



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **22ND DAY OF JANUARY, 2003** AT 9:30 A.M.

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

Commissioner Leonard arrived at 9:46 a.m.

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

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

COMMUNICATIONS	Disposition:
45 Request of Kent Craford to address Council regarding the membrane technology proposed for the Bull Run water treatment facility (Communication)	PLACED ON FILE
46 Request of Carter Case to address Council regarding the Open Reservoir Replacement Project (Communication)	PLACED ON FILE
47 Request of Paul Leistner to address Council regarding Mt. Tabor Neighborhood Association's resolution to delay further action on the Open Reservoir Replacement Project (Communication)	PLACED ON FILE
CONSENT AGENDA – NO DISCUSSION	
Mayor Vera Katz	
*48 Authorize a contract with the lowest responsive and responsible bidder to furnish the annual requirement of emergency industrial pipe cleaning and investigation services in excess of \$500,000 and provide for payment (Ordinance) (Y-4)	177201

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<p>*49 Create a new Nonrepresented classification of Portland Harbor Superfund Administrator and establish a compensation rate for this classification (Ordinance) (Y-4)</p>	<p align="center">177202</p>
<p>*50 Create a new Nonrepresented classification of Remittance Technician and establish a compensation rate for this classification (Ordinance) (Y-4)</p>	<p align="center">177203</p>
<p>Commissioner Jim Francesconi</p>	
<p>*51 Authorize purchase of a trail easement from Joseph and Cathy Dennis across a portion of property in north Portland adjacent to Columbia Slough (Ordinance) (Y-4)</p>	<p align="center">177204</p>
<p>*52 Grant a revocable permit to the Joanne Louise Deitz Revocable Trust for installation of a drinking fountain in Wallace Park (Ordinance) (Y-4)</p>	<p align="center">177205</p>
<p>*53 Apply for a \$72,500 grant from the Land and Water Conservation Fund to rehabilitate two soccer fields and three baseball fields in Irving Park (Ordinance) (Y-4)</p>	<p align="center">177206</p>
<p>*54 Authorize an Intergovernmental Agreement with the State of Oregon to accept a \$200,000 grant for construction of the Tacoma Main Street Plan provided by the Oregon Department of Transportation Bicycle and Pedestrian Program (Ordinance) (Y-4)</p>	<p align="center">177207</p>
<p>Commissioner Erik Sten</p>	
<p>*55 Authorize agreement with School District No. 1 for \$432,923 for the Home Repair Training Program and provide for payment (Ordinance) (Y-4)</p>	<p align="center">177208</p>
<p>*56 Agreement with Multnomah County, Office of Schools and Community Partnerships for \$1,691,319 for homelessness, public safety, youth employment and involvement and housing programs and provide for payment (Ordinance) (Y-4)</p>	<p align="center">177209</p>
<p>*57 Increase agreement with Early Head Start Family Center by \$42,688 for the Child Care Improvement Project and provide for payment (Ordinance; amend Contract No. 34402) (Y-4)</p>	<p align="center">177210</p>

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City Auditor Gary Blackmer

- *58** Assess property for system development charge contracts and private plumbing loan contracts (Ordinance; Z0741, K0051, T0067, K0053, T0068, P0063)

(Y-4)

177211

REGULAR AGENDA

Mayor Vera Katz

- 59** Amend Property Maintenance Code to clarify existing regulations and correct errors (Ordinance; amend Title 29)

**PASSED TO
SECOND READING
JANUARY 29, 2003
AT 9:30 AM**

Commissioner Jim Francesconi

- 60** Assess benefited property for the costs of constructing street, sidewalk and storm sewer improvements in the North Marine Drive Extension Local Improvement District (Hearing; Ordinance; C-10000)

**PASSED TO
SECOND READING
JANUARY 29, 2003
AT 9:30 AM**

- 61** Assess benefited property for the costs of Lower Albina Overcrossing Local Improvement District (Hearing; Ordinance; C-9988)

Motion to accept the staff recommendations and overrule the remonstrance: Moved by Commissioner Francesconi and seconded by Commissioner Sten.

**PASSED TO
SECOND READING
JANUARY 29, 2003
AT 9:30 AM**

City Auditor Gary Blackmer

- 62** Revise City Elections provisions to update and clarify procedures (Second Reading Agenda 43; amend Title 2)

(Y-4)

177200

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

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 22ND DAY OF JANUARY, 2003 AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Frank Hudson, Deputy City Attorney; and Officer Curtis Chinn, Sergeant at Arms.

<p>63 TIME CERTAIN: 2:00 PM - Oppose unilateral preemptive military action against Iraq by the United States (Resolution introduced by Commissioner Sten)</p> <p>(Y-2; N-2, Francesconi, Leonard)</p>	<p>Disposition:</p> <p>FAILED TO PASS</p>
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At 4:33 p.m., Council recessed.

January 23, 2003

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 23RD DAY OF JANUARY, 2003 AT 2:00 P.M.

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

Commissioner Leonard arrived at 2:08 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Senior Deputy City Attorney; and Officer Curtis Chinn, Sergeant at Arms.

<p>64 TIME CERTAIN: 2:00 PM – Adopt policies and code language that limits the use of leaf blowers (Ordinance introduced by Mayor Katz; amend Code Title 18)</p>	<p>Disposition: CONTINUED TO FEBRUARY 26, 2003 2:00 PM TIME CERTAIN</p>
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At 3:52 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

For a 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.

JANUARY 22, 2003 9:30 AM

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

Francesconi: Here. **Sten:** Present.

Katz: Present. Commissioner Saltzman is out on personal business, and commissioner Leonard is on his way, but we are going to start anyway. We will start with communications, so let's start with 45.

Item 45.

Moore: He will not be making it.

Katz: 46.

Item 46.

Katz: Carter case? Are you here? I guess he's not here. Let's do 47.

Item 47.

Katz: Okay. Thank you.

Paul Leistner: Good morning, mayor Katz.

Katz: Good morning.

Leistner: Jim and Erik. You do guys want me to start right now or --

Katz: Yes. Since this is communications, I don't think we have four here, so --

Leistner: Okay. I am the president of the Mt. Tabor neighborhood association, 2350 Southeast 57th, and I'm here to present a resolution that was passed by our neighborhood board in a general meeting last week. I want to clarify again the Mt. Tabor neighborhood association has no position on what ultimately happens with those reservoirs, whether they are buried or what goes on top or anything like that. Our concern has always been on the process issue, making sure there's good process. And so what this resolution tries to address is some of the process concerns that we are hearing in the community and that we also have on the board. And basically we have had concerns that there is some of the bigger policy decisions. There wasn't an adequate opportunity for public discussion about some of those. We are very grateful that you guys have scheduled a hearing for that in February on the 19th. One of the things we would like to see is an opening of the process, and hopefully not just a hearing, but an opportunity to actually have a balance, thoughtful discussion with the community about some of these different issues and about some of the needs for different things and the desirability or not desirability of some of the alternatives that some of the community members have talked about. And instead of going into the resolution, I will just submit it here, and you have got it in front of you. I do want to take this opportunity to also commend commissioner Francesconi for starting the process to take a broader look at citizen involvement in the city. We have got a wonderful city. We have got lots of caring people working in city government, but I don't think that we always do a very good job of weaving in the best practices out there in citizen involvement, and I think this water bureau case is one of those cases where if we had done a better job of involvement design early on, we wouldn't be having this contentious process here right now. What I have included in the packet some materials that I have actually used for many years that I got when I was with state government back in Washington state and gave me guidance as a public servant, how to work with the community better. And this training that I got

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brought up some issues here that if the water bureau had been considering some of these basic principles, I don't think that we'd be where we are today. And so that I know commissioner Leonard is not here, but I commend you guys for supporting that effort to take a broader look at the issues, and I do encourage you to keep an open mind on the reservoir issue. Let's have a good discussion. I think the credibility issue for city government, even when one bureau has problems, people in the public don't differentiate between you guys and between your bureau, and if they are mad at the water bureau, they are mad at city government, they are mad at all of you, and I think it's an issue, you know, for all of us that want to make the city work. Thank you very much.

Katz: Thank you. This is good --

Leistner: If you don't have time to read it, pass it on.

Katz: We ought to take a look at it.

Leistner: There is good stuff in there.

Katz: All right. Thanks a lot, Paul. All right. I need commissioner Leonard. But, what we are going to do is we are going to go on to the regular agenda because we have got four items that will not require a vote. So, let's read 59.

Item 59.

Katz: All right. Anybody want to testify on that? All right. Then it passes onto second. Item 60.

Item 60.

Katz: All right. Go ahead.

Andrew Aebi, Local Improvement District Administrator : Good morning, mayor, commissioners. Andrew Aebi, local improvement district administrator. The final assessment for the north marine drive extension local improvement district senior approximately \$788,000 below the original estimate at l.i.d. formation. This involves a single property owner, the port of Portland, which has waived their right to remonstrate or to file objection to final assessment. The port of Portland wish to say express their appreciation for the building and financing of this project through the city, which will significantly improve access to the region's marine terminal. Thank you.

Katz: Thank you. Anybody want to testify? Passes onto second. 61.

Item 61.

Andrew Aebi: Andrew Aebi, l.i.d. Administrator. The assessment for the lower albina local improvement district is equal to the original estimate at l.i.d. formation. One objection to final assessment has been received asking the properties to the west of the railroad tracks bear the entire amount of the assessment for this lid. The objection is contained in the exhibit that Karla handed out to you. I believe Mr. Hermon is with us today. I will further explain the alternatives available to council in a moment after Mr. Hermon has had an opportunity to speak.

Katz: Mr. Herman.

Stan Herman: I am Stan Herman and I own the property between the Harding and Clark street on the east side of the railroad tracks. I think the project went well. Everything seems to be completed and everything went smooth, except for I think I was the only property owner that was impacted in a negative way. On that Harding street, I've been locked out on my large ingress, egress for large trucks. Basically it has been a dead end, and both property owners there have lost access to our buildings. I know the department of transportation was going to get back to me regarding the potential easement that the railroad was going to give us, but there again, that easement was going to be, you know, a cancellation notice of any time they feel like it, just to shut us down. But, that easement has been talked about for a year, year and a half. The east side of that railroad tracks, I think, was the complicated issue on that whole project. Really, the bottom line is that the over crossing is exactly what it is. It benefits the people to get over those railroad tracks. I don't think it's fair for us to be impacted and help support what was originally designed for an over crossing for the businesses on the west side of that track. And again, like I said, we are still using that Harding

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street for large containers in and out, and basically, as safety hazard, and we just really haven't come to any great conclusion, other than the city has told me that you can't use it for that any more.

