get contracts to our cabs so they don't have to rely on that service. We went and spoke to our drivers, and they signed a petition, that it was aggressively marketed toward taxicab drivers at the Portland international airport in attempt to bring harm to new rose city cab company.

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The below signatures are drivers that signed that petition and wish to remove their names from that petition for not having the complete details of the issue at hand.

Katz: Thank you.

Francesconi: Pat, let me ask you another question because you are very good in my office on this question. So, can you just explain a little bit about, and you did it, did a very good job about explaining the history. But can you explain a little bit about what you would do if you were given the opportunity?

Montgomery: Okay. I will go ahead and give it. Your honorable mayor and city commissioners -

Francesconi: Don't give the whole speech but summarize.

Montgomery: I am asking you to judge rose city by its own merits, not to lump us as one group, and contrary to your beliefs of free competition. The constraints placed on us has limited what we are able to do with our cabs at this time. The city asked us to be innovative and integrate with agencies and get the services and expand and we have done that at this time. I sat in your office and we brought a contract that a group has come with us for a ride to work program, which would group rides together to provide transportation, such as carpooling. These type of contracts, rose city is unable to handle at this time because we do not have the vehicles to service such contracts. Pps, we had to rescind the contract because we didn't have the vehicles to service such a contract, also. Unless we have the means with the vehicles, those types of services, we are unable to provide, and we are unable to grow. It is starving somebody from growing by not allowing them to compete with the limited amount of vehicles. We have 53 drivers at this time with 19 permits. That's more than two drivers per vehicle. We are a family company that people come and grow with and believe in. They are there because the company provides for them. I am not going to say every time everybody is going to say anything is good and dandy. No cab driver will if they can't go and pick up one fare and go back and pick up another fare. There is always going to be too many cabs on the streets for those drivers. We are asking for rose city additional permits, for us to compete and for us to provide service for these contracts and make our impact in this city.

Katz: Thank you. [applause]

Katz: I will ask you all to leave. This is a deliberating body, this is not a demonstration here. Further questions? Thank you. The total is five minutes for everybody. Did you want to add anything that wasn't said?

Palmer: No, your honor.

Katz: Okay. Thank you. All right.

*****: Thank you.

Wadsworth: Green cab is next.

Tesfaye Aleme, Green Transportation Co.: Thank you, mayor Katz. Today, my -- we have appealed to get more permits because we are told that the appeal is the way that we have been doing in the last two years, everybody knows that we've been doing, we have been permitted the last two years, so from that time, we have seen a lot of increase in our calls and having some problems in our having, you know, the calls. People get delayed from that, at the time that they want to call. But, in the last year, we have seen so many, you know, different things going on in the city. It is a very difficult balancing act at this time. I don't want to be in your position because it is very, I mean, it is very delicate and very systemic thing. If the council decides to give more, we know that we can accommodate from 12 to 15 cabs without restraining the income of the drivers. But, is it appropriate, is it a question that I will give you to answer. This is a very difficult time for everybody, from the drivers, I am a driver, too. It is very difficult for me and you to say what we want to say. At the same time, I want to just give you some brief ideas what we did. We have, we have done, we have promised to give shallow taxi and we are working with tri-met now having -- pulling a cab every day from our fleet. To serve that. I don't blame the other companies for complaining, not being serving, but the way, the way that we identify the cabs that are permitted in the city is not clear. So, things must be

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cleared up before, you know, anything is taken care of. I think that I heard that when commissioner Francesconi was commenting with six months everything would be, you know, everything, all the rules should be coming from the city, we are just -- I want to mention that the city or the council consider these things and in the future for us, too, if there are any addition, we will be happy. We needed more. If not, we are not going to be saying why because I am in the board and I know what, how, how to balance it, and on the board, I don't know which way to go now. So, it is a problem for me, so I can't say this way or the other. This is a very difficult issue. It needs time and it is a time consuming job, and we need the city to be very proficient in the taxi industry, so as cleaning up the rules and everything should be in a right way. After that, we need -- we will need more, we will pool -- we will need more. That's what I will say if any addition, we will have some more so that we can cover. That's what I want to say.

Katz: Let me ask you a question, you are a member of the taxicab board?

Aleme: Yes.

Katz: And you voted against --

Aleme: The company -- I have no vote.

Katz: You have no vote, but you do feel and support what commissioner Francesconi said needed to be done in the industry as a whole.

Aleme: Well, my feeling is that the industry as a whole needs overhauling. That's my feeling. So everything will be straight so that if my company comes and asks for a permit, there are guidelines for things, rules, measuring criterias that will be measured in every sector of the industry of the transportation, so that, I will get something in my merit or not, but the other thing that I don't want to forget is, all of the companies need to be on the playing field should be leveled. Having small company with a disadvantage losing, being late, and having a bigger companies, having -- if that playing field is there, and if everybody, every company is equal, then that's a time that the city will have a right to say, hey, this is a measurement, you didn't do your job.

Katz: Thank you.

Francesconi: Thank you for your service on the board. If I am reading between the lines and if what I am getting from this is, and you correct me if I am wrong, that the approach -- we have some work to do in terms of clear rules and regulations. You want us to come back in six months to a year, not two years from now, but also, you are filing this appeal because if we are going to open it up to other companies, you want to get a shot, too. But if we don't open it up, which I think you prefer we not open it up until we have some clear guidelines, is that right, but if we are going to open it up, you want your fair, is that a fair summary.

Aleme: One more share because I have some plans. If not, we need a clear guideline for everybody. And the guidelines should balance the small companies and the big companies in a balancing position so that everybody can, can, you know, fight for the market or expand in any way that they want to.

Francesconi: Thank you.

Katz: Further questions? Thank you. I think that we have -- who do we have left?

Wadsworth: Our last is Broadway.

Katz: And sassy cab and radio did not appeal, is that correct?

Wadsworth: That's correct.

Steve Fowler, President, Broadway Cab: Mayor Katz, council members, I am Steve Fowler, president of Broadway Cab. It has been about a year since you approved our acquisition of Broadway Cab, and in the course of that year, there's obviously been a lot of changes. A lot of rocks thrown our way and I thought that we would address some of those this afternoon, as well as present to you our case as to why we believe that we need more permits. Recently, we wanted to buy -- the reason we wanted to buy it was because -- we felt if we could add better management, we could exceed the standard levels for the public and we felt like we could create a more profitable situation for the drivers who wanted to drive at Broadway Cab. We have invested well over a million dollars in global

