



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 5TH DAY OF SEPTEMBER, 2001 AT 9:30 A.M.

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

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

Commissioner Hales arrived at 9:37 a.m.

Item No. 1056 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

	<b>Disposition:</b>
<p style="text-align: center;"><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p><b>1055</b> Accept bid of Insituform Technologies, Inc., to furnish Taylor Trunk sewer structural repair project for \$527,642 (Purchasing Report - Bid No. 100907) (Y-5)</p>	<p style="text-align: center;"><b>ACCEPTED PREPARE CONTRACT</b></p>
<b>Mayor Vera Katz</b>	
<p><b>1056</b> Accept contract with Skyward Construction, LLC for remodel of Fire Stations 4, 22 and 41 as complete, authorize the final payment and release retainage (Report; Contract No. 32930)</p>	<p style="text-align: center;"><b>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</b></p>
<p><b>*1057</b> Pay claim of Richard Whitlow (Ordinance) (Y-5)</p>	<p style="text-align: center;"><b>175901</b></p>
<p><b>*1058</b> Pay claim of Thomas Palmer (Ordinance) (Y-5)</p>	<p style="text-align: center;"><b>175902</b></p>
<p><b>*1059</b> Approve an Intergovernmental Agreement with Oregon Health and Science University to accept \$160,026 to reimburse costs related to development of the Marquam Hill Plan (Ordinance) (Y-5)</p>	<p style="text-align: center;"><b>175903</b></p>
<b>Commissioner Jim Francesconi</b>	
<p><b>*1060</b> Contract with Trauma Intervention Programs, Inc., for crisis intervention training, for \$60,000 (Ordinance; waive City Code Section 5.68) (Y-5)</p>	<p style="text-align: center;"><b>175904</b></p>

<p><b>*1061</b> Approve an Intergovernmental Agreement with State of Oregon, Department of Transportation, and Peninsula Drainage District No. 2 to accommodate maintenance dredging of Walker Slough in Delta Park (Ordinance) (Y-5)</p>	<p><b>175905</b></p>
<p><b>*1062</b> Amend agreement with Providence Health System for respirator evaluations for Fire Bureau employees, extending the timeline and adding \$25,000 (Ordinance; amend Contract No. 33011) (Y-5)</p>	<p><b>175906</b></p>
<p><b>Commissioner Charlie Hales</b></p>	
<p><b>*1063</b> Amend Intergovernmental Agreement with Multnomah County to provide roadway maintenance services West of the Willamette River (Ordinance; amend Contract No. 51062) (Y-5)</p>	<p><b>175907</b></p>
<p><b>*1064</b> Authorize Intergovernmental Agreement with Oregon Department of Transportation to provide \$1,100,000 for improvements on NE Alberta Street from NE Martin Luther King, Jr. Boulevard through NE 33rd Avenue (Ordinance) (Y-5)</p>	<p><b>175908</b></p>
<p><b>Commissioner Dan Saltzman</b></p>	
<p><b>1065</b> Consent to transfer of Dee's Sanitary Service, Inc. residential solid waste and recycling collection franchise to Pride Disposal Company (Ordinance)</p>	<p><b>PASSED TO SECOND READING SEPTEMBER 12, 2001 9:30 AM</b></p>
<p><b>Commissioner Erik Sten</b></p>	
<p><b>*1066</b> Agreement with Portland Housing center for \$103,180 for homebuyer education and counseling for lower income households and provide for payment (Ordinance) (Y-5)</p>	<p><b>175909</b></p>
<p><b>*1067</b> Agreement with Portland Community Reinvestment Initiatives, Inc. for \$105,000 for the acquisition and rehabilitation of affordable rental housing and provide for payment (Ordinance) (Y-5)</p>	<p><b>175910</b></p>
<p><b>*1068</b> Agreement with Housing Authority of Portland for \$104,747 for the staffing costs and provide for payment (Ordinance) (Y-5)</p>	<p><b>175911</b></p>