So, as far as the l.i.d., I am requesting for us to be eliminated from that process because of the negative impact on our businesses and our warehouse and storage. Thank you.

Katz: Thank you. All right. So that issue was not resolved, was it? No. Thank you. You want to come up, andrew? That issue was not resolved that mr. Hermon raises was not resolved.

Aebi: Yes. And I have the project manager here, and I would be happy to bring her up to answer project-specific questions, as well.

Katz: Project manager from?

Aebi: The office of transportation.

Katz: Odot?

Aebi: Yeah.

Katz: Okay.

Aebi: I just, mayor, I just wanted to respond to the objection, itself, related to final assessment. The recommendation is that the objection be overruled. This is based on several factors. First, if I can call your attention to page 3 of the exhibit that karla handed out to you, there was strong support for l.i.d. formation from the east side properties, approximately two-thirds of the properties supported the project at l.i.d. formation, so this obviously was a major basis for council's finding of benefit to the east side properties of l.i.d. formation. Secondly, the properties on the east side of the railroad tracks bear only 2% of the total l.i.d. assessment. If I can call your attention to page 4 of the assessment -- excuse me, the exhibit. You will see a map of the entire l.i.d. with the east side properties highlighted in orange. You will see the east side properties bear a very small portion of the overall assessment for the l.i.d., and then finally the lid of the whole bears less than 1/5 of the total cost of the project, so we have been able to leverage property owner funding with other funds sources to deliver this project. Council may choose to sustain this objection by requesting that an amended final assessment ordinance be submitted prior to the second reading next week. This would result in, of course, an elimination of assessments for the east side properties and would result in an approximate 2.4% increase in assessment on the remaining properties in the l.i.d., and I have karen rabiner here if you have any project-specific questions. Thank you.

Francesconi: If I understand this right, have most of the property owners agreed to this? If the east side -- at least four of the east side property owners agreed this, didn't they?

Aebi: Yes.

Francesconi: Four out of how many?

Aebi: I didn't actually count them here, but it looks like there is about 15 all together here.

Francesconi: The others oppose it or did not respond?

Aebi: Just because we didn't get support from the other property didn't mean that they were opposed. I know, for example, there was at least one property where the property owner was not able to get a petition submitted in time before l.i.d. formation. Two of the properties are government-owned properties, and they are considered automatically in favor of the project.

Francesconi: So of the 15 east-side property owners, four agreed and one filed a challenge?

Aebi: I'm sorry, actually more than four agreed because if you look at the top of this page, really, four opposed and two government properties are automatically in favor and all green properties are in favor. So a majority of the properties within the east side actually favored the l.i.d.

Francesconi: Okay. Thank you.

Katz: I'd like to hear somebody try to resolve mr.Herman's problem.

Aebi: Okay. Thank you.

Katz: Odot? L.i.d. I wanted to ask you, when did you change your employment status?

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Karen Rabiner, Portland Office of Transportation: Well, interestingly enough I am changing my employment status -- the 31st of this month is my last day as a city employee after 22 years. I am going out on my own to start my own company.

Katz: Oh, well good for you. Good luck. Thank you.

Rabiner: Karen rabiner with the Portland office of transportation. There were three or four blocks east of the tracks that currently still have access to interstate avenue and two of them are dead-end streets at this time. One of them is harding, as mr. Herman was referring to, and on those dead-end streets, they can accommodate only about a 40-foot truck at this time. In order to provide a larger truck access, we would have to acquire property from the railroad, which is generally a nearly impossible task if you have ever tried to do that before. We have tried to negotiate with the railroad to ask for some temporary turnaround access, and they have been reasonably accommodating, although they do not want to give it as a long-term access. So at this point mr.Herman has large truck access on the south part of his property, and his one individual lot that's on clark street by -- we had built what we call an "access road," between clark and lewis so, now there's a u shape between clark and lewis so a large truck can pull in on clark and out on lewis, or just the opposite. So large truck access for the one side of the property -- it's just the harding side of the property can only accommodate a 40-foot truck access.

Katz: Okay. Questions? All right. Anybody else want to testify? All right. I will take a motion. Identify yourself again.

Hermon: One of the --

Katz: Identify yourself.

Hermon: Mr. Hermon. One of the major supporters of that l.i.d. Was valvoline, but they were pretty much negotiated to pack up and leave and move out of that location. So, they were in the support site of that l.i.d., but again, they are gone. The other thing I just wanted to mention is I actually -- because of this issue, I did propose to the city, if anybody wanted to hear it further later on, how we could redevelop at least four acres right down there for mixed use and low income housing and kind of resolve this truck issue and so forth. There was a letter presented to department of transportation on how some of this maybe could be worked out for long range planning right by the light rail. This map kind of shows maybe, perhaps, a redevelopment of that whole light rail system. I own property on both sides, and i'm not opposed to sitting down and doing little longer-range plans to redevelop that. And the opportunity is perfect for that right now because the city owns that valvoline property, and there's a way to make this come about down in the future to redevelop this before a lot of other property owners get involved with this, and then it's going to be probably a project that just wouldn't work. So, if in the future somebody from the city wants to really visit this issue, there is a plan that I proposed that may be of interest to you.

Katz: Thank you. Commissioner Francesconi, what do you want to do?

Francesconi: I guess I want to accept the staff recommendations and overrule the remonstrance.

Katz: Do I hear a second?

Sten: Second.

Katz: All right. Any objection to say the motion? Hearing none so, ordered. Fine and this will move onto second. All right, 62.

Francesconi: Make sure we explain what happened in case you don't understand sir. I think you do understand but I want to make sure.

Katz: 62.

Item 62.

Katz: Roll call.

Francesconi: Aye **Leonard:** Aye. **Sten:** Aye.

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Katz: Did you call my name? I didn't hear you, mayor votes aye. All right. Back to consent agenda. Any items to be removed off the consent agenda? If not, roll call on consent agenda.

Francesconi: Aye **Leonard:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. We stand adjourned until 2:00. I just want to mention -- i'm going to mention it now. I have a, an impact meeting. I will have to leave at 4:30, so I hope that we can get through this afternoon and I will have discussion with commissioner Sten to make sure that that happens, all right. Thank you. We stand adjourned until 2:00.

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

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2:00 PM

Katz: Good afternoon. Karla, please call the roll.

Francesconi: Here. **Leonard:** Here. **Sten:** Here.

Katz: Mayor is present. Commissioner Saltzman is on personal business. All right, let's read item 63.

Item 63.

Moore: Oppose unilateral preemptive military action against Iraq.

Katz: Commissioner Sten?

Sten: Well, I'd like to just make a couple of opening comments and welcome people to city hall.

We're here today to debate and discuss a potential resolution that may pass or may not today, taking the position on the administration's proposed war with Iraq. It's a contentious issue, and I think that it's one that ought to be debated. It's one that, as has everybody in this room, I have spent a lot of time thinking about, talking about, have been to some marches, have also been to arguments on both sides. And it's not often, and I think appropriately not often that, we debate these type of issues in the city hall chambers. We are not a foreign policy board, and our congressman, Earl Blumenauer, will be our first speaker today. He's our representative in D.C., so work on these issues. It's engendered a lot of strong feelings, and I have heard from all sizes on the issue. Essentially one of the largest arguments has been, you know, we shouldn't be in the middle of these things, and the reason I decided to bring this today really are two -- one is that I just can't sit comfortably with the notion that war is strictly foreign policy. It is something that affects each and every one of us. It affects us locally, both economically, and, well, in all likelihood, will cost us lives, as well as dollars and be something that, right or wrong, we all have to live with and pay the price. For that reason, I think it's very appropriate that we debate the issues locally and we don't do so under any pretense that we will set the military policy in these chambers but our voice can be heard as a community and on all sides of this. I hope you have had a chance to look at the resolution and think it through. What it says, and the position that I am proposing, is that the Portland city council urge the U.S. Government not to launch a unilateral preemptive strike. This does not mean that we should ignore the problem in the middle east. This does not mean that we should ignore Saddam Hussein. It does mean that we ought to use military force as a last resort, and we ought to do everything we can and use the force and the might of this far nation to make the weapons inspectors process that's going on successful. If that does not work, then we should consider the other options. Two important points I want to make along the way -- the resolution, if you do look at it, because I have had concern about this, does denounce Saddam Hussein's government and the repressive tactics. There's no implicit or explicit support for the way that Iraq has been ruled. It's very explicit, and I think this is important to say as we get moving on this, that we support fully the men and women who serve in our army. It's a volunteer force who make the greatest sacrifices to get over there, and there ought to be no sense that the support for them is not here. I also think that in supporting those men and women who may die in this conflict, it's our duty as citizens to talk about these things before a conflict happens. Once a conflict happens, we need to support it, but if we have reservations, we are not sure and we think this country is going down the wrong path, if we don't speak out, we are as complicit as anybody who believes in the policy that shouldn't happen. So I think that it's our duty to speak out -- he or she is speaking out. [baby crying]

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Sten: On a completely different matter. Our country is great because it's free, but you only stay free if you foster debate and dissent, and if you push people to think about these issues. The other reason I sponsor this resolution and put the council into sometimes uncomfortable position of talking this through is that I believe deeply that we needed this type of forum a community to talk about things. Since the resolution was filed, I have heard passionate and wonderful arguments from the heart and from the head on both sides of this argument. I have heard from service people that are stationed overseas. It's the beauty of the internet who, have e-mailed in their point of view ready to go and ready to serve their country. I have heard from Portlanders who lost loved ones in the gulf war and are adamantly opposed to this happening again. I have heard from people who are in the middle and I have heard from people who think that we shouldn't go to the war but the council should stay out of this. So if you name a position, I have heard it -- what they almost all seem to have in common, and I think this is really important and part of what I wanted to find out, is the sense that we ought to do this in the right and ought to think things through, and avoid war if at all possible. I think that's the message that I am trying to send here today with this hearing. I do also want to say that we probably will and should hear these voices today. I hope that people will be respectful of all points of view. The point is to debate and dissent. I hope that people will listen to all sides and think particularly about what somebody else that might not agree with you has to say because I think that that's what really makes this country strong. I believe that we can do better than the foreign policy that we are pursue right now. This policy won't change it but we can help you, as Portlanders, talk about it. I want a couple of ground rules for this hearing. I have about five or six people that we have invited to come up and give presentations, experts on various pieces and community leaders. We will then open it up to public testimony. There's a signup sheet. If you have not signed up, please see karla. I guess it's still outside, and sign up. We usually do three minutes. Given the amount of people who want to testify, we are going to try doing two-minute testimonies to try to get more people n my hope is you can make your point in two minutes and make it strongly. Listen to what people are saying and let's try and get all the points of view on the table. Before I filed this hearing, the mayor had a previous commitment, so we need to wrap up at 4:30 today. I think that we can actually get everybody through in a couple hours. I would like to have a vote on this resolution today, so my hope is if people can help me not -- don't shorten what you have to say, but say it shortly, get through this and we could actually have this voted on today. If not, we would have to figure a way to carry it forward because we will have to break at 4:30. If we get close to that, we will assess the situation and make sure that we are managing our time well. So with that, I would like to -- any other council comments?