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switching, forgotten switches and dispatching systems so that we could serve the citizens of Portland. We have worked diligently with the staff at the license bureau and we have a great working relationship with them. We have tried to comply with every request that they have made. John hamilton has been to our offices twice because we always have too many cabs on the street. That's what everybody in the industry will tell you. The truth of the matter is, we have the most effective use of cabs in the industry. And that's why it appears to everyone else that we have too many cabs on the street. Because we have global positioning, because we know where everybody cab is at every time, we never have more than our allotted permits in the city of Portland but we do within the Portland-metropolitan area in order to serve the area, operate just over the 136 number, the 136 permitted cabs but we never have had, and john has verified this, more than that many on the streets in Portland. We have assembled a management team with over 70 years of experience in the transportation industry. And ray is, ray miles, our general manager, will give you some details to the extent that we have some time, as to how well we have increased the demand, but the thing that I would like to address with you mostly is the concept of the drivers. And candidly, I am offended by the representation that the drivers are abused. That the companies are, in some way, malining the drivers. You need to understand that the drivers are independent contractors and they have the choice of not only six taxicab companies to work for, but any other number of companies that they can choose to be professional drivers for. We, at broadway, are as friendly, cordial, and accommodating to our drivers as any company that you will find. Our driver manager has been a taxi driver for well over eight years. The litmus test for why drivers choose broadway is because, as independent contractors and businessman, they can make more money at broadway than they can at some of the other operations. To the extent that we have added 40 net drivers over the last year since we took over the company. I don't believe that if we were abusing drivers, if we were not allowing them to make a good economic return on their investment of time and energy, that we would have increased that number of drivers and that we could have improved the service to the city of Portland. Basically, I think that we have, we have, we have allowed the free market system within the driver ranks to take hold and they have voted to come to broadway. And that bothers other people within the industry. We have drivers who are effective and ambitious who make over \$60,000 a year. We have less effective and ambitious drivers who still make \$25 and \$30,000 a year, but they make that by their own choice of where they want to work. Our dilemma is very much what commissioner Francesconi said. We have been creative. We have been effective. We have invested capital and we built a great management team. We have great demand. We have great demand from the Portland public, from the metropolitan area of Portland, and from the drivers. And because we are limited to the 136 permits in the city of Portland at any one time, we are not able to service the demands that we, that we are receiving from the public because we have been good businessman and invested our money and our management and invested our technology wisely. Ray has got some specifics, I think you all have a folder that you could look through, but sheila will walk you that you some of the specific things that we have accomplished.

Katz: You have about two minutes.

Ray Miles, Vice President/General Manager, Broadway Cab: Ray miles, general manager of broadway cab, when we first approached the city, I think it was back in may, to increase the number of permits, we compiled some information on how our business has grown at the time, it was about eight months, since then we actually just recently completed kind of an analysis of how we did this summer compared to last summer, and in every measurable category, we have grown. We have evidence that the innovation that we are trying, our desire to gain efficiencies has been effective. So, I won't walk you through all of these, but I hope that you will all take a chance to look at them later on, and feel free to call me if you have any questions. Some of the specific things that we look at is overall call volume. How many trips in and out of the airport are we doing. Overall account business and credit card revenue. Those are just some of the kind of what we call cash, and cash equivalents that tell us how our drivers are doing. I think one of the big indicators of our increased efficiency is I think when loni

was up here earlier, he drove for Broadway cab in '94 and '95 and paid \$400 a week to lease his cab for 12 hours a week, if you come here now, that lease is about \$325 a week. So, and I don't think that you will find a cab company that's done that. And I don't think that you will find anybody in the transportation industry that in the last five years has actually reduced the cost of their lease. And you know, we attribute it to the account of the business model that we brought in that helped us build a lease structure that's popular with drivers. We kind of view our business as a 3-legged stool. There is three legs, one is the driver, one is the customers and one is our relationships with the city and with TriMet and other agencies. And if we don't succeed in any one of those three areas, we fall apart. What we believe is some of the statistics show that in the last year we succeeded with customers. We are growing in any measurable categories. We succeeded with drivers and now we have come to the city and asked you to partner us and help us succeed on that last area.

Katz: I am going to ask you the same question, 53% or 90% of the drivers that respond said that there were too many cabs on the street.

Fowler: I have never met a cab driver as an independent contractor would like to see more competition. It is an economic law that everybody likes less competition instead of more -- Broadway is willing to take on any competition that's presented to us. We compete happily with radio cab and with all the other six companies do recruit drivers and we think that we are winning that competition. I really couldn't say anything to you other than I have never, ever, in the 500 some drivers that we have and all the drivers that we have here, I don't think that you will find a single cab driver who will tell you that you have got to have more cabs. Well --

Miles: Could I tack onto that, one of the services we tack on to our drivers and we have veteran drivers that work for our company and we offer to let them come in and consult our business. If you are not making it, come and talk to us, and almost always we find one of three things, either they are unwilling to take advantage of some of the expertise or, we find that for whatever reason, they are being offered business, they are being offered trips through our computerized express system and they are choosing not to system them, or we find that they are not actually working as many hours as they think that they are. We go and check records. So, we do -- we are very empathetic to the drivers. We know, we are not successful if they are not successful. They are not going to stay here if they are not making a living, and we know that, and we try to do what we can.

Katz: Thank you.

Francesconi: I just want to make a comment, it is not related to this appeal, but Broadway, and there have been some other companies but Ray, in particular, and Steve and other companies, too, have really tried to lead the way on the issue of safety for drivers. So, in fact, ironically, it is today that arrests were made in the second shooting, or reported today, but you have helped on that. It is an issue that Council takes very seriously and we are coming back once we hear some recommendations from the taxicab review to deal with that issue. But I wanted to thank you for that.

Katz: Thank you. Okay. We are now ready for public testimony. Let's show hands how many people want to testify. All right. I think that we can do -- if we limit it to that, those numbers, we can do it in three minutes. Three minutes, as posted.

Katz: When you testify, identify yourself, your company so that we know, too.

Katz: Why not you go ahead first.

Patrick Fesler, Radio Cab: Honorable mayor, commissioners, I want to --

Katz: You need to identify yourself.

Fesler: I am Patrick and I drive for radio taxicab company. I also used to be a driver representative for the industry. There's been some really good thinking going on here today, and I am glad to see that the Council is well informed. I see that the industry is moving forward all the time, in terms of filing -- finally shaping up through a long period. I have a couple of things that I just would like to address, and that is that as a driver, I am well aware that, that drivers are really struggling right now with making a living, and it is not, it is not, the kitty, in many cases, are too high. I worked for a company

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that's nonprofit. There is no thumb on me. So, I don't have to -- I work for the lowest kitty in town. I am happy to get out there and work, but I also see the frustration in the industry. And it gives the whole industry a, a bad name. There is a couple of things that I would like to say, and that is that there is nothing that's stopping the smaller businesses from expanding in the suburbs and building their businesses. They don't have to cross from beaverton to gresham to cover their orders. You know, they can build up businesses. There is other businesses that have build up their companies in those areas without needing Portland taxicab permits. If there is truly a demand in those areas, and it is-wide spread, Portland is not that big, you know, the city of Portland. There is a couple of questions around the number of permits that are being utilized used elicit. Many drivers are complaining that they can't, can't get the dispatch that they want, largely it is around because they don't know the areas. We have a real structuring problem that comes with the need to set some standards and enforce them, and I think that that's beginning to be addressed by the taxicab review board, and the conflict between the drivers and the companies could easily be resolved if we make the companies more competitive with each other, in the sense of what services they actually provide their drivers. If you have, for example, in seattle, if 15 drivers get together and are dissatisfied with the way that their company is providing services for what they pay for, they have the option of transferring those permits to another company. And I think that something like that could be utilized here where if you have even say five drivers come before the taxicab review board, and present an argument where both companies involved could, could present their argument, that the permits could be redistributed in an effective way so that the companies, themselves, become competitive. Right now, the drivers are competitive, but the companies aren't.

Katz: Questions?

Saltzman: What did you mean when you said you work for a nonprofit?