<p><b>*1069</b> Intergovernmental Agreement with the Housing Authority of Portland for \$65,000 for the cooperation of units of local government for the update of the Housing and Urban Development-required five-year period Consolidated Plan and provide for payment (Ordinance) (Y-5)</p>	<p><b>175912</b></p>
<p><b>*1070</b> Authorize agreement with other public entities for review of water disinfection option (Ordinance) (Y-5)</p>	<p><b>175913</b></p>
<p><b>City Auditor Gary Blackmer</b></p>	
<p><b>1071</b> Approve Council Minutes for May 10, 2000 through December 27, 2000 (Report) (Y-5)</p>	<p><b>APPROVED</b></p>
<p><b>1072</b> Auditor's Report on signature verification process for petition to refer Ordinance No. 175752, "Amend City Code to provide funding for Street Maintenance and Improvement" (Report) (Y-5)</p>	<p><b>ACCEPTED</b></p>
<p><b>REGULAR AGENDA</b></p> <p><b>Mayor Vera Katz</b></p>	
<p><b>1073</b> Report to Council on the Police Bureau progress to revise the Policies and Procedures Manual and improve its distribution (Report) (Y-5)</p>	<p><b>ACCEPTED</b></p>
<p><b>*1074</b> Accept a \$930,157 grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (Ordinance) (Y-5)</p>	<p><b>175914</b></p>
<p><b>*1075</b> Agreement to accept a \$75,000 grant from the Oregon Department of Transportation and Portland Police Bureau for Work Zone Enforcement on Interstate 5 (Ordinance) (Y-5)</p>	<p><b>175915</b></p>
<p><b>Commissioner Charlie Hales</b></p>	
<p><b>1076</b> Assess benefited property for the costs of constructing street and storm sewer improvements in the SE Ivon Court/125th Avenue Housing and Community Development Local Improvement District (Hearing; Ordinance; C-9962)</p>	<p><b>PASSED TO SECOND READING SEPTEMBER 12, 2001 9:30 AM</b></p>
<p><b>1077</b> Repeal Ordinance No. 175752 amending the City Code to provide funding for Street Maintenance and Improvement (Ordinance; repeal Ordinance No. 175752)</p>	<p><b>PASSED TO SECOND READING SEPTEMBER 12, 2001 9:30 AM</b></p>

<b>Communications</b>		
<b>1078</b> Request of Chris Steele to Address Council regarding mandated building materials and landscaping fire codes (Communication)	<b>PLACED ON FILE</b>	
<b>1079</b> Request of Bill White to address Council regarding prayer at City Council (Communication)	<b>PLACED ON FILE</b>	

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

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**WEDNESDAY, 2:00 PM, SEPTEMBER 5, 2001**

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

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GARY BLACKMER  
Auditor of the City of Portland

By Karla Moore-Love  
Clerk of the Council

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

**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 5, 2001      9:30 AM**

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

**Katz:** Present. There is one item that's been asked to be pulled and that's 1056. Anything else, Karla?

**Moore:** That's all I had.

**Katz:** Anybody in the audience want to pull an item? All right. Roll call and consent agenda.

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

**Katz:** Mayor votes aye. All right. 1056.

**Item No. 1056.**

**Katz:** This item needs to be pulled because some of the conditions have not been met yet to authorize a final payment. So, return it to my office and then we will refile it when those condition can say are met. Any objections? Hearing none, so ordered. All right. Where is he? It's 9:30.

Actually, it's only 9:29. All right, let's take 1074. The chief is not here yet. So let's take 1074.

\*\*\*\*\*: He just walked in.

**Katz:** Okay, 1073.

**Item No. 1073.**

**Katz:** We almost embarrassed you, chief, because we were going to move onto the next item because you weren't here but we were a minute ahead, so, you are right on time.

\*\*\*\*\*: Glad to hear that. Good morning.

**Katz:** Good morning.

**Mark Kroeker, Chief, Bureau of Police:** I am mark kroeker, chief of police of the city of Portland, and I am very pleased to make the announcement to this body that as of today, the manual of policy and procedures of the Portland police bureau is being made available to every member of the organization, and to the community on the web at the libraries and public distribution, internal and external, and we believe that this is a step in the right direction in terms of, of bringing the policies of the organization and its procedure and values and vision and mission to the hands of police officers, and support people in this organization. Back in 1974, the manual of rules and procedures in a booklet that was issued to an mj thompson, whoever that was, shows a manual that is like this, very small, back at that time, terry shrunk was the mayor, and another person was the chief of police. It was issued and a few little things in there, were talked about, sergeants, the inspections and so forth and operational procedures. From that point, then over the years, it became this one. And this book sits in the precinct. It looks ominous, and inaccessible, and in several cases, it, unfortunately, is lacking of the necessary documents. It's a collection of general orders, and so from this manual, from 1974, and the evolution to the big book, to now, the brand new book, the manual of policy and procedures, I think it's a good step, and I am responding to the members in the organization who have called for it. People in the community who have called for it, it's time that we had a soft cover for everyone in the organization. I am very pleased to make this announcement to you, mayor, and members of the council. And also, to the community, who look to us for answers to what the policies are and then are we holding the employees of the organization to these policies, and so we believe that it's a step in community policing and letting our communities know and it's in a step of building the finest organization we can by having these