Katz: No. Go ahead.

Sten: I would like to invite congressman, earl blumenauer, who is our first speaker.

Katz: Before congressman earl -- i'm sorry, before congressman blumenauer starts, I would ask you all to respect the rules in this chamber, that we don't applaud during testimony, and we listen carefully and this is sort of a quasi-judicial body, and please treat it as such. Those are our rules, and I am asking you to respect them. Congressman blumenauer.

Congressman Earl Blumenauer: Thank you, madam mayor. I hope I am still "earl," here. [laughter] I was mentioning to the mayor, if I could, just make a brief comment before I begin. I was mentioning to the mayor earlier having just returned from what I think was the largest congressional -- I know was the largest congressional delegation to meet with the chinese leadership. I got all sorts of very significant feedback from people in beijing, shanghai that the hard work that the city has done and particularly, you, madam mayor, is making a difference in that country with all that's going on. There was a lot of feedback that I received. They knew I was

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from Portland. They understood the relationship. I think the seeds that had been planted for years but have been watered, and I know you have -- I know how much you like to fly, being in china and working I think is making a really significant difference not just for the china-Portland relationship, but for some of their policies. At some point, i'd like to make a fuller response, but I know occasionally some people wonder why so much time and energy is invested in these connections, and I just got some first hand evidence that it's making a difference and I wanted to express my experience as a Portlander, as well as somebody who is working on that.

Katz: Thank you, commissioner.

Blumenauer: And I do deeply appreciate the work that the council does. Sometimes the, the further i'm away from it, the more I appreciate what happens. I think it's perhaps the toughest but the most rewarding local government job in america. You appreciate the work you are doing individually and collectively, how we are preparing for the next session of congress, of the legislature, and difficult budgets you are facing here. I hope that there is time for us to be working together. I think this resolution you are working on this afternoon is very important. I'm not going to make a lengthy statement on the merits of the, of that. I have been speaking out against unilateral preemptive action on the part of the united states for the last six months. I have a couple of statements that I would make a part of your record, if I could, and they are available for people who want to look at them or they can check the website. But my -- and I do want to leave time for people here that I have heard from, as well, in this community. Portland is -- I think that people have a handle on these issues. They have invested themselves in it as deeply as anywhere in america, and I think that this is going to be an outstanding, outstanding hearing. But I did want to share a few thoughts that I may be able to uniquely provide some perspective. I know it's hard to decide sometimes what goes on the agenda, and when I first ran for the city council, I joked back then before any of you were there that I was the only one running for the city council without a foreign policy plank in my platform. But this is one of the rare items where what is happening at the community level in city councils, in neighborhoods, in town meetings, on college campuses is making a profound difference. It is on how american foreign policy is being made. It was a little lonely speaking out six months ago, if you just read the polls and listened to some of the congressional colleagues, but engaging with people, it was very clear to me that the public reaction is much more nuanced, and they were thinking further ahead, I think, sometimes than the administration. This is, as a -- I guess as a member of congress who's been engaged in discussions with people in our argue at the highest level and having an opportunity to meet with officials from other countries, most recently with china, I know that nothing that has come forward to this point would justify preemptive, unilateral action against iraq. I profoundly feel that this issue is not just one of foreign policy because what you are talking about here today will, in fact, impact what you are asking me to do with you in our nation's capital in terms of securing resources and the tension to deal with it. Because if we engage in a preemptive action against iraq, it's going to turn the apple cart upside down. It's going to change the political discourse. It's going to cost \$100 billion former presidential advisor lindley suggested \$200 billion. Maybe that's why he's former member of the president's council of economic advisors. [laughter]

Blumenauer: But it will be expensive. It will be disruptive, and it will have profound affects around the world. I would suggest that you look at your resolution and perhaps, consider some additional language in the "whereas," clause because you have made very forcefully clear to me, and it's something as a former member of this council I am aware of, the city council is the frontline of defense against the greatest threat to american security today. That is the struggle against global terrorism. And you are not getting the resources that the president and the congress

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promised to you to help in your efforts. And I would suggest that you consider adding language about what you're doing right now to try and deal with terrorist threats now, what's it's costing, what you have been promised, and what hasn't come through. You might also consider an additional resolve that talks about the funding commitment that has been made because this will be given attention in Washington, d.c., I assure you, and you're having an opportunity to talk about what the men and women are doing in police, in fire, emergency communication, what the council is doing, what's happening in public works I think is an opportunity that I would not pass by. In the final analysis, this is not just about a war in Iraq, but it is about our priorities at home and abroad. It is about how we, on the federal level and the state and local level, relate to the American public. It's about an opportunity to provide a new type of leadership overseas where the resort to force is absolutely the last effort and that we do it in concert with our global allies. I promise that I will do my best to work with you in the next congress for the interests of the city of Portland on the many things that you are advancing. I think this resolution properly crafted actually help in that effort, and I appreciate the time and energy that the council is investing in hearing from the public and look forward to assisting in any way that I can.

Sten: Thank you. Questions?

Blumenauer: Thank you very much.

Sten: Yeah, we have about six speakers. The first is a scholar from Portland, Karl Abbott, and I will ask the first three to come on up.

Katz: Karl, why don't you go ahead.

Carl Abbott: Good afternoon. My name is Carl Abbott, I reside at 1833 Northeast Klickitat Street in Portland. -- 1830 Northeast Klickitat Street in Portland. The members of the Portland City Council face two questions -- one, is it appropriate for the council to engage this topic? And two, would the adoption of this particular resolution advance the interests of the city and its citizens. Let me address each point briefly. First, the planned war against Iraq can be considered both a foreign policy issue and a military policy issue. In both cases, American cities, including Portland, have had a long record of activism as early as just noted. Cities engage in foreign relations by sending trade delegations to other nations and promoting investments by foreign companies and business entities, many of which operate under constraints to promote their own national interests, cities established formal sister city relationships and exchange favors and gifts with foreign cities and nations, cities allocate the resources to facilitate visits by leaders from overseas who may use the occasion to advocate particular foreign policy agendas. Cities intervene in immigration and refugee policy as in the 1980's when many cities in the U.S. declare themselves sanctuaries from refugees from political oppression and refuse limited cooperation with federal officials. Cities are even more direct in their efforts to influence military and defense decisions by the federal government. Cities have long competed for military bases in facilities, lobbying congress with their individual claims, often, I can say you, -- I can say, on scant regard for other authorities. Many cities in the 1980's try to influence military policy by declaring themselves nuclear free zones directly following the lead of nations such as New Zealand. On the second point, given the, I think it's clear that making a statement on defense and military policy falls within the scope of city action is the statement before you in the interest of the city. No one knows the answer better than you, the local elected officials who struggle to meet the needs of our community for affordable housing, education, job training, clean and safe water, clean air, health care, emergency services, and even adequate food. The cities have a long history of trying to influence the allocation of federal dollars to help with these needs, but they are facing a federal budget that provides less and less help. 20 years ago transfers from the federal government amounted to 1% of state and local

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government revenues. Now, the proportion is only 13%. A unilateral war with Iraq will require untold billions to wage and tens of billions more to pick up the pieces of a devastated nation. Funds unavailable for building healthy communities at home. The president has asked Congress for \$46 billion increase in military spending for the next fiscal year, and that, in advance, of a war. The proposed federal budget asks that 59% of all spending go to military and international affairs. 59% of the total federal budget, compared with 3% for transportation, 2% for community and regional development. Moreover, spending for a unilateral war would require a huge deficit financing with the inevitable supply and demand effect of decreasing interest rates and the cost of borrowing for public purposes. I think it's appropriate to remember the words of Dwight D. Eisenhower, not noted as a radical peace-neck, that every gun that is fired, every worship launched, every rocket fired signifies a theft from those who hunger and are not fed, those who are cold and not clothed. The resolution before Council today is appropriate. It speaks to the real needs of communities all over the world, and I urge its adoption. [applause]

Steven Claborne, Mercy Corp: Madam Mayor, members of the City Council, my name is Steven Claborne. I am the director of program operations for Mercy Corps. Thank you very much for allowing me to testify here today. I am here to speak on the issue of U.S. unilateral, military action in Iraq and the potential humanitarian impact. Mercy Corps is from Portland. Yet, we work in more than 30 war-torn countries around the world and I am pleased to have this opportunity to provide our perspective on the potential war in Iraq. From countries such as Afghanistan, Kosovo and Bosnia, our staff has witnessed the devastation and human tragedy caused by war. It was 1.8 million refugees, and more than 100,000 people were killed. Ten years of economic sanctions have devastated basic health and infrastructure in Iraq. Thus conflict reconstruction and nation building is a long-term process that requires commitment and staying power. It is dependent on multilateral support since no one nation alone could provide the resources needed. The U.S. and the international community is struggling to fulfill its promises in Afghanistan. A war in Iraq would drain resources and commitment to live up to our promises to the Afghanistan people. The sacrifices America has made to help Afghanistan would be for naught, and we would continue to see the growth of the real causes of war, poverty, lack of health and education and injustice. We are extremely troubled by the rush to war and a preemptive military action. As it will likely not provide solutions to the serious, social, economic, and political decisions in Iraq, nor will it contribute to resolving the grave problems in other parts of the Middle East. It may have larger political significance to America. The current foreign policy trend is to resolve difficult security challenges with military intervention that are extremely troubling. There seems to be little commitment to maintenance assistance for post-conflict times or provide assistance to address the root causes of conflict. It is extremely unlikely that the U.S. Government could shoulder the burden of emergency, humanitarian assistance and post-conflict reconstruction, which would likely occur from a war. Rough estimates of the impact of a war in Iraq include hundreds of thousands of new refugees, tens of thousands of civilian casualties, destruction of road, telecommunication infrastructure and other basic necessities for primary economic activity and family livelihood. The threat of biological and chemical war is real. There is no humanitarian agency prepared or capable of dealing with the catastrophic consequences of a chemical attack. The cost of rebuilding Iraq would be in the billions. Rebuilding the social fabric will take many years. A preemptive war would not bring peace or stability to Iraq nor the region. We at Mercy Corps are preparing for humanitarian crises if it occurs, that's our mandate. However, we sincerely hope it will be averted. Thank you very much.