Fesler: Our company, the drivers own the company. We are shareholder operators. So, consequently, our kitties and our expenses are kept to a bear minimum, all other companies are owned by people who don't drive for a living and are interested only in the profit that they can make and they don't provide the services to their drivers in many cases that they should be providing.

Vincente O. Vieiro: 144 NE Fremont. I am insente, being a frequent utilizer of the public and private transportation system, I have found it a little bit, you know, unreasonable, the things that I have had to deal with. When rose city cab first started, things were pretty nice around in the area because a lot of the drivers from radio and Broadway cab, they weren't quite that friendly and they didn't seem to really give a darn, you know, how they treated you. And this was just some of the drivers. But, we -- I feel that we need more cabs in the rose city cab system because we, we did receive better treatment and the call time, you know, before they would arrive wherever you were was a lot faster than the other cab companies that I found. And I would like to see them have more cabs added to their staff, so they can really get back into the, this neighborhood. That's all that I have to say. Thank you.

Kalauu Davis, New Rose City Cab driver and officer: Mayor, commissioners, I am calu davis, although I am an officer, at new rose city cab company, I will speak to you briefly as a taxicab driver. A couple of weeks ago, I was dispatched to a call, and when I responded to that call, the customer clearly said to me, they have called four other companies and all four did not respond to their call. And i, myself, responded to that person's call within 12 minutes. My location from that person was a considerable distance, and new rose city cab company still was able to cover that call. Last Saturday, I picked up two gentlemen from north Portland. When my, i, myself, have, at 3:30 in the morning was locked by pcc, sylvania those two gentlemen clearly told me they called three other companies, one company had sent all their drivers home for the night. Another company said that we could not respond to them within 45 minutes. Another company just did not answer their phones at all. Unfortunately, or fortunately from the rose city cab, we were able to respond to that customer, but unfortunately, that customer's needs were not met at the time that they needed to be met. And so they had to wait, at least 25 minutes for me to cross town to north Portland to be able to pick that customer

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up. As we approach the winter season, the demand from the taxi industry will grow two-fold, and that demand that's placed on all of the cab companies, won't be met by any amount of consideration. If you live in the west hills, and you need a taxi to get to work, you are going to be waiting an hour and a half just for a taxi service. Please give some consideration to new rose city cab company when granting more permits. Thank you.

Gene Rosling, Radio Cab: 1613 NW Kearney, 97209. Mayor and commissioners, nice to be here. I am a lifelong Portlander. I am gene rosseling. I own a cab at radio cab. I've been a long -- a life-long Portlander and appreciate all that has been done to improve our city by this council and your predecessors. And I appreciate the moment that I have here to speak to you. In addressing this issue, the permits, it leads me to, to two issues. One is the customer and the other is the contractor, the drivers. The customer deserves to have price, service, availability, and importantly, quality of product, such as clean drivers clean cabs, knowledge of the city, and an ability to communicate. The customer can choose what company, but not necessarily the individual. We are ambassadors for the city of roses. We at radio cab have taken this challenge to improve our presentation. Ie, computers, to be able to take the, the orders more, more quickly, in a quicker manner, and we would like to keep our cabs looking nice. The contractor, this is for the customer, the contractor should be entitled to make a living wage, but because of the influx of medical cabs, town cars, shuttle vans, and unpermitted taxies, our income has gone down. A lot of the competitors have no radios or computers, and also the airport and delivers at a cut-rate price. Competition is fine because it is healthy, but we are required to have business licenses, permits, and insurance to work in the city. In the playing field at this point is not level. Also, it was brought to my attention that we should think about the history records that were required from these taxies in the incidence of crime. At this point, there are cars out there where that history would not be available. In conclusion, my message to the city should address the basic issue of controlling permits, along with testing drivers for knowledge, background, et cetera, and a way of monitoring this transportation to how many cars, who is doing what. And before issuing new permits on top of existing ones, I really appreciate this time and I thank you very much, and by the way, radio cab is always looking for new employers -- new employees, and new owners. So, we thank you very much and have a good day.

Katz: Thank you. Questions?

Judy McKinley: 1613 NW Kearney, 97209. Good afternoon. My name is judy mckinley, I am a former owner/operator at radio cab company. And I am here today to say why that is. I drove cab -- was a driver and an owner/operator for 13 years and made a pretty good living until the influx of the extra cabs a couple of years ago, and I wasn't able to support myself with that amount of money when an opening came available for an hourly job, I took that in order to support myself and my son. And that, also, was because of the number of medical transportation companies and the town cars, and I am concerned about, I work at radio cab now as an office employee. And I wasn't able, before, to put anything away for retirement. And now I have got a plan there that will make it able for me to do that. And I speak with these drivers every day, and there is a lot of them having a hard time. And they are out there working hard. And I just want to speak for them.

Dennis Jette, General Manager, Radio Cab and Taxicab Board of Review: Your honor, commissioners, I am dennis and I am a general manager, radio cap company, also on the taxicab board review and on the safety subcommittee of the taxicab board of review. And I first would like to express my appreciation to the Portland police for their apprehension of the suspects and the shooting, for radio cab, and for the whole industry and the city of Portland. And thank you. I am here to speak in support of the taxi cap board of review's decision to deny all the new permits. And in support of the biannual studies, there are have been two that recommended no new permits. We, as a company, are very lucky in that we have outlying companies that we have that are, are part of our company at every station in hillsboro, beaverton, and gresham, and any time it gets busy out there, we can send cabs from Portland, some of the other companies don't concentrate on those areas, so that does help us out. In the

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city of Portland, I think over the past two years, there's been a lot of anecdotal evidence that there are too many cabs on the street. When we started putting out the safety review, safety study, a lot of the evidence that you have before you, there are many drivers that talk about the number of hours that they have to work to make a living. The chances that they have to take in order to make a living, picking up passengers that they wouldn't ordinarily take. And also that they worked too many hours, too many cabs, and I think that that just shows from the study that was done by the safety committee. I think that there is a lot of reasons, and I will try to make it very brief, not only were 65 cabs granted two years ago, newspaper permits, but there are also over 200 sat permits granted. There were about ten years ago, there were about seven or eight trips done by medical transportation just by the taxicab companies, and I think it has increased to about 1,200 a day. Cab companies get about 20% of that now, so you have 200 sat permittee's out there doing what cabs used to do. You have shuttles doing what cabs used to do. You have town cars doing what cabs used to do. So, you have got 500 more vehicles on the street, besides just the taxicab permits, that were granted. That's a lot of, of extra people out there trying to make a living and there is only a certain amount of the pie. Our main concern is for the city, with the citizens of the city of Portland, the second main concern is the driver, we have the lowest kitty, \$190, so we care about our drivers and about them making a living and we care about their safety. Thank you very much for the opportunity.