policies in the hands of our employees. The book, itself, was printed at the cost of about \$10,000, is that right? About \$10,000. We believe that \$10,000 is an expense item, is money well spent. Every year, then, it will be updated by a series of executive orders, if we have a change in any of the policies, an executive order will be published. My signature for the organization, and then as the adaptations are made and the shifts in policies and procedures take place, some improvements that need to take place, then the subsequent years printing will include those, so every year, every member of the organization will be assigned to him or her, with their own name, this book for their own, for their own use. It will also be on our internal computer system, as well as the web. So, very happy to present this, and it's a moment that, that has arrived, about a year ago, I made the, the project assignment to our planning and support division under jane braden, who is here, and a lot of people that are seated right there are the ones that I would hesitate to mention them, but sergeant brad bailey, the officer in charge of the unit that worked hard diligently to compress, compact, and condense all this far into this. This was it was a good piece of work and took them a long time, an arduous effort and time well spent in my opinion. Thank you very much.

**Katz:** Thank you very much. Questions?

**Francesconi:** Chief, just maybe a brief comment. First can you put your unit to work on our land use code and have them condense it in that form?

**Kroeker:** I think we could do an interagency agreement if we could protect our budget in the process. [ laughter ]

**Francesconi:** The question is, this is terrific for the policymakers, and for the officers and for others. I doubt the general public, for the most part, is even going to read that manual. Can you describe a little bit your efforts to kind of educate people, the gem public, especially on the issues of arrest, or stop and I know you are doing some things, can you say a little bit about that?

**Kroeker:** All right. In all our advisories, I intend to bring the book, as I will leave one copy for each of you here this morning. And to talk about it, to let people know that the access is there on the web for those things that they wonder what is it -- what is the policy? What are the procedures that are in that book that the employees are being held to? Have they violated some procedure? Are they doing their job correctly. So that's, that's going to receive that kind of discussion and distribution, but also, we have just completed a, a brochure, both in english and spanish, of the procedures of the organization. It is a very compact little handout that police officers can give to people, they will be at the precincts, at the library, we hope at dmv. We have a whole gathering list of distribution points for these, but they will answer that question. What is it that the police do. Why do they do that. What are my rights as a person when I am being stopped. How can I explain about police behavior. What are the rights of the police. What can you expect them to do. What I should do when I am in my car and the police stop me. The council general of mexico expressed a lot of excitement over this, and said that they would be taking this to community, spanish language speaking people, especially, who don't know about the, especially the new arrivals who don't know about the procedures of the police in their new country so this gives them some information as to what to do, what not to do, including their rights, the hours of operation, a message from me, a discussion about race and profiling. It's all in this little pamphlet, that's not a condensation of the policies but more an illustration, a discussion of what you can expect from your police bureau.

**Francesconi:** Thank you.

**Katz:** Thank you.

**Kroeker:** Thank you very much for your time.

**Saltzman:** You are going to give us copies?

**Kroeker:** We have one. I haven't autographed them, but. [ laughter ]

**Katz:** Let me make just a suggestion that we take a look at resisting arrest, which is one of the areas that citizens sometimes get themselves into trouble in terms of resisting arrest and what officers do when that happens. So I just -- I assume that's in here somewhere.

**Kroeker:** It is in the brochure. It talks about when you are arrested, not in this booklet, but in, you know, the procedures for police officers or in this, what to do, how to arrest, and so forth, and notifications and all of that are here. But what to do when arrested, that is in that brochure that we are going to be handing out to many many people. How many did we print?

\*\*\*\*\*: 13.

**Kroeker:** About 13,000 to start. We suspect that we are going to run out of those very quickly and then we will make the adaptations in the second printing.

**Katz:** Let me just say that, I don't know how many of you know that my office under the leadership of sam adams, has been working on getting all the policies of all the bureaus on the web, so that clearly, this same kind of information for other bureaus is available to our citizens, so you are sort of, I think the first one to actually get it done, so congratulations.

**Kroeker:** Thank you. We want to be leaders.

**Katz:** Okay. Anybody else want to testify? Roll call on accepting the report.

**Francesconi:** Well, this is good government but it's also very important to our citizens right now, so thank you for the work you all did. Aye.

**Hales:** Good work, thank you, aye.

**Saltzman:** Good job, aye.

**Sten:** Aye.

**Katz:** More to come. Good work, chief. Aye. All right. 1074.

**Item No. 1074.**

**Katz:** All right. Folks, this is -- this is the grant that we get every year that has very clear guidelines on how these decisions are made with our partners, and we had some preliminary conversations with our county partners, and worked through some of the issues with them, with regard to how this, these funds are distributed. So, everybody is okay. Everybody feels good about the priorities and the reports given to our partners and what they are going to be used for. Does council have any questions? Anybody want to the testify? Roll call.