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Aseel Nasir Dyck: Good afternoon, madam mayor, and members of the council. My name is nasir. I am an iraqi-american, and I do not presume to speak for all iraqis, although I must say as someone who has turkish blood and chechen blood and an aunt married to a kurd and cousins married to turks and kurds and persians, that I can tell you that we really are a very vast society, not easily cut into the usual a, b, c, and d's of a country, and such a society that has been one of the most progressive in the middle east has now been reduced to a very sad situation as a result of the brutal dictator saddam hussein and the effects of mainly u.s.-led sanctions against the country. I'm very proud to be a resident of Oregon. I know that Oregon is the vanguard of a lot of environmental, social, political, educational, et cetera, movements in the united states, and I find it extremely odd that 43 major cities in the united states, including san francisco, Washington, d.c., baltimore, los angeles now on the verge of coming up with a new one, but 48 different cities have come out with a resolution. I really look to you as our representatives of us. I am a historian, so I always look back at history. Nuremburg taught us, and other incidents before, that you do not remain quiet. You do not remain quiet because it is feasible to do so. [applause]

Katz: Let me just --

Dyck: You do not remain quiet.

Katz: Let me interrupt you, okay, give you an opportunity to catch your breath, too. I have asked to you please respect the rules of this chamber. If you feel that you have to express support on a statement, we have ability to do so by waving your hands so if you want us to see those statements made have some strong emotional and academic issues for you of support, do that, but please, these are the rules of this chamber and appreciate you respect that. Go ahead.

Dyck: Thank you. I would like to say that I pray and work for peaceful and healthy iraq. An iraq where every iraqi person, whatever their religious, ethnic, multiethnic, multireligious, multieconomic status is, walks and dignity, security, and democracy and be able to contribute their skills, intelligence, and creativity to a sovereign iraq, not to find a miserable existence under sanctions, nor to bear the yolk of a u.s. Colonialist mandate. I come from a family of educators who fought the british and who remember that the british came to iraq and said "we have come, o, people of iraq, to free you from the despotism of the turk," and one of the things they did was to build the prison where saddam hussein now tortures his political prisoners. Let iraqis solve their own problems, not a u.s.-led colonial invasion with an iraqi banker, crook at the mast wanted by interpoll and who will be put in prison the moment he set foot in jordan. Our administration puts such great hopes on. Nor for a war that locks the support of the world community with the exception of israel and micronesia and a divided u.k., and shame on such policy. I agree with you, commissioner Sten, there is a point at which we do argue things, but when they continue to affect us, when they continue to warp and destroy the fabric of our constitution and society, then we will continue to speak out and not be silenced because a wrongful decision in our eyes was taken by the administration. Sad has caused all groups of iraqis to suffer -- saddam has caused all groups of iraqis to suffer. Why are they singling out the kurds unless they have a special agenda in mind. They know how many times the british and americans tricked them. They know when churchhill bombed them with mustard gas in the 1920's. The kurds should remember how dulles drove their leadership into exile in the soviet union. The kurds should remember when nixon hung them out to dry in 1985 and 1991 and 1996. I ask those who are for war now, where were you when the u.s. Government let the arabs, the kurds, and all other iraqis out to hang and dry in the wind? Where were you 30 years ago when the united states administration supplied anthrax and botulism and other deadly germ cultures from the rockville, maryland culture has been to saddam? Where were you when donald rumsfeld traveled to baghdad with dole and eye awarded iraq the most favored

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nation status and exonerated a very important person soon after the incident of the gassing of the Kurds. Where were you when over 1 million Iraqis died, civilians, half of them under the age of 5, as a result of sanctions policy when Madeleine Albright called a difficult decision but worth it. Please, Madam Mayor, I am a member of the City of Portland's Impact, which Chief Kroeker is, you know, presides over. This is the Arab-Muslim Police Advisory Commission. Thank you. I was going to say auction. People do not wake up one morning and decide to blow up buildings. Foreign affairs do care. That's why we have sister cities in China and Japan, in Mexico. All over the world, in Russia. We foster. We are concerned with foreign relations. We care that Portland is an international airport. We are members of the Pacific Rim. We do care and we, one day, will suffer. You don't get it in a week. You don't get it after the ticker tape parade. But believe me what happened in New York and Washington, D.C. Was, to me, not surprising. And this was done not by poor, emaciated, poor, um, um, socially, needy persons. Bin Laden was a millionaire. His number one assistant's grandfather was a director of a university. His uncle was a chairman of the science department at Cairo University and his father was a professor. Please, there is a long-term consequences and it is up for the people to bravely speak out instead of being silent and timid. Thank you for this opportunity.

Katz: Thank you. Okay. Let's have the next members of the panel. Thank you, everybody. We see this.

Sten: Thank you. I call up Rabbi Hirschfield. Hirschfield Ecumenical.

Katz: Who wants to start? Okay.

Rabbi Aryeh Hirschfield: I am Rabbi Hirschfield, the rabbi here in Portland. I have been asked to speak today about the Jewish community and its relationship to issues of war and peace in Iraq. First, I would just like to say my own view of the war so it's clear where I stand and where my remarks come from. As a person of faith committed to the highest ideals of Jewish tradition, and biblical tradition I would have to say that an aggressive war that is not clearly in self-defense and will cause in its wake tremendous suffering and death of innocent civilians, as well as military personnel, is tantamount to mass murder, no matter how it is justified or rationalized. This is the foundational principles underlying my prospect of this war, and beyond that are all the reasons mentioned, on their impact on social programs. But to speak about my own community and the broader Jewish community. Pineare is a small congregation so, that number of people, I would say that, perhaps, two or three, or maybe four would support a war, an invasion of Iraq. Perhaps three or four or five or six or seven aren't quite sure how they feel or are ambivalent and have contradictory feelings. Of the rest of the community, I would say that everyone is in opposition to this invasion, the possibility of this invasion, and many of us are active. Many of our members are active in the movement to stop the war from happening at all. As for the broader Jewish community, I would say that in the broader institutional Jewish community, we find many, and possibly the majority -- I haven't taken a poll, but local Jews opposed to the invasion of Iraq. This opposition is often not openly expressed at meetings and demonstrations against the war because most of these demonstrations are tied to the issue of the Israeli-Palestinian conflict with little or, or no room or sympathy for the suffering of Israelis. So, many Jews are opposed to these events while at the same time are opposed to an invasion of Iraq or are ambivalent about their feelings about such an invasion. There are some in the institutional Jewish community that feel that an invasion of Iraq leading to regime change would be beneficial for Israel and their opposition to the anti-war movement has been quite vocal. But not necessarily representative of the broad spectrum of opinion in the Jewish community. I would have to say that ultimately, the view of the Jewish community is represented neither by those who, like myself, are clearly in opposition to an

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invasion, nor by those who clearly support one, but I think that this is really the point that the view of the jewish community of Portland, I would say, is more in the middle of those who might, with great reservation, accept such an event if it were to occur but would be extremely relieved were it not to occur. I think that -- that would be my concluding remark about this that I think most people would feel happy were it not to happen. So I think that the general support of the jewish community would be in that direction. And I just have to add that I did speak to one of the -- the rabbi of one of the three larger congregations about an hour and a half ago and he was completely in agreement with what I have to say here, as well. So, that's what I have to say. Thank you very much for your consideration.

Katz: Thank you. Go ahead.

Mary Jo Tully, Chancellor, Archdiocese of Portland: My name is mary jo tully, and today I speak on behalf of the roman catholic archdiocese of the Portland arc bishop to endorse this resolution against what has been called a preventative war, which is clearly an oxymoron. Archbishop this position is not surprising because pope john paul, ii has repeatedly spoken out against this war. On january 13th in his annual state of the world message he reminded us "war is not inevitable, it is always a defeat for humanity." the american bishops have also called on the government to pursue alternatives to war. Those who come here together this afternoon have many reasons to speak out against war. We are right to be concerned about the innocent men, women, and children who will die in a country already weakened by 12 years of economic sanctions. Concern for the life, safety, and security of the running back people seems sometimes sorely missing from the debate that's in this country. We are also right to be concerned about the financial cost of war at a time when federally funded projects and programs that benefit our city are already being cut. The congressional budget office estimates a military action against iraq will cost our nation between 9 and \$13 billion a month, likely resulting in further cuts. But there are other reasons to oppose this war. Consider what a preemptive strike on iraq would do to the soul of the american people. What does a proposed war in iraq have to do with life in Portland? A war with iraq and perhaps, even the consideration of a preemptive strike affects the soul of a city and the character of its people. It communicates a message to this generation and future generations that war is more effective than words. That violence is an acceptable answer to our problems. No matter how legitimate our concerns about saddam hussein are, a strike on iraq cross as moral boundary. It assumes that the united states is somehow exempt from the rules we expect others to obey. The most obvious difference between iraq and the united states is that we are a democracy. It means that we are responsible for the actions of our government in ways that the people of iraq are not responsible for saddam hussein. The debate today is centered on iraq. What is really at stake are the basic structures of the american idea. Those who are here today believe that war in iraq would set the very world on a course toward disaster. No one can change that course but us. Today, we ask the city council to join other cities in saying "no war in our name."