Guy Alexander: Thank you, mayor Katz, and city council, commissioners. My name is glagander. I am an independent contractor. I will be the fist one to say there is too many competition in the industry. Any contractor or company will say that or any person who is independent. I am talking to you on behalf of rose city cab company and anyone else that petitioned for more permits through the city. Portland is growing by leaps and bounds and I don't think that we need to start stepping back now. I think we need to start going forward with this. Let Portland grow to its full potential. I worked at lsi as a manager and a tech -- in the technical division. We had a lot of trouble with having transportation people picked up from the airport because time delays, you know. The last minute, you couldn't get a cab, and the individual employees have to run someone to the airport. As of, as -- as this town grows, I think that we need more, you know. We need to start stepping back and not being fair or we just need to start growing, opening the doors. If a person comes to you and say that they have a demand for us, I truly believe that they have a demand for this. I road in the cabs several times, I took my child to school through his through his cab company. Very clean, very efficient. Prompt, courteous, and timely. I feel i've been a consumer of a certain product, you should demand something, and I feel that his drivers give you that. They give you the attention, they know the city, they know where they are going, when I call to go to the airport, it is prompt, ontime. Yeah, we have got tri-met and the max train, but there is going to be a lot of people that don't know about that and that needs to be at a certain specific place at a certain specific time. And I feel, though, letting these cab companies grow and letting rose city cab company grow will make Portland flourish. And I wanted to make a quote from our 26th president, theodore roosevelt. Said that the best thing is the right thing. The wrong thing is not the best thing. The best thing is the right thing, and I think that the right thing is to grant these permits to these cab companies. That's the way that I feel today. And I want to thank you.

Anthony Adams: 3606 NE 12th. Councilman, mayor, I am a resident in your state and in your city. I come in support of rose city cab. I feel, too, the litigation and things that I have read thus far, and I am just investigating it on my own, there is an undue amount of disproportionate sparing of permits in this county, and has been for a long time. And if this is a city to work, then I come from the real city to work, chicago. And you really need more cabs here and you need to allow these permits to be granted. Just for the fairness of the business and the growth of this city. I was here 30 years ago when this was a city that didn't want anyone to come here. Now it is a city that's opened up to everything, to the gay community, to the civil rights has changed, everything. I watched some of these things from 1969 to this far. I moved my family here on the chance that this has become a better place for everybody. I hope the city remembers, a city that works, helps everybody work.

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Katz: Anybody else want to testify? Okay. Why don't we take the three hands that I saw from this end of the -- Britta, we will just take them from the audience. But, if I see more people testifying that raised their hands for about 20 minutes ago, I am going to go back to two minutes. Okay. Who wants to start? Go ahead.

Joseph Young: My name is Joseph Young, and your honor and your commissioners. I would like to bring up a few points that I have heard since I've been here. There is a couple of things that I have noticed since I've been here. Most of the people that testify before this panel at one time worked at Rose City Cab. Rose City Cab has been a provider of workers for the cab industry for years. There was a time that radio and Broadway wouldn't hire a minority, period. Those minorities went to drive a cab to learn the city, through Rose City Cab. Once they became productive, then Broadway and Radio picked them up. Most of the old minorities that are at radio or Broadway right now at one time worked at Rose City Cab. That has to say something. Another thing that I have noticed is that, in any city, there are always those people that look out for their better, more than the city, itself. I think that it is in the best interest of this city to allow Rose City Cab to become an equal partner at the table here. Without better equal partner at the table here, we -- we deny all of the people that look like me. We spent 3 to \$7 billion a year in this industry. We have influence all over this country. My father always told me when you want to talk to me and get their attention, mention dollars. [laughter] I think it is very important for you, Mayor, to look very serious at the situation, itself. Sometimes to make the right decision, you have to weigh all of the things that it involves and go in your gut. Most of the time when you go on your gut feeling, it is the right decision. I believe that a lot of times we get extra help when we go and do the right things.

Katz: Thank you. I will tell you later what my gut says, okay. [laughter] Because you are right.

Tara Presslay, dispatcher, Rose City Cab: 4016 NE 10th. Hi, I am Tara, and I am here on behalf of the Rose City Cab company and I am a dispatcher, and before coming -- becoming a dispatcher, a lot of times people, as long as the cab company has been in business a lot of people didn't know that they existed. You would call in and ask, and I feel like you hear about Broadway and Radio cabs and stuff like that, that, you know, Rose City Cabs should have an opportunity to be able to have his name heard and be able to be able to serve people in our community. You know, working there is like a family thing. People there, you know, it is, it is, it is a unit, you know, and for it to survive, we have to stick together and be -- want to stand for something. You know, I feel that, you know, I hear Broadway talking about, they was talking about how they have overcome and different things that their company is prospering about. I feel like they started small and had an opportunity. Someone gave them some permission for them to do some things and do some things, and I feel like Rose City Cab company should have the same opportunity to do the same thing. I just feel like it just -- I don't know. Like we just need opportunity for you guys to just look down and give him his, his -- something to this company, and I feel like, I don't know, I am just kind of a part of it and I feel like deep down inside, that we need, we need Rose City Cab company. We need the permits to be able to serve people in our community. You know.

Michael Dixon, Green Cab: 18020 SE Division, Gresham, 97236. I am Michael Dixon. I am a U.S. Air Force veteran, and I started driving taxi here in Portland in 1990. And I remember back in 1995, when the town cars and the shuttles were allowed to start competing with the cabs, for business, that the council voted 3-2, as I recall, to allow them to compete. Since then, our income as cab drivers have increased some 50%. I know that the port of Portland came up with a study saying that they only took like 10% or 20% of our business, it is not true, your honor. They have taken, at least 50% of our business. That, along with the new taxicab companies and the excess cabs that Broadway has in the street, we can't make a living, and I realize that there is an industry-wide contract that drivers must sign saying that they can be dismissed without cause, so I am taking a chance, coming in here and opening my mouth to say this. But what do I have to lose if I lose my job, what am I losing, I am not making any money anyway. That's all that I got to say.

Francesconi: I agree with a lot of what you said. You know, especially the part about the town cars and shuttles, you know, when they were not regulated, but so one of the things that we have been concentrating on over the last year is that very subject. So, we work with the port to limit that at the airport. And then we are, as you know, or you may or may not know, passing regulations right now to regulate the town cars and the shuttles, and then we are also going to enforce those. That's the phase that we have been in. I have heard from others in the industry that it is starting to have an affect on the shuttles and the town cars, and in fact, that's helping. Is that true?

Dixon: Well, the amount of town cars and shuttles have decreased, but they have not disappeared. They are now taxicabs. All the shuttles that left from being shuttles or the town cars that left from being town cars are now taxicabs. And you know, nobody is making a living. We are waiting 2 to 3 hours in the airport for fear, we are booked in knee deep in the zones downtown and even in the outlying areas, there is no -- there is just too many cabs at present, and putting more cabs in the street, like I said, I know that I probably would be fired because I came in here and opened my mouth, but I don't care because I am not making a living anyway. That's the bottom line.

Francesconi: Okay.

Katz: Further questions -- further questions? Which company are you driving for.

Dixon: Green cab.

Alex Kasyan, Green Cab: I am with green cab driver. About the permits, I understand, our bosses asked about permits because not enough money. Just want more money, but how about drivers. Now to work 16, 18 hours, and our bosses ask about more permits. It is nonsense. And the rose city, it is amazing. New company, if this gentleman promise us a low kitty, of course, everybody go to him, and maybe he will open a better life for drivers, and nobody who has new permits, nobody talk about the drivers, just give me the permits, I want the money, that's it. About drivers, don't care. Drivers can work 24 hours for, you know, for a living. So, I think that it is best idea if the city will give new company because the gentleman, promise lower kitty, and for sure is going to be best life for drivers.