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

**Katz:** Mayor votes aye. All right. 1075.

**Item No. 1075.**

**Katz:** All right. Anybody want to talk to us about this? Roll call.

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

**Katz:** Mayor votes aye. 1076.

**Item No. 1076.**

**Katz:** All right. Come on up and talk to us about this. Anybody here?

**Hales:** I think there is a staff presentation. Only if anyone wants to show up and testify, otherwise it will come back on second reading.

**Katz:** Any remonstrances? Didn't see any.

**Hales:** I don't think there are any. So just come back on second.

**Katz:** Okay. Then this will come back on second. 1077.

**Item No. 1077.**

**Katz:** All right. Anybody want to say anything?

**Hales:** Just briefly. Vic and dick are here, if the council has any questions, but I think that the understanding has been clear that we are not going to put people through the exercise of voting on this fee. The problem remains, the streets are going to continue to age and the cost of repairing them is going to continue to rise, so the problem remains, although the means has been, has been rejected, for the moment, fortunately, there are some leadership in the business community, particularly the Portland chamber of commerce and the associates of the Portland progress, their leaders have volunteered to look at this issue and to come back to the city council in the future with some recommendations and some options for how we might, might be able to find more funding for



street maintenance here in our community, and I really appreciate their willingness to take that on and to try to bring the business community together around a solution, so I appreciate don and kim's willingness to take that on. I think that they have communicate that had to the council. So, hopefully with their help, we will be able to meet our responsibility of maintaining the streets in the Portland -- in Portland and sometime in the future.

**Katz:** Anybody want to testify? If not, roll call. Oh, no, moves to second, sorry. All right, 1078.

**Item No. 1078.**

**Moore:** He will not be here.

**Katz:** Okay. 1079.

**Item No. 1079.**

**Katz:** Mr. White, you have three minutes.

**William White, PO Box 372, Brush Prairie, WA, 98606:** I am william white and I appreciate the opportunity. My mailing address is post office box 372, brush prairie, Washington, 98606. It's a great pleasure to be able to talk to you today. It started very simply how we came up with this concept or idea. We kind of emulate our idea from the united states government from the senate and the congress in terms of having some type of chaplain over and asking for the prayer over the city of Portland and the city council members. And I have a -- all of you have received a letter from our church, or myself. I guess it was faxed at some point in time, roughly may, june, and actually, we also hand delivered it, and if you don't have a copy, we have a copyright there, also. And basically I will read our introduction, our whole, I guess, crux of the idea. Because we know that there's a great controversy between the separation of church and state. I know that that's a big, a big deal for a lot of people. And basically, that's been stated down through the anals of history that there's a separation. The subject of the separation between church and state is a philosophical, as well as a political topic that has divided america mainstream. The crux of the argument has been in the fact that some of the americans are empathetically opposed to religious activities being sanctioned by government. If you remember they believe that the government would force americans to accept the religion of christianity and not practice any other religion. Our great republic was founded on democracy with all americans have the ability to pursue life, liberty, and happiness, as was the american dream. The first amendment states that the congress shall make no law respecting any establishment of religion or prohibiting the free exercise thereof. The first amendment does not prohibit the church and government from interacting and working together for the good of america. In a nutshell, and kind of jumping down, I don't want to bore you with a whole lot of details, in a nutshell we are asking -- I guess two things. One is to allow us to come in and have just a simple prayer for the city council, so that you guys can just be blessed, basically. Because we know that you deal with some really tough decisions. We know you really deal with a whole lot of life issues that affect a whole lot of people. The second thing we are asking is to establish an office of chaplaincy. For the most part, a lot of organization, particularly church organizations, feel their disenfranchised from having a real voice in the city government, especially, not so much in a reactionary mode where something happens and then you grab a group of church leaders but always having a clear communication where you can have a voice already in place to say, this is kind of what's going on. I remember several, about a year and a half ago, there was a big controversy with a church in southeast Portland. They wanted to do a feeding program and the community had gone back and forth, well, we don't want one in our neighborhood and I know this is a great big to do about the whole thing. And we are figuring that we are not coming to take anything from the city council or city government, but want to add something to it to make your jobs easier and life easier because you guys already have a lot on your plate already in terms of having to deal with a lot of issues in life already. So, thank you very much.

**Katz:** Thank you. Thank you very much. Let me just add that anybody can come in every wednesday and use three minutes the way you have used it, so I just want to open that possibility,

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okay. And the other issue you raised is something that we'll have to have a conversation with the council members if they are interested.

**Francesconi:** Sir, I appreciate you're coming. Please pray for me. I need all the prayers I can get, but we don't need to formalize everything. It could be a big mistake. It crosses a line that we don't need to cross, but please, pray for us.

**Katz:** Thank you. Thank you, everybody. We stand adjourned.

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