Robert (Bob) J. Castagna, General Counsel, Executive Director, Oregon Catholic

Conference: Thank you. Madam mayor and members of the council, for the record, bob representing the Oregon catholic conference. Our office is at 2838 east burnside street in Portland. The conference supports the resolution before you today and urges its adoption by the council. With the u.n. Inspectors set to report to the security council on january 27th, time is of the essence, and communicating this resolution to the administration, the Oregon congressional delegation, and the united nations. Today's hearing before the city council on a resolution touching upon federal policy with implications at the international, national state and local government levels is not without precedent. On april 14th, 1982, the Portland city council addressed the issue of the nuclear

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weapons' freeze and adopted by a 4-1 vote resolution 33411. In voting in favor of the resolution, city commissioners Charles Jordan, Mike Lindbergh, Margaret Strom and Mildred Schwab supported a measure invoking section 2-105 of the Portland city charter, which reads in pertinent part "to secure the protection of persons and property and to provide for the health, cleanliness, ornament peace, safety, and good order of the city." As you experience daily, local government is the government level closest to the people. As locally elected public officials, you have the ability to listen and to give official public expression to the hopes, desires, and deepest yearnings in the minds, hearts, and souls of your constituents. Your action in considering this resolution is an important exercise in declaring your concern for the well being of the people of Portland and elsewhere whose lives may be unalterably changed or lost. If there were to be unilateral preemptive action by Iraq against the United States. On September the 13th, the president of the U.S. Conference of Catholic Bishops wrote to the president and said "serious questions about the moral legitimacy of any preemptive, unilateral use of military force to overthrow the government of Iraq are expressed." Bishop Gregory continued, "mobilizing the nations of the world to recognize and address Iraq's threat to peace and stability through new U.N. Action and common commitment to insure that Iraq abides by its commitments is a legitimate and necessary alternative to the unilateral use of military force." On November the 13th, the United States' Catholic Bishops affirmed Gregory's letter by adopting this national level statement. In their statement the bishops declared, based on the facts that are shown, "we continue to find it difficult to justify the war with Iraq, lacking color and adequate evidence of an imminent attack of a country, but in the middle east and around the world, we fear that resort to war under present circumstances in light of current public information would not meet the strict conditions in Catholic teaching for overriding the strong presumption against the use of military force." The bishops have joined Pope John Paul, II in his express concerns for peace in the middle east and Iraq. Both in his message for the celebration of the World Day of Peace on January 1st and most recently on January the 13th. In his address to the diplomatic corps, Pope John Paul, II stated his concerns about peace and the threat of war. To the diplomats, he stressed "no war. War is not inevitable." Pope John Paul, II continued. "and what are we to say of the threat of war which could strike the people of Iraq? War is just never another means that one can choose to employ for settling differences between nations. As the charter of the United Nations organization and international law, itself, remind us, war cannot be decided upon even when it is a matter of insuring the common good, except as the very last option and in accordance with very strict conditions without ignoring the consequences for the civilian population both during and after the military operations." As we in this country are very painfully aware, war comes with a terrible price in the lives of combatants, their families, friends, and society as a whole. While international structures and means of preventing war are available to us, they must be used instead of unilateral preemptive military action against Iraq by the United States. In the November 13th statement the bishops declared the lives of Iraqi men, women, and children should be valued as we would value the lives of members of our own family and citizens of our own country. We, in Oregon, stand to pay a dear price if our nation engages in unilateral, preemptive war now without giving the United Nations and the international community more time to inspect and disarm Iraq. The lives of Oregonians are at risk in the military, at risk traveling abroad, and at risk of terrorist-inspired activity here at home if hostilities break out in Iraq. Beyond the threat to precious lives, the cost to the federal government estimated the cost as much as 100 to \$200 billion, denies the resources from being used at home to meet educational and social service needs for our people. And Oregon's U.S. Senators and representatives are currently involved in a congressional debate about how much aid to grant to the states and local governments. Meanwhile, the Oregon

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legislature is trying to figure out how to preserve the safety net of social services for vulnerable Oregonians and how to educate state's children. We are on the verge of having the general assistance program canceled, the medically needy program canceled, the emergency assistance program has already been canceled. The safety net is shredding apart. Federal moneys spent on unilateral, preemptive war against Iraq will not be available for the federal government to send to the states to meet human and educational needs of the people.

Katz: Thank you, both. Thank you, panel. We are going to open it up --

Sten: We have one more.

Katz: Oh, you have one more. Sorry. Okay.

Melinda Smith, Ecumenical Ministries of Oregon: Good afternoon. I'm Reverend Melinda Smith, and I am here representing Ecumenical Ministries of Oregon, sitting in for David Leslie, executive director. Ecumenical Ministries of Oregon is a statewide association of 17 Christian denominations, including Roman Catholic, Orthodox, and Protestant religious bodies working together to foster peace, justice, and healthy communities through theological, education and dialogue, community ministry, including services for refugees and immigrants, and public policy advocacy. Today, I wish to add our support to this resolution brought forward by Sten opposing a potential war against Iraq. We, and our constituent members are deeply concerned that a war with Iraq would bring heavy economic, social, and spiritual costs to the people of Portland and the state of Oregon who are already overwhelmed at this time by civic, county, and state funding crises, and the ongoing effects of recession and unemployment. We are opposed to any action that would result in Iraqi civilian casualties and further victimize those innocent people in Iraq who have already suffered so much war and economic deprivation. The values of peace, justice, compassion, and care for neighbor, expressed by our Christian faith and shared by our constituent denominations call us, we believe, to a different course of action. In expressing support for this Portland City Council resolution, E.M.O. joins with other ecumenical organizations around the United States who have supported similar measures in their own cities and communities. We hope that today you will approve this resolution and bring the voice of the city of Portland to the national dialogue on this critical issue for our life together as a community. Thank you very much.

Katz: We are going to have -- I am going to have the auditor's representative call three at a time for the resolution, three opposed, three yes so, that we have a nice mix. Karla. For those who have not been here before, that's screen with a little timer. That gives you a clue. We are going to limit it to two minutes, but trust me, you can get your message out in two minutes. You will hear it buzz, and I will allow you to finish your sentence. I am not going to cut you off, but we do want to make sure that we have as many people testify -- I've got a monthly commitment that I must keep and I want to make sure that we vote on it, on this today. All right.

Sten: All three of you, come on up. Three at a time. Go ahead.

Barbara Dudley: Thank you, Mayor Katz and Commissioners for the opportunity to testify. I am an adjunct professor of political science at Portland State. I am assuming --

Katz: We do need the name.

Dudley: Barbara Dudley.

Katz: Thank you.

Dudley: I am assuming that most of you agree with the majority of people in this city, as well as the world, that a preemptive unilateral attack by the United States against Iraq would be a tragic mistake. The question before you is not whether the looming war is right or just or even sane, but rather, why war against Iraq is a matter for the Portland City Council to concern itself with. What

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does war have to do with your duties and responsibilities as city commissioners? The answer is, it has everything to do with Portland and with your responsibility as a our elected representatives. You represent many of the young men and women who have been or will be called up by their reserve units or their national guard units to serve in this war. It's not the children of the rich and privileged who will fight this war. It's working people who will have to leave their families and their jobs and risk their lives for a dubious and unjust war. Thousands of, thousands from Oregon have been called up and thousands more will have to go if we, indeed, attack, invade, or occupy iraq. You represent the police and firefighters who will be protecting the city against the increased danger of terrorist attack in retaliation for our invasion of iraq. Even the c.i.a. Has warned that a terrorist threat will be much greater if we go to war in the middle east, that it will not increase our security but rather the opposite. You represent the business, small and large, suffering from this recessionary economy and their workers who are employed -- unemployed in record numbers. And you and they know this was will -- this war will not be good for the economy. It will drain dollars that could be spent on economic development, education, health care -- all those things which cash strapped cities are unable to provide their citizens. You represent the schoolteachers who are trying to teach their students about democracy and internationalism, and the responsibility exercise of power. The schoolteachers who will be losing their jobs are at best forced to teach unwieldy classes with far too many students on too few school days. You represent the students like the little girl that carried a sign which said "don't hit. Be nice." and yes, you represent the tens of thousands of Portland residents who marched against this war days ago. That was not some small faction in this city. We are your city. You represent us, and we urge you to join with the cities across the country to make our voice heard against this insane and illegal war. Thank you.

Chris Hogness: I am chris, a member of Multnomah monthly meeting of the religious society of friends, otherwise known as quakers. On sunday, january 19th, my meeting passed the following minute, we, members and attenders of Multnomah monthly meeting of the religious society of friends believe in the resolution of conflict by peaceful means. We urge the Portland city council to oppose unilateral, preemptive military action against iraq by the united states. End of that statement. I urge you to weigh carefully the voices of your citizens in advocating for the health and safety of the people of Portland by opposing unilateral preemptive war against iraq. At best, each city nation-wide that takes the step will accrue adding up to a significant national political statement to pull us back from the brink. When our children ask us what we did to reinforce the foundation of the moral and ethical responsibilities for our world and community, we will be able to honestly look them in the eye and tell them that we did what we could. In our imperfect knowing of all the world's ills, we have a unified and solid understanding of how war affects each one of us. I urge you to take this opportunity to act and vote for the resolution before you opposing a unilateral preemptive war against iraq. And here I have the signatures of people who are on their way into the hearing today signed in support of the resolution before you.

Katz: Thank you. Why don't you put that in the basket with all the other cards that we receive. Sir?

Chris Ferizzo: Good afternoon. Thank you. I am chris, number four on the list, and number three didn't show up so I jumped up here. Thank you for taking the time to hear this and thank you, commissioner Sten, for having this hearing and introducing this resolution. Good news, it looks like only six people have signed up to speak against your resolution, so maybe the debate will be shorter than expected. I am an organizer with Portland jobs with justice. Jobs with justice is -- it is not a peace group. Not anti-war protesters. We are a coalition of 63 labor organizations and community groups focused on worker's rights. Like I said, we are not a peace group but we took a

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position on this. We felt that we had to, and I think that you should, as well. For a whole host of reasons, in addition to the ones that have already been eloquently described, this war is, is an unjust war. It's an attack on worker's rights. Not only will it be our nation's young people, mostly poor, mostly working class, many people are color, disproportionately so, folks who signed would you please the military looking for way out of poverty or a career advancement, not only will it mostly be those folks going to war against the same folks in iraq, but this war is really a direct attack on worker's rights. I am going to read from one of the many resolutions that have been passed, and I distributed to you a list of some of the positions taken by organized labor across the country, unions, state bodies, and even international unions, including john sweeney, the head of the international afl-cio has made statements about this. I am going to read from the san francisco labor council statement "the war on terrorism and national security, using these as a pretext, the bush administration has spearheaded a renewed assault on organized labor starting with the use of taft-hartley against west coast workers, wholesale threats to the job security and union rights of 170,000 federal workers. The racist firings of experienced airport screeners, threats to curtail the right to strike and organize and the impending contracting out of hundreds of thousands of federal jobs. On more than one occasion, government spokespersons have referred union actions defending our jobs, working conditions and living standards as akin to terrorism or as aiding and abetting terrorists or as a threat to national security." we have seen this here in Portland where the Portland joint terrorism task force is using -- I am watching the clock, using these kinds of things to abuse worker's rights. , so check out the endorsements. Lastly, I just wanted to -- oh, jobs with justice, I forgot to mention, did -- has taken a position. We overwhelmingly voted to endorse the january 18th peace march, and I would urge you to take a position. I also feel you are obligated to. Thousands of people have spoken out. I think that this is an issue that you should take up. Thank you.

Katz: Go ahead.

Natalia Herndon: I am natalia. Madam mayor and council members, in going over the proposed resolution I would like to read from an excerpt from e-mail -- I would like to read an excerpt from an e-mail to you, madam mayor, that my husband currently stationed in south korea sent to you.

Katz: I read it. Thank you very much. Thank him for sending it to me.