David Gwythen: 929 SW Salmon, No. 300. I am david, and I have a unique role in here in that I have no economic or political stake in this. I am a retired teamster cab driver and have over 26 years in the business. I came in to testify because i've been involved from the, the advisory side of the equation during the clark administration and also been a cab driver for quite a few years before I retired. There was some, obviously, some very important issues that are being raised at this hearing. And there is obviously some solutions that are going to have to be found. Where are we going to find the money for enforcement? Obviously, the permits, et cetera, pay for part of that, enforcement is the key. This is a regional issue. You should be working with metro, the port, et cetera, to solve ground transportation. It is true, it is hard to get cabs in the suburbs and true, there is probably 10 or 20 or 30 Broadway cabs sitting at the airport with orders hanging in other parts of the city because you have a lack of order nation in your distribution. The legislature in the past session, over a million dollars for what they call jitney, they sound a like cabs to me, there is \$260,000 right now, the state board of education is supposed to be studying this problem. I would suggest that you apply for a pro rata share of that. Of those funds and come up with some serious solutions, getting some outside, or at least hiring some people that have no real stake in the business to come up with some kind of neutral solution to the problem. Reallocation of permits is actually what I think, based on the testimony that I hear today, makes a lot of sense, but that's going to require some political courage. When Broadway went bankrupt, unfortunately, the permits were considered collateral. Actually, those permits should have gone back to the drivers. The drivers should have had a chance to bid on those permits. Broadway has far too many permits for the amount of real cabs and drivers and they are also probably running a lot of cabs in from out of town. It makes sense, the fellow in Broadway paid a large price and he's trying to recoup that price. So anyway, before I turn this over to the next person, I want to thank you for allowing me to testify.

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Katz: So, summarize for us, as you see, the three key issues that are facing the industry and facing us in terms of making a decision.

Gwythen: Is enforcement of the rules, they have not of the tools in the past. He only works eight hours a day and I think he used to be half time, to provide the funds to allow him to enforce the rules as they exist. Secondly, regulation of noncab ground transportation, I used to joke it dennis, my old friend, having a business with a cell phone, you can't. As long as you don't call yourself a cab, you are not regulated. Obviously, the rules have to be changed, and redistribution of the permits. And then --

Katz: The redistribution of the permits to allow the smaller ones, to level the playing field for the smaller ones.

Gwythen: Right, and I think that broadway seems to have the most permits, and that was the biggest error that the previous council made in '95 in terms of allowing those permits to be used as collateral, bankruptcy, back to the individual, rather than back to the drivers, which is the people that made those permits work.

Katz: Are we prepared from your perspective, are we prepared to make those decisions now?

Gwythen: Possibly not. And that's why you might want to look at this a little longer term, and if your counsel is -- council is having problems finding that, the jisney money is a place to look for that because in theory, they will be studying this problem, who knows what that money has been used for as we speak.

Michael Smith, New Rose City Cab: My name is michael smith. I am a driver for new rose city cab. I am a new driver, i've been driving for about eight months now. I don't know what people were making years before, but I do pretty well. 75% of my business is personal calls. Be it friends, be it people I picked up because another cab company would not pick them up. I only go to the airport when I have to. I am ready to own my own cab. And if they don't have the permits for me to own my own cab, if they don't have it, you know, I am stifling myself, or you are stifling me to become, from becoming who I want to be. This should be wall distribution. Some companies should be larger than others. But, you should have, you know, a company, 150 cabs where another company is only 19 cabs. You know, that's not care -- not fair. That's not letting them have their due. If a person called me up and said, I want a cab over here because this cab company is not responding, I am there from the other side of town, and there are drivers who call on our company just because I am there. And our company, just from the side of me being there, I know the company has grown. There are other companies who get calls, other people who take my calls because I can't get everybody. So, I am speaking from the rural city, we need to grow. We want to grow.

Katz: Thank you. Questions? All right. Let's go down the middle of the section. Anybody want to testify who signed up? One second, we will get to you. All right, let's get, go back to this side. Come on up.

Katz: Go ahead, sir. Why don't you start.

Yuming Pang, partner, White Van: Hi, I am a partner of the white business, and I have my own business, serves the chinese community, and the reason that I joined the company is I found out, a lot of minority people, they don't speak english, and I see that as an opportunity to service them, and also, um, I have a feeling that the application, I don't feel that that's very good because the white van, the requirement of the city, today, all I hear is, okay, the market is too full, and don't need any, any taxicab. But, still, everybody, are wanting the new cabs. That's what I am feeling. And also, we, we have the new idea to lower the kitty cost for, you know, the benefit of the drivers, and that will bring more competition on the market, that people will have, have, the companies, it will reduce the driving time, so it will improve the situation right now.

Luvenia Jackson: 9103 N. Trenton Pl. Mayor, commissioners, my name is sylvania jackson, and I do a lot of cab riding, I am just a citizen, and i've been in cabs like you say, you have the shuttles, they don't accommodate handicapped people with wheelchairs, and groups, you have to call one cab and they all need, they only accommodate one person or persons. I sat in cabs with people that had

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appointments and they had to pay -- pick up 2 or 3 different people, wait here or there two or three hours. Two or three hours waiting, and i've, you know, I hear about broadway, radio, my company has a contract with broadway and radio for the winter months. I sat at home two or three hours waiting on broadway, radio to pick me up to take me to work. Sometimes I never got a cab to even show up. To get me where I was going. A lot of the cab companies that have small companies, when I call them, they are not going to be able to accommodate me for the simple fact is that they don't have enough cabs. The ones that do have bigger cab companies and numbers, they can't even accommodate me, either. So, maybe all these other cab companies, if they had, you know, their permits or so, that would kind of give me more choices to be able to call and get myself to work.

Willie Bantu Green III, New Rose City Cab: I thank you for this opportunity, mayor and the rest of the panel. My name is willy bantu grant, iii, and i've been in Oregon since 1950, and as I heard mr. Palmer back there speak and saying, you know, 1946, if I am correct, about his permits and stuff. Well, you know, when I first met mr. Palmer, it was a very pleasure because now I work in one of his businesses on columbia boulevard, and believe me, in within almost five years, I can sit there and count and tell you how many rose city cab drivers goes up and down columbia boulevard, and that's a very busy street, okay. So, that tells me something right there about quality, justice, and to me, I feel that that's what we stand for. You know, to me, it has nothing to do with callers or prejudice -- with colors or prejudice or anything, but I just don't feel that equal opportunity is being spread aboard throughout the city. As I watch those cab companies goes up and down columbia boulevard, this lady here, I hear her say, I have sat there many, many times waiting for a cab, okay. Once my granddaughter was there and my daughter came up, I was getting ready to get in a broadway cab. Well, I have got to do something. I was going out to tualatin, I help coach a semi-pro baseball team, and so, if the transportation is not there, I have got to try to call somebody else. So, we are family, and a lot, much closer with a bantu nation, which I am sure some people don't know what that means, so that means the people, people who ban together for the betterment of people and have respect for all of the living creatures and things, so when I look back and see the justice and the quality is not there, then, I mean, my 40 some years being here is like saying, why not go some place else. But I won't do that because rose city will grow because our nation will ban closer and help it grow and come more tighter. You know, here is a cab going down the road. My friend the other night, she says, I don't want to take the broadway cab. She stands over at the bus stop. I will go back in my house and I look, here a one going along in a rose city cab and I here her doing like this, flagging her down, so I see -- I say that we need to look at things a little closer, not color-wise, won't bring that into the picture, but just talking about equally, and as I close, as a baseball coach, when one guy hit the last homerun, I am saying this on behalf of rose city, don't forget, we are not asking you to forget broadway or asking you to forget the rest, all we are asking you to do is remember rose city needs and have our needs, too. Thank you.