Herndon: In the resolution the council speaks about our service members and supporting them, and my husband, sergeant herndon wrote "since this is, this has all started to come about, it has turn bood a daily conversation among military members. I have yet to run into a single one that said that he or she didn't want to go to iraq and take not only saddam and his raw ream out, not a there aren't soldiers that feel the other way I am sure that there are plenty who wish not to go to iraq. Obviously I cannot presume to say that the military is all for it. What I can presume to say is that if for some reason the united states military members were given the option to vote on whether or not to go to iraq, the answer would be a resounding yes. My little brother is currently slated to go to iraq in support of a marine detachment. Do I fear for him? Yes, very much. Do I pray for his safety every night? Yes. Am I proud of him? Yes. Do I wish that I could be there with him, fighting side-by-side when this kicks off? Yes. I hope you will, at least, pass this along to the council members. I just feel that the soldiers are the only ones who are not asked what they feel about this whole situation. I have been longing for the opportunity to express my opinion as to, as the person who will fight for this country, instead of talking about it to the news crews, and then going back to my wife and family and watching it on tv. I love my wife and my daughter more than anything else in the world, and you cannot begin to understand how much I miss them. Yet, if I were pulled into a meeting tomorrow and told that I would be going to iraq to fight and they told

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me that they did not know when I was able to return home, I would not refuse them. I would pack my gear, pick up my plane ticket and go and fight for my country. That is why I do what I do. I am a united states soldier, sergeant air official in korea. ." excuse me. I think it is irresponsible without some kind of vote encompassing Portland and the surrounding areas to have this go through. Otherwise would like at least something to be put in there stating this is without a vote from its citizens. Because when people look at this nationally, all they see is Portland, and they don't see the other surrounding cities and their opinions or if they are against this idea. No one wants a war. We don't have prowar rallies. We have very few people who want to go out and pick for it a war. We want what needs to be done, and with the already hostile environment our men and women are dealing with, I am sure it helps their mental well being to find out that the whole of Portland, the home town, and the place they are trying to protect, where their mothers, fathers, sisters, brothers, wives, and children live, say they refuse to support them in this thing that isn't a happy, fun thing to do in the first place. Its a huge mental burden and they shouldn't have to put up with it.

Katz: Thank you. Okay.

Dick Short: Madam mayor, members of the council, randy leonard, in particular, I would like to congratulate you on your election. It's good to see somebody from east county on the city council, the far east. I prepared a statement and quotes and the whole nine yards, but after what I have just heard from the wife of a serviceman, that all seems kind of like game for me to make a statement like this. But she touched on a point that I wish to make in that war representatives a failure of dialogue, and declaring the entire population of Portland in favor of an entire resolution or particular parts of it without a consensus of the entire people also represents a failure of dialogue. I guess I will read one quote that I dug up, and it was thomas jefferson who argued that it is sinful and tyrannical to compel a man to furnish money for the propagation of opinions which he disbelieves. I think that we really want to make a statement to the federal government, we need to give everyone in Portland an opportunity not just activists, like ourselves, and city employees and council members to stand up, get off the couch, and vote one way or the other, whether they are in favor or against. I think that it will be massively more powerful than a resolution by the city council. It, in fact, speaks up for the people of Portland but does not, necessarily you, speak for the people of Portland. Thank you.

Deborah Whitcomb: Thank you, mayor, and commissioners for having this forum. There is so many reasons to --

Katz: Just need your name.

Whitcom: Deborah witcom. There is so many reasons to oppose the war in iraq that the current administration seems to turn to ways you can hardly demand. Emotionally, it is illogical in that we have twisted the emotions of september 11th, which were basically perpetrated by 15 saudi arabians, masterminded by them based in afghanistan, to somehow justify a war on the iraqi country, who has had no connection to september 11. The foreign policy logic of the 180-degree difference contradiction between the administration stance on north korea and iraq in regards to nuclear weapons. The economic illogic which a lot of people have already addressed, administration which is touting huge tax cuts for the wealthiest americans launching a \$100 billion war, perhaps, all at a time when the states across america are in financial crisis. When scores of working people have lost pensions outright in some of the corporate misdeeds and in the three last dismal years in the stock market, and the immoral, illogic which some of the religious leaders have addressed. There is a concept of just war, which has taken people years of moral debate and philosophical discussion to come about and this attack on iraq would certainly not meet the criteria

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of just war. I would like to just speak briefly about the concept of a preemptive war, which people have gone on at great length about. This does break long-standing international principles of law, preemptive war is reserved for countries in danger of imminent attack, and that can certainly not apply in the case of Iraq, whose army was designated ten years ago and whose missiles concludes perhaps, fly a few hundred miles. If ever a policy deserved to be phrased, the phrase "Pandora's box," this one qualifies. As a role model, the U.S. could open the door to endless cases of war because of perceived threats. I learned the full text of my country, right or wrong, and it is, in fact, my country right or wrong if right to be kept right and if wrong to be set right. Why is it appropriate for you to weigh in on this national and international manner? The U.S. Does not have a topdown governor, we don't have an emperor or great leader or president for life. Supposedly, we are a government of and by the people. As a political entity most intimately connected to the lives of us, the people, cities do have a unique role to play. And so, I ask the city council to combine our voices into the passage of this resolution as we do attempt to set our country right.

*****: Good afternoon. Can you hear me?

Katz: No. Now we can hear you.

Staci Cotler: Okay. My name is Staci, and I speak today as a representative of Jews for Global Justice, one of the Jewish organizations that co-sponsored the January 18th Peace March. We, along with nearly 30,000 other citizens and unsilenced majority took to the streets to demonstrate against the insanity on the war on Iraq. We ask that the city council of Portland represent us by joining the over 40, soon to be 50, I hope, city governments standing together against the U.S. Military, industrial complex, and the corporate oil interest who is increasingly are pushing for a unilateral war against an already desecrated nation. We opposed the war on Iraq not only because it is unjust but also because it draws our attention away from critical issues affecting our communities. Our attention should be turned towards the funding of education, not war. Right now, Oregon leads the nation in the number of hungry and unemployed people. Our education system is flunking out. Kids attend classes in unheated schools. Human services for our most vulnerable citizens are slashed and our infrastructure is crumbling. We should be fighting against the erosion of our civil rights. We should be fighting against all forms of racial and religious profiling and targeting of immigrants. The motives of the United States foreign policy are suspect in the entire Middle East. We repeatedly opposed democratic movements of self-determination throughout the region and by "we," I mean the United States government. We, Jews for Global Justice are saddened by the great suffering endured by the Palestinian and Israeli peoples due to the continued Israeli occupation, and that being an occupation that is funded and therefore, controlled by the United States government. Rather than recklessly proceeding towards war, Jews for Global Justice supports a systemic change in U.S. Foreign Policy, one that would result in real security for Americans, Iraqis, and for all peoples of the Middle East. A military strike in Iraq will continue the cycle of violence supported by U.S. Tax dollars in the Middle East. Jews for Global Justice urge you to pass this resolution before you and participate in the growing movement to stop war abroad and protect civil rights at home. Thank you.

Lili Mandel: Miss Mandel, hi. It seems our government is determined to go to war unilaterally no matter how irrational their reasons.

Katz: Lilly, pull the mike closer to you.

L. Mandel: Oh, you can't hear me? Secretary Rumsfeld's statement that the failure to find weapons of mass destruction is proof of Iraq's ability to hide them is catch 22. If we find the weapons, we go to war and if we don't find them, we go to war. This illogical reasoning is mind-boggling and proof of our government's determination to unilaterally wage war without the United Nations

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security council agreement. The lead editorial in today's new york times states, this is a quote, "even the most alarming estimates of iraq's unconventional weapons' capabilities indicate that there is no imminent danger." now, why you should vote on this. There are more than 40 other city councils who have passed resolutions opposing a unilateral u.s. War. This city council must join them. To stay silent says that we endorse a unilateral war, and that would really be a deafening silence. Thank you.

Katz: Thank you, lilli. Mandel.

Katz: Laura, why don't you go ahead and start since I think that we are going to have a visual demonstration here of some sort. Go ahead.

Laura Campos: I am laura campos and I want to thank commissioner Sten for bringing this resolution before council. I appreciate the opportunity to address you this afternoon. Well, I have been trying to think of what unique thing that I can say to you that others haven't already told you, and I know that they have made eloquent statements regarding the heavy cost of war and the loss of public money available for health, economics, education and so forth. I currently attend p.s.u. As a student senator, and I sit on the student government and we passed a resolution on wednesday, january 15th, that read as follows -- "we, the student senate hereby opposed the first strike war against iraq by the bush administration. We also endorse the january 1th rally and march for peace in the south park blocks here in Portland." I presented this motion as a senator. The vote was five against and four abstentions and the motion passed. I am not submitting this to you as a representative of the aspsu senate but as a private citizen, and I hope you pass the anti-war resolution that commissioner Sten is bringing before you today. On a final note, I would just like to say that in 1973, I quit driving a car because of the oil embargo, and it is my belief that what is driving our desire to go to war is our dependency on oil. I have felt that way for 30 years, and this has driven a lot -- I know that you have seen me before, you know, about alternatives, like bike lanes, and you know, building mass transit and sidewalks, so I just want to tell you that I have had a 30-year commitment in this regard, and I hope you do support commissioner Sten. Thank you.

Zephyr Moore: Mayor Katz and commissioners. Erik Sten started out the presentation by saying that we should do everything to avoid war. No war for oil. That's was we need to do. And I urge the, the "waste no fuel to propel useless car dealer advertising." wentworth chevrolet, car dealer advertising, rectangles way a pound. If you unscrew the, the pound from the license plates, your vehicles will go faster, safer, and further while burning less fuel and less air. [laughter]

Moore: A city engineer calculated how much fuel it takes to propel useless advertising. We took ten miles of three-lane freeway, which is u.s. 26 here. If all of those cars daily had a useless car dealer pound advertising, the amount of fuel used just to push the advertising is 22 gallons a day, 8,000 gallons a year to push this. [laughter]

Moore: We can avoid war by wasting no oil. Remove useless car dealer advertising from the city of Portland vehicles and urge all citizens to remove car dealer advertising weight. My report on this, which fits on a post-card, talks about the fuel and air required to move this. You can get my e-mail, at my e-mail address, salmonshade@hotmail.com. Urge all citizens to remove useless advertising car dealer rectangles their cars. [laughter] irwin mandel.

Irwin Mandel: Good afternoon, mayor Katz and members of the council. Irwin mandel. I was astounded to hear a rabbi get up here and say that a war not clearly in self-defense is never justified. I wonder, has he forgotten the holocaust that resulted from the unwillingness of any nation to take action against adolph hitler before he declared war? Amazing: First of all, I am very -- I fully support the present resolution. The intent of the present resolution, but for me, it presents some problems. First, there are two phrases that refer to the cost of a war with iraq. Yes, a war

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would be costly and entail hardships for americans. But, when there is an armed dictator with a demonstrated willingness to wreak havoc and he remains in violence of a united nations resolution to disarm, the sack face may very well be justified. The issue is not the monetary cost of a war with iraq, but whether the united states should cowboy it alone or whether we act in concert with the united nations. Second, to preempt means to act before a u.n. action of war against iraq should be preemptive or does this resolution mean to say that the u.n. Must wait until iraq launches biochemical missiles against its neighbors or invade kuwait before any action can be taken. I suggest an amendment to strike the word "preemptive," from this resolution and strike the phrases dealing with monetary cost. There are other costs that will be associated with this war, accountable costs, and they will be accountable body bags returning home. The monetary aspects are not the overriding issue here. Thank you.

Alex Harvill: Hi. Thank you very much for having us down to speak about this. I am alex harvill. I write critical mass. Nobody represents critical mass. The critical mass has been a nuisance worldwide since the last oil war, and will most likely continue to be for the, the time being. I would suggest you guys probably ought to double up on your order of pepper spray because I think that the things are only going to get bigger for us. I do have a prepared statement, though. I just wanted to give you some head's up. Since the end of world war ii, the american economy has been driven by suburban home construction, new car sales, highway construction, and military spending. This approach, while profitable for a few, is neither economically nor environmentally sustainable. As a result of this flawed economic model, we are now as a nation on the verge of spending hundreds of billions, with a b, billions of dollars to kill people who want no fight and pose no threat to us. Purely an order to take control of the world's second largest oil deposits. What you are being asked with this symbolic resolution is whether or not you support such irresponsible policies. This war will go ahead, regardless of your decision. And it's going to go ahead regardless of the number of people who go out for demonstrations. I am sorry for everyone here to hear that. But we, the voters, the citizens of Portland would like to know where each of you stand on oil war. Do you support spending hundreds of billions of dollars, money which could be spent on schools and libraries and health care and sustainable transportation, all of the systems which actually make life better for us here, hundreds of billions of dollars to murder unwilling soldiers who pose no threat, their wives, their babies, hundreds of billions of dollars to keep american suvs on the road. Do you support oil war? Thanks.

Fred Smith: Good afternoon. My name is fred smith. I am the vice president of the sabin neighborhood association. The association is known for taking strong positions in defensive civil liberties and promoting progressive causes. We have opposed the joint terrorism task force and we have yet to take a position on the upcoming war in iraq. I have no doubt our neighborhood will support the proposed resolution against the war. Since we have yet to discuss the matter, I will speak only in a personal capacity. There are many reasons to oppose this war and other wars, other wars that president bush may have on the drawing board. Certainly the money could be spent -- the money spent on military adventure would be better spent at home. But, I will let my colleagues speak on these issues. I want you to know that the 25 to 30,000 people that you saw on the streets in Portland last weekend is only the beginning. We have more than doubled our numbers since the protest last october. We are just getting started. We will organize the opposition of this war door-by-door, street-by-street, neighborhood-by-neighborhood and city-by-city. The polls do not accurately portray the opposition to this war in the media underreports our efforts. The seattle anti-war demonstration on martin luther king's birthday equalled Portland's demonstration, yet received no local coverage. The politicians in Washington shirked their responsibility in declaring war and

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handed over their power to a president elected under highly questionable circumstances. I want you to know that we take offense that our demonstrations are being photographed by the police using face recognition software and that this is sanctioned by our city government. I want you to know that we take offense that our police chief is sent halfway across the world to hear only one side on the palestinian issue. He chooses to listen only to the viewpoint of the people who practice state terrorism on a daily basis against a civilian population that woefully is unable to protect themselves. And lastly, I want to you pass this anti-war resolution in opposition to the president's effort of imperialist conquest of the world. In conclusion, I have no opposition to letting people vote on the war. I think that would be a very good thing, if we had, if we had dialogue and we had an honest chance to really hash out the thing, I have absolutely no question that we would vote absolutely against it. Thank you.

Paul Seer: I am paul seer and I want to thank you all for inviting us here to speak today, particularly you, commissioner Sten. I would like to add the perspective of --

Katz: Do you want to identify yourself?

Seer: I did, I am paul seer.

Katz: I am sorry.

Seer: I would like to add the perspective of being a german american. I am a first generation german american, and my mother grew up during the war in germany. My grandfather was a nazi. That is a terrible legacy to live with, and, and I haven't gone back to germany a number of times as an adult. I did a chance to see the affect that that war had on the german people, and the german people are not well, nor do I think that they will be well for quite a long time if they ever recover because they don't have to live with a legacy of suffering. They have to live with the responsibility of what they did to the jewish people. We are paused -- on the brink of, of a war, which may or may not be small or huge. We have a responsibility as americans and as world citizens to be damn sure that what we are engaging in makes sense, is just, and is bringing about a good change, and I personally do not believe that any war is just, nor any war brings about good change. But I would like to advance that we have a huge responsibility here, and that we have a choice whether to go through with this war or not, and that you, today, can have a part in saying, this is not a just action.

Katz: Thank you.

Kathy Belge: I am Kathy belge, and I moved here to Portland ten years ago from syracuse, new york, and syracuse is one of the cities that has passed a resolution, and i'd like to take a second to read from some excerpts from that. Passed by the syracuse common council passed november 4th, 2002. Resolution relating to the opposing unilateral u.s. Military action against iraq. Whereas it is essential to assert untiring efforts to find peaceful solutions to international conflicts and to, to advanced democracy and human rights, whereas military force against iraq or any other sovereign nation should be used only in self-defense when there is an imminent threat of attack by the sovereign state against the united states and whereas the united nations has not authorized the use of military force against iraq, the common council of the city of syracuse, new york, urges the people of syracuse to extend efforts to convince the president not to unilaterally initiate any war and urges the united nations to be actively involved in securing the peace and stability of the middle east and urges executive and legislative arms of governments to attend to the long neglected problems of this country, which include the depressed economy, precarious state of the environment and the availability of affordable health care and the internal domestic security of our nation. And I urge this city that I now call home to follow with my home town and pass this resolution. Thank you.

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Yvonne Simmons: I am yvonne simmons, a peace activist with the women's international league for peace and freedom, women and black and peace and justice works, and we co-sponsored the rally that was set. I would like to talk more about how families get involved. My own family, my grandfather was kill in the first world war in the trenches and left to die in the mud there, and he left ten children, of which my mother was six months old. The second world war, my father's family is judicial, they jumped ship. My great grandfather jumped ship on the first from germany in the first world war. My father went crazy after the second world war and left home, and we were brought up with really no father, but the other kids that really lost their fathers got free lunch, and I always remember feeling bad, why didn't I get free lunch because I didn't have no dad home. At 14, I banned the bomb. I realized that bombing, killing was the worst thing that anyone can do.

We were on rations, very poor, and I worked in the old march at 14, and i've been to war zones. I did five peace journeys to yugoslavia, and where they bomb and sniper at you -- I remember one time they sent 18 bombs down, and there was about ten of us in a very tiny toilet, and we were in the tiny toilet because it had no windows, so if a bomb got in, you know, you are not likely to get hit because the bombs go through the window, which they did a few times, well, the shrapnel comes through the window, I should say. There, I realize how you are on your own when you are in a war. You don't believe anyone is going to help you. And I just wanted to die if anything happened because I wouldn't want to be injured. They had no medicine. They had -- it was awful.

There was one time that the hospital phoned and asked for some medicine for a 10-year-old boy -- oh, it's gone. But, the affects of war, I think, are incredible. And to families, the soldiers come back and they are more violent with their wives, the ones that are in domestic violence. We have seen -- in croatia, they told me that, too, that soldiers come back and they are more violent. We have to stop wars all together and look for other solutions to mend this world. We can do so much and why don't we do it? Thank you.

Dan Handelman: Good afternoon, mayor Katz, city council. Commissioner leonard, you have not seen me before, but I come many times to speak about issues of police accountability. I am with peace and justice works, Portland cop watch, and I speak today as an individual. I don't know if I said, my name is dan handelman. I have traveled twice to iraq with a group called "voices in the wilderness," to bring medicine there. I have seen the faces of the children, women and men that our government is poised to kill. We talk about security. Security will come from our country, becoming a world partner and not a world bullying. The people who call us the people who in this chamber you have heard, naive, are people that I challenge to go to iraq and sit down and have a cup of tea with these iraqi people who offer us to share what they have when they have next to nothing. The people there do not hate us and they tell us americans welcome, welcome. But they ask, why does your government want to do this to us. I support this resolution even though it did not go far enough for me, and it does not address the sanctions which no matter who you blame for the situation have killed hundreds of thousands of iraqis, mostly children, or the no-fly zone bombings, a war which has never really ended. There is not really a new war, just a continuation of an old one. While this resolution wisely opposes preemptive war, which would violate international law, it also allows room for the u.s. To conduct a war at some point, which I would oppose. The americans who died on september 11th did not conduct war on those who attacked them. The iraqi people who would die in an american war are equally as innocent. Congressman blumenauer spoke about how Portland needs money to fight terrorism. And we can fight it by not conducting wars like this and not drawing attention to the united states as a world bully. Just briefly lastly, when I was in iraq the first time, a young man was sitting at the table with me and told me in the gulf war, my father, he died from american missile, and all I could say to him was,

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i'm sorry, in my broken arabic. I don't want to have to go back and say I am sorry again. I want to say that I helped stop the war. Thank you.

David Lyles: My name is david lyles. A Portland city commissioner is reported in the Oregonian has saying about the potential war that he does not think that the issue can be linked to act local economic concerns. Another commissioner is reported to have said, according to the Oregonian again, the council should stay focused on issues such as public safety, roads, and the economy. I would ask the council members, what is more damaging to our economy than spending our material and human treasure on the waste of war? What is more germane to public safety than not sending our sons and daughters to invade a country that has not attacked us, turning world opinion and inflaming world anger against us and provoking more terrorist attacks on us. Our mayor is reported, again, by the Oregonian to be reluctant to have local governments weigh in on national and international topics. We don't have all of the information congress has. In a time when our congress has abdicated to the executive branch, it's constitutional responsibility to decide whether or not our nation goes to war and our executive branch is operating at an unprecedented level of secrecy, what information does congress have and is congress relevant any more? At a time when the executive branch with the collusion of congress has curtailed constitutional rights and civil liberties to a degree that is, that has not been experienced in modern times, where else but at the local level can we, sterner citizens, speak and have our voices heard? Where else may we stand in full exercise of our rights as citizens in absolute nonviolence as dr. Martin luther king, jr. Showed us and say, no, enough. Novelist john lecrea writes "america has entered one of its periods of historical madness but this is the worst I can remember, worst than mccarthyism, worse than the by a of pigs, and in the long-term more disastrous than the vietnam war," and he goes on "the u.s. Media is once more insuring that a debate that should be ringing out in every town square is confined to the loftier columns of the east coast press." I thank for you this forum and joining in that debate.