Katz: Thank you. Questions? Thanks. All right, who is left? I see two more. Come on up. Three. That will be it. All right. Sir, why don't you go ahead and start.

Ronnie Fine, Sky Chef: 6335 NE 6th. Hi, I am ron, and I work for sky shaft and i've been catching a cab for mostly six years and so I just wanted to represent and say that they are very organized. And nice people, and that, um, I am here to represent them. And that's it.

Katz: Thank you. And who did you say you were working for.

Jim ***:** I am jim and I work for broadway, I am the owner of the rich man, poor man transportation. I've been working for almost ten years as town car owner and also cab driver. So, I am good with people. I like people. You know, and i've been observing all of the taxi drivers and also the town car drivers and also the shuttle drivers. How they have been acting with the customers, you know. And i've been working a lot of tiles out at the airport observing the people coming in from all over the united states. And here all the complaints, and I heard a lot of complaints just because of people or the drivers don't know where they are going. They are ripping them off, going to different

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areas. And there is a problem with the drivers not knowing the area and I told the companies and also the board about the issue that they should have a geography test or something like that to make the people understand to the customers, that they know where the area is at. But, what i've been hearing today and i've been listening to the people's testimony and they want more cabs. Everybody wants more cabs. I am looking at the issue that there is a safety problem out there. A big safety problem. There's been three shootings and the reason that there is shootings out there is because there is a lot of cabs out there right now, working at the airport. And they are all at the airport, mostly, and also working in the Portland area, and the reason that there is a safety van there with all the, all the cabs out there, they are trying to make a living, and what happens, they go out there in the street and pick up that person and they are only getting \$6. At the airport, it used to be that we would get 1 to 12 rides a day. You were down to about four. Okay. So they go out there and work the streets. They are pretty well mad because there is too many cars. So, when you come up to a person, you know, and doesn't want to pay, you know, they are broke. You know, got to let them go and because you don't want to cause trouble, that's what I do. Again, give them a free ride, no problem. Well, there is a lot of them out there that drivers want that money. Okay. So, they stand up and they will, they will argue with that person. And that's what causes, you know, the shootings. I go to northeast Portland, and I go everywhere. I love people and those people in northeast Portland, you know, they need rides, too. But, there is a lot of people, taxi drivers want to go out to the airport because there is more money. And these taxi companies are saying that they want more taxies, more taxies. Well, if these people get out of the airport and start working the streets and don't be afraid, you know, it would be a better community for everyone. And that's all that i've been hearing today is, I want more taxies, more taxies. You know, because they want more money, okay. But, a lot of them are not thinking about the safety problem out there. And it really bothers me. Especially, at the airport, the airport has rules and regulations, okay, and we have to follow through with those. Since day one, when I started in the town car rental service, they had problems with the rules and regulations. They brought too many cars out there. Let's see, I was one of the third companies that started out there. And it became 80 companies. And that was the reasoning because the airport, that every town car, person come in, I don't care if they were a chrysler car, they brought them in. The airport rules and regulations says that any person or any town car company or any taxi company, they can get rid of any time. Which they did not.

Mosse Boutse, Broadway Cab: My name is mossley. I am a driver for broadway cab. I moved here from new york, where I went to high school and, jr., College in 1995. And I used to drive a town car, about a year ago, when the whole situation had changed for shuttles at the airport, I went to broadway cab and started to drive for them. I used to go to school before that continuing my education. Since then, i, I am unable to make, you know, enough money to go back to school to pay for my tuition and as well, taking care of myself and my rent and other things. The numbers of taxicabs in the city of Portland right now are oversaturated. It is, in fact, and if we would have a survey with all of the drivers, they all would say the same. We are also afraid of the same crisis and I think that it is ridiculous for the owners to even have, you know, enough audacity to ask for more permits.

Katz: Thank you. Questions? Thank you, gentlemen. Jim? Come on back up here. I don't know if whoever you want to bring, if you want to bring john with you or not.

Wadsworth: Your honor, may I have just a minute with john? One second.

Katz: Is there anything we need to know?

Wadsworth: There are criteria in the code factors that the council needs to consider in deciding whether to grant an application for a taxicab company permit, and those were in the biannual study, so.

Katz: Okay. When we ask the council members, do you have questions? I have said to somebody, I don't know if the gentleman is still here in terms of my gut, I think commissioner Francesconi knows more about this issue than I think anybody else here on the council. My gut clearly tells me that somehow, we need to have the smaller companies, but if you ask me today what is it that we need to do and how many permits do we issue, and to whom do we issue, and what do we do with new

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companies, I couldn't del you. They would have to -- it would have to be a finger in the air because I don't have enough of the information to make that call. And I think that that's where commissioner Francesconi was going, and I hate speaking for him, but if I misspeak myself, he will usually tell me. The point is that there is some information that I think that the council still needs, but it can't wait for very long -- for a very long time, about that from my gut, there are some inequities, and yet, there is a balance between the drivers trying to make a living and the businesses trying to make a living. So, help, respond to commissioner Francesconi's query in terms of what you think needs to be done, and how -- and what, what's your timetable, and then anybody else wants to ask any questions, and then we will have to maybe john, you can repeat the criteria and we will take some motions.

Wadsworth: Right now, the taxicab board of review has several subcommittees they are working on important issues. The most important issue that we are looking at right now is how the taxicab companies are utilizing their existing permitted vehicles and how we can identify those vehicles in such a way to let the businesses be able to do the best that they can and let us be able to regulate better and identify those vehicles so that we know how many vehicles are on the street.

Katz: Are you saying that there are too many vehicles on the street?

Wadsworth: We are not sure at this point. And the reason that we are not sure is because of the explosion of vehicles out in the suburbs and the use that, that some cab companies are making in crossing those suburban lines. We do not have a, a system of identifying our vehicles that lets us readily enforce how many vehicles are here. Do we have more than, than the allotted or permitted number. Operating in the city. We are not sure. We are trying to get a handle on how they are using them and then come up with a way to identify those. It may involve taking a step backwards and not using technology that may be out there so that we can have a level playing field for all the companies. We have already been to a different city looking at how they are doing it. We have been looking to other cities, they are similar to Portland in size and talking to them about how they manage their ground transportation. That subcommittee is supposed to be coming back to the board at the october meeting with a recommendation on how we could do that. That's step one. Getting that put into place, allows us then to regulate. Step two is getting regulation that has enforceable pieces. Right now with, and I think that one of the, one of the gentlemen that testified, we have, we have regulations that we do not have the enforcement power or staff to get out and do. We have talked about trying to utilize other city employees that are on the street that could help us. They could do this, and being able to pass funding from some of the, the, the fines or penalties that would be issued back to those separate city bureaus to help them fund that effort.

Katz: The issues you raised at the work session.

Wadsworth: That's correct, and we have talked to the port, and the port is interested in doing this, as well. A large number of rides began and end at the port. The port has an advantage over us because the port can tell you just about how many customers they are going to have each and every day. And the times that they are going to have them. Based on the airline arrival schedules, based on what we have going on in the city with conventions and so forth. So, that's a piece that we have yet to utilize that, that we probably need to. The port is, is doing that with the executive cars now. They are going to be doing it with the shuttles, and they are getting their experience now. We need to look at -- do we need to do that with the taxes. We need to look at that.

Katz: Let me -- did you want to add something?

Wadsworth: We have other pieces that we are looking at. The taxi board has had a work session in august. We have another one september the 21st that we are going to prioritize those things that need to be done. We need to regulate town cars, executive cars, as we call them, and we need to regulate shuttles. We need to bring all of the ground transportation types into regulation so that we don't have, as some of the ladies and gentlemen who testified mentioned a town car acting like taxies, shuttles acting like taxies.

Francesconi: Let me try --

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Katz: Does anybody else on the council -- one second, does anybody else on the council have any questions of jim and john? If not, thank you. Or do you have --

Francesconi: Here's what I think, folks, and then I won't repeat it when I vote. I think that this whole industry had not gotten enough attention from the bureau and the city council until jim wadsworth came on board, that's one thing, I think. And I think that we are in a transition to a better system or we are going to have to change systems. I don't think that we changed systems yet, but if this transition doesn't continue to point to a better system, I will recommend a change in the systems. Now, we have three larger issues here. That we have to work towards. First of all, we need a regional system as opposed to a city system so the city should not be regulating taxies at all. It should be either metro or tri-met or a regional group to look at this, and that would take care of some of these issues if we had a regional body here. And we are in the transition towards that regional system. That's one thing. Number two, we have to have a system that rewards innovation at some point. I mean, you cannot -- if we don't have some degree of competition and rewarding those who are doing a better job, this system is fatally flawed. So that's number two. Number three, though, we have a 30-year history that we are not going to clear up in six months, but we have a 30-year history of not treating the small companies fairly. And I agree with that. I believe that some of it was based on race in our distant past. Or maybe not even distant, maybe recent past. But, yeah, as you can see from this diverse audience for the first time, in many times, I do not -- we have to grapple with how we treat the new companies because I don't think that it is fair. Currently. And so those are kind of three fundamentals. Now, the bureau has tried to focus on the town cars and shuttles to work with the port because as a regional thing, and that problem has gotten better. I didn't hear enough of that from taxicab drivers but that problem has gotten better and it is going to get better as we put more regulations on the shuttles and town cars and then we have the ability to enforce it, which we are moving on. We are hopefully going to work with the parking attendants, if we can figure out how to pay them, and we are working with the companies to do more enforcement. Some have done a good job. Some of the companies have not done a good enough job. So that's another piece to this. The thing that baffles me is that we have gone this long in the taxicab system without clear criteria as to who we are going to award and who we are going to take it away from. It actually baffles me that we have gotten there far for all these years, so that is the highest priority so that we can also have an enforcement mechanism to take away some. So you companies out there are doing a good job and want to create an award system. Those that are not doing a good job, the time is over, as soon as we get a clear objective criteria. We do want to do the right thing, as was testified, but if we don't do the right thing in the right way, we are going to end up penalizing folks. And we are not going to wait two years to do this. And finally, two years ago, when we let in more companies, I spent time talking to cab drivers, it was a close call two years ago, but we wanted to diversify the industry, create more opportunities, the council and me, included, made a decision. Folks, i've been spending time with cab drivers, again, and the biannual study gives us documentation on the standard and the standard here that we have to decide upon is applications from the taxicab industry as a whole, as well as individual marketing plans will be considered. I mean, the facts -- the testimony we heard today was not overwhelming. In fact, there was little testimony that we need new cabs generically throughout the system. The evidence is not there in this record. We heard that it is unfairly distributed, and there, the power -- the testimony was powerful. But the standard that we have, we have clearly -- we don't have the evidence that we need more cabs here. Now, in talking to cab drivers, that's the, the quantifiable part. On a personal note, I just think that the cab drivers are having trouble. I really do. And I think that a lot of the cab drivers are poor and a lot of the cab drivers are people of color that are having trouble feeding their families. And to -- we have to take that into account, as well. So I am going to support the bureau's recommendation, actually the taxicab review report that we not have any new cabs now, but in the next six months, I want the issues addressed, that I will specify in writing to the whole council, and to the public. And then if this doesn't work, we are going to change the system.

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Katz: Is the council ready for commissioner Francesconi to make a motion? Do you want to make a more --

Ayres: Mayor Katz, would you like plea to remind the council of the fact that it should form the basis of your findings?

Katz: Go ahead.

Ayres: Are we going to do each one separately?

Katz: I will and the city attorney in a minute.

Ayres: This is in the Portland city code 164215. The factors that the council shall consider in determining whether or not to grant an application for a taxicab company permit are the current status of the public transportation system in the city, including but not limited to the current and future ability of the public transportation system to provide the timely and effective movement of persons, and the ratio of the population within the city to the number of taxicabs currently in operation. That's number one. Two, the demonstrated need for additional taxicab service in the city that is not accomplished by existing companies as shown by the applicant. Three, the present utilization patterns of taxicabs currently in operation. Four, the interest of the applicant in establishing a local business to legitimately serve the citizens of this city. And five, the extent to which granting the application will serve the purposes of the chapter as set out in section 1640-001.

Katz: Can we -- do we need to take each of the applications individually or can we group them?

Ayres: I think if you want to make a motion, you can to consider the -- to consider them as a group, you can do that, but a motion should be in the record, if you choose to proceed in that way.

Katz: So commissioner Francesconi, why didn't you take the first, which is the recommendation of the new taxicab permits and then the extension of permits.

Francesconi: Well, before I do that, I would like to defer to the wishes of the council. If some council, if the council would prefer to do it individually, because they would like to support one, I am fine with that. I am not going to do that at this time. But, if the council wants to take them individually, if one member of the council --

Saltzman: If you want to do it new versus existing, because I do want to support the additional permits for the existing companies, Portland taxi and new rose city.

Francesconi: So then we should take the new ones.

Sten: Take them individually.

Katz: Take them individually for the new taxicab permits, to white van shuttle and then claudel.

Francesconi: Okay. Well on the new applications, I will move to affirm the taxicab board and bureau that we not grant new permits at this time, and the reason is that the biannual study supports a conclusion that no new permits are needed for the city of Portland.

Hales: I will second that.

Katz: Okay. Discussion? Roll call.

Francesconi: I am going to add all the next steps that we need to do. Separately. Aye.

Hales: Well, this system is tangled. It has been ever since I have tried to understand it. It remind me of the game of pickup sticks, if you pull one thing out, then who knows what happens. I agree, jim, with your reasoning and the bureau's reasoning and the good advice that we have gotten from the taxicab board that now is not the time to add new licenses. One factor in that that hasn't been really talked about here in today's hearing, a project that i've been involved in, that we all have been involved with very much is adding light rail service to the airport. I don't know how much that's going to affect the business, but it isn't going to add passengers, it is going to subtract, we just don't know how many yet. So, that's going to make a difficult situation at the airport with respect to the cue of cabs lined up. Worse, we haven't figured out numerically how much worse. So to add additional capacity to the regulated system right now, with that coming, one year from this week, I think that it would be irresponsible on our part. As some of you know, my early observations into this system, my early reaction, and I think yours, too, vera, was we should deregulate this and I am, I am learning about this

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system as we go along, and I am obviously not prepared to do that today. But, I agree with your statement earlier, that this course of reform doesn't work. We should consider radical changes in the system up to and including that. But, this isn't the time to do that. Aye.

Saltzman: This is for the new companies, right? Aye.

Sten: Yeah, I don't think that there is room for new companies. Aye.

Katz: Aye. Thank you. Motion passes. All right, commissioner Francesconi, why don't you take these individual.

Francesconi: Before I do, though, I guess I want to add something else here. Again, as I already said, I guess I am repeating myself, with these small existing companies, I do think that this is an unfairness we need to work to correct, and I am going to do that. Despite voting no on all these applications. I want to add something else. We just denied, and I made the motion, white van, and white van had a good proposal, and a creative proposal. So, one of the factors that we have to consider, again, is that balance between existing companies and the new and creative proposals, and that needs to be done as a whole. So, I really -- I just want to add, add that fact. Because excluding, you know, new people from entering the market, and that's -- I am arguing, and I won't repeat it again, so you wanted to make a motion on each one?

Katz: Yes, because my sense is that there may be members of the council that would support some and add others.

Francesconi: I have got to make sure that I remember. Remind me, new cab.

Katz: I will give you, Broadway, green, new rose city, Portland. And why don't you also set, identify the criteria as you make the motion.

Francesconi: I can't because I don't remember all of the criteria, but the main one is it is the biannual study that it shows there is a need for no new permits.

Katz: Just a minute, she's going to give it to you.

Francesconi: Pardon?

Sten: They are in the record.

Francesconi: Okay. So I guess, I am going to formalize the second part. So I am going to move that the -- we affirm the bureau and the taxicab review to deny the application, and let's start with Broadway. But, then I further am instructing the bureau and taxicab review to give us a report within six months as to the criteria. A more refined criteria for admitting new cabs and new companies and allowing small, existing companies -- allowing existing companies to expand with a special attention paid to the small companies that have -- that are under 40 cabs, and that's my motion.

Hales: Second.

Katz: Okay. Discussion. Role call.

Francesconi: Aye.

Hales: Aye.

Saltzman: This is on Broadway.

Olson: This is Broadway.

Saltzman: Aye.

Sten: Aye.

Katz: Mayor votes aye. Okay, the next one is green. I am sorry?

Francesconi: Green cab, it is the same motion.

Katz: Same motion.

Katz: Role call.

Francesconi: Aye.

Hales: Aye.

Saltzman: Aye.

Sten: Aye.

Katz: Mayor votes aye.

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Francesconi: Portland cab.

Francesconi: Aye.

Hales: Aye.

Saltzman: No.

Sten: Aye I want to make a couple of comments, I was convinced of two things in this hearing, one is that we probably have enough cabs out there and what convinced me was the testimony of the cab drivers of all races who said that. The second thing I was convinced of, however, is that I don't think that we are fair to particularly rose city and Portland in terms of the number that they have. And I just don't think in this day in age, you can say that you can compete with 19 or 26, so those are conflicting statements, we probably have enough cabs and I think that the small companies are not fair. I would be willing to support a small increase in both of these companies cabs to try and make that a little more right, especially as a person who voted to let green cab in at a number of 48. I heard commissioner Francesconi say he's going to come back with this in the next six months and I think the best thing to do is not do that on the fly so I will support this motion but I have some personal feeling that it is very close to commissioner Saltzman's no, but I don't have any great sense of what the right number would be and I also don't think that -- I don't think that we need more cabs but I think that your two companies deserve a few more cabs given what's fair, so that's kind of -- and I would like to, if there is three votes that feel that way, and we have got another chance for a little discussion, I would like to kind of throw that explicitly into the mix that in the next six months, I would be willing to do something on the two small companies, which wasn't where I was starting out. That wasn't where I started out on this hearing, but I was very compelled by the advertisement of the people who used, particularly rose city's folks, and there is a niche there, and the gentleman who can't get a license, who is growing his business, I think that there is some room to, especially at the, how small we have kept the companies, to give you some room to grow without majorly offsetting the balance that we have got here with almost 400 cabs and only 45 or so in those two companies. So, I am going to vote aye but I wanted to explicitly ask that question be looked at in the next couple of months to see if we can do something if there is another vote along with commissioner Saltzman and I to do that.

Katz: Thank you. And I think that was implicit in commissioner Francesconi's motion, and if it isn't I support that direction, as well, as I said, I don't know what the number would be. There is data that we still may need to get, but I do think that there are small companies that have been around this community for many, many years. That need some consideration, so, the sooner that you get your work done and come back to us with some recommendations, as well as the issue that was raised with regard to new companies, that are innovative, that also need to get a chance to start businesses here. And quite frankly, if we can't get it right, jim, and we always extend the opportunity for creative solutions and creative ideas, if we can't get it right, we might as well deregulate the whole industry. Aye. We have got one more.

Francesconi: Before, I guess I want to be clear, but I -- I appreciate, actually, all of the comments that have been made. So far on this very difficult issue. Council here has been terrific, and I appreciate what you said, commissioner Hales, because that is the system's approach. I know that you would like to do the easy thing to do is just to open this up right now to the smaller companies. I do want to respond to commissioner Sten. I am exactly where you are and maybe I wasn't clear enough in what I said. And that's why I said the six months, and because this is not a fair system. Now, I also want to look at the incentives on the innovation side because that's not fair either. Those are the two issues that I want looked at. But that's exactly -- you are exactly where I am except I want to also look at the innovation question. Okay. So, I am repeating the motion, or the same motion with rose city.

Hales: Second.

Katz: Roll call.

Francesconi: Aye.

Hales: Aye.

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Saltzman: Again, I want to vote no but I want to offer my reasons why. This is my only way of trying to strike this internal balance from everything that I have heard today. I think that white shuttle van has a good, creative proposal but I am also hearing the cab drivers say that there is too many cabs but I am also hearing two companies, in particular, who have been here a long time and don't see to be at the critical mass so this is my way of sort of striking my own internal balance on this issue is I think that the companies that have been here a long time deserve to be brought up to the critical mass where they can truly serve the city. And I have every confidence that commissioner Francesconi and jim wadsworth will effect that over the next six months, and I certainly hope to, but I want to basically make sure that there is at least a message that there is a growing critical mass here on the city council that wants to right this particular wrong, I think, for these two companies that have been here and have been knocking on the door for all too long and have seen other companies come in and waltz away with new permits when they have not gotten the permits. And it is just, it is just an important issue and that's why I underscore it with my vote in favor of their appeals. No.

Sten: Aye.

Katz: I want to thank commissioner Francesconi and jim wadsworth. As you rightfully said, this is not an easy issue. There is an equity issue, and there are criteria that we need to meet, and the criteria are fairly weak and we don't have the information so you have about six months to come back to us and make a recommendation. I think it is very -- it is fair to say that the entire council would support the motion that commissioner Francesconi made in terms of the smaller companies and innovative new companies and we will have to probably take some steps, if you find that there are permits that are being misused or other issues that have come up with established companies. Aye. Thank you, everybody. Thank you for the testimony. I think that it has raised the bar in terms of the council's understanding of the issues, and I think that we will be back before -- within the six-month period. We stand adjourned.

At 4:38 p.m., Council adjourned.