Jeff Cropp: My name is jeff cropp, a co-chair of the Portland metro chapter. The policies are detrimental to the health, safety, and the liberty of the overwhelming majority of american citizens. The bush administration has also made it clear that they don't really care about the concerns of the american people. That is why we need you, our elected officials, to represent our views to his administration. Last saturday an estimated 25,000 people gathered in Portland to demonstrate their opposition to this war. This was one of the largest demonstrations in the u.s. On that day. Unlike the other ones, we didn't have a lot of big name celebrities to come out and draw people. It was only their fervent desire to stop this war. People across the, across the u.s. Looked for progressive leadership. After considering Portland's history and the turn outlast saturday, we shouldn't be asking whether we should be supporting this resolution. We should be asking why we weren't the first one promoting this resolution.

Katz: Go ahead.

Mike Krutsch: Hello, I live at 245 northeast 99th. Mayor Katz and members of the council, thanks for giving me this opportunity to address you. The resolution before you is a vital in importance to our nation and city. Every citizen should take time to really ponder the ramifications of the potential war. Every citizen should express their views in an appropriate place and time. You were elected by the people of Portland to carry out the business of the city and public trust has been placed in your hands. I voted for you to do the best of the city, as well. While a war with iraq will affect the city, I believe that we are -- by putting the focus on this issue in which the city, you as commissioner have no control, little influence or responsibility, the attention is diverted away from other pertinent issues which you have been given the responsibility, authority, and have direct

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influence upon. While this is an important issue and there are many ways and very appropriate ways such as this last weekend to express different views, I do not believe the city council meeting is the place to do so. I think I speak for many when I say that while I am the small majority today, I do believe that there are many who agree that, and are asking the question, why are we discussing it here. Please get back to the business of the city for which you are elected to. Thank you very much.

Katz: Thank you. That's fine, but please, no sounds. He has the right to make and share with us his opinion. Thank you.

Per Fagereng: My name is per. I am a u.s. Army veteran who in 1956 was faced with a prospect of fighting in the suez canal. None of my buddies were particularly keen on going there, and we were very happy when president eisenhower told britain, france, and israel to get out of that war. Carl abbott quoted president eisenhower who went on to say, "this world is not spending money alone, but the sweat of its labor, the genius of scientists, the hope of its children. This is not a way of life at all in any true sense. Under the cloud of threatening war, it is humanity hanging from a cross of iron." well, that was president eisenhower. There's a tired excuse that I keep hearing "war is a federal issue and we are only local and state officials, but we are all federal taxpayers. Every dollar for war is a dollar less for the humane side of government. We don't feed our people. We don't educate our children. We don't give all our people homes or health care, but we do waste millions and billions on war. This war spending began long before 9-11. The united states has outspent all the world's war machines. The united states has had military people in more than 100 countries abroad. Now, our unelected president is preparing to spend up to \$200 billion, maybe more on an invasion of iraq. This is insanity and we, all of us, have to stop it." the historian, edward gibbon in the decline and fall of the roman empire wrote, "according to libbey, the romans conquered the world in their own defense." conquered the world in their own defense. "it conquered the world temporarily and eventually collapsed." thank you.

Katz: Go ahead.

*******:** I am brian sharp --

Katz: Move the mike so that we can hear you. Thanks.

Brian Sharp: I am brian sharp. I can only add my voice to the ones, to the eloquence spoken here today. Several people have, have pointed out, and I want to reemphasize that the cost of this -- of not passing this resolution to us in the city of Portland and to you, as the city council who does the, the city of Portland's business on behalf of us, the citizens and the people, will be enormous because -- well, it's pointed out the billions that will be spent will be not available for the things that we need to do for the people of the community, not just Portlanders, but Oregonians, not just Oregonians, but all the citizens of the people in this nation, so that's one thing. The cost for the social programs that you actually administer will be -- you won't be able to do your job as well if, if, if we go to war and spend that money and those resources elsewhere. So that's one point. The second point is the security of the people, and this homeland security effort and this war that we are supposed to fight to preempt an attack or danger to ourselves is, is actually made worse by going to war because the retribution that we will have to suffer as a consequence of our making so many enemies of people around the world will rebound against us, the people, not against george bush or his people, rumsfeld. They won't attack the pentagon. They can't because they don't have enough power. But, they can retaliate against the people, and they can tore rise us, like the english found out through their dishonor for 400 years trying to fight against ireland and keep it down against its will. The terrorism cannot be controlled that way by making more enemies but only by a

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preemptive change in the foreign policy of this country whereby we make friends and not enemies of the rest of the people in the world.

Katz: Thank you.

Beverly Logan: I am Beverly Logan. A conservative estimate of the cost of this war is \$100 billion. That cost doesn't include reconstruction or occupation or an unexpected outcome. Oregon's share of that estimate is \$810 million. As Oregon's largest city, I wonder what share of that \$810 million will Portland lose because of the proposed war that has been pushed forward without a compelling rationale. President Bush's war is wrapped up in empty rhetoric about homeland security when it promises instead to be the greatest threat to date against that very thing. Earlier it was referred to an armed lunatic willing to wreak havoc on the world. I am sure that not everybody would describe President Bush that way, nevertheless, what we need is some honest commitment from you to hometown security. It is and will continue to be the people of hometowns, large and small all across the nation of ours who will pay the cost of making more and the consequences of fallout from it. It is the people of the home towns in this nation whose children and parents will be asked to risk and perhaps, lose their lives on the battlefields and streets of Iraq and in emergency response to say terrorist attacks that are more likely to occur if we attack Iraq as our president proposes. It's the people of our home towns who will pay the financial cost of this war. This is not feasible for Portland at a time when we are experiencing the closing of schools, the nation's shortest school year and what was once a world renowned education system, the highest hunger rate in the nation. Unaffordable housing and health care, the closing of health clinics, mental health and treatment programs, the loss of health for disabled citizens and inadequate funding for our ports, emergency responders and public health infrastructure charged with handling terrorist threats. These are services that the towns depend on every day for our most fundamental security needs. When the security services are designated -- dismantled, at a time like this, it is unconscionable that any home town be asked to accept the unbearable costs of an unprecedented war against potential threats.

Katz: Thank you. Havoc wreak havoc.

Bill Michtom: Commissioners, Mayor Katz, I am Bill, and I am here as a citizen of Portland and a representative of MoveOn.org to support Commissioner Sten's resolution. Last week MoveOn ran an ad displaying the Pandora's box of possible consequences. It would not be an preemptive strike but an attack of Iraq. Consequences, which based on current U.S. Policy corks include the weapon of mass destruction nuclear explosives. We are asking the inspections be allowed to work. However, in this morning's Wall Street Journal, George W. Bush chastised our allies for taking that same position. The resident asked, "how much more time do we need to see clearly," that Saddam Hussein is not disarming. Yet, there has been no clear evidence to support the statement. What's more, if the inspectors find weapons with their unfettered access to Iraq, they can destroy them at that point. What is clear is that President Bush must be convinced by the loud and clear voices of U.S. Citizens. Thus, I firmly support Commissioner Sten's resolution and representative Blumenauer's suggested additions. The best foreign policy is one that considers the well being of all the world's people. And the best way to support our troops is to bring them home. Thank you.

Katz: Thank you.

Johan Maurer: Thank you for this opportunity. I am Johan Maurer. I am a pastor. I am also a grateful immigrant. Previous speakers have spoken well on the merits of opposing a preemptive war and of the validity of doing so on a city level. I only want to add a few sentences worth of urgency. As a Quaker pastor, I can be excused for being for peace, in general. [laughter]

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Maurer: But, as a pastor, as a frontline pastoral worker, I have to listen to individual stories of layoffs in my own congregation and find words of comfort. Even more urgently, what do I tell people with suicidal histories, whose caregivers and medications are cut back? Or disabled people who are under similar resource cutbacks? How will we respond to this imminent danger? Pulling back from a wider perspective, how do we explain to the people that we can't squeeze out adequate resources for these social supports but we can, as a nation, find 60 to 600 billion for a near unilateral military adventure to end the career of one of our world's spots? Perhaps you could argue the money we can find for regime change in Iraq is not, in fact, available to relieve suffering in Portland, Oregon. To me, that argument, in itself, just feist our city government in raising the question of national priorities and their local consequences. To advance this discussion, please vote for the resolution.

Katz: Thank you.

Pat Rumer: My name is Pat Rumer. I am a member of Aines United Church of Christ, and I am here not as their representative but myself as a person of faith to support this resolution. My local congregation, as well as the United Church of Christ is on record opposing a war in Iraq and we, like many -- like this body here, as well as our local congregation, have chosen to take a stand to oppose a policy while at the same time we support the men and women in our congregation who are members of the military. I think that that's part of what it means to be this community, which is to try to sort through the difficulties of opposing a policy while at the same time affirming the human beings that make up this community. My local church, and we are like many church, synagogues and mosques, in the last ten years have resettled two families. One, a family from Angola and another from Somali. Both victims of a war and both of them are political refugees. I also have the honor of serving as the first refugee coordinator with the city of Portland during the 1980's working with Commissioner Charles Jordan. I was hired because of the fact that the city and the state were in a sense, overwhelmed by 17,000 Southeast Asian refugees who came to us not willingly, but because of a war, the Vietnam War. Now, I got to know many of the people and they are fine and they have gone on to make a tremendous contribution and continue in this city. But, I want to talk about the human cost of what happens to refugees. We heard mentioned earlier that we might expect 900,000 Iraqi refugees. For a war that see not have to happen. In other words, rather than thinking about how we are going to prepare for it, we are looking at the human and financial and social cost to the city, that the city has already paid, like others. It's what can we do to prevent that kind of human cost on the Iraqis, themselves, as well as on those of us who, perhaps, may open our doors but, perhaps, there are other alternatives. I am very proud of the fact that the, the city council is willing to address this, and I just want to say that our voices are needed to be heard, that we act locally while we think globally to prevent this war.

Katz: Thank you.

Barbara McLean: I am Barbara McLean. Madam Mayor and City Council members, as a resident of the city of Portland, I urge the city council to adopt the resolution introduced by Commissioner Erik Sten opposing a unilateral preemptive military action against Iraq by the United States. Although the federal government's agenda is not normally a subject of city interest, in this case, I feel it's very important for local government bodies, which are closer to the people than the federal government, to voice the feelings of the people so that the United States government will hopefully pay more heed to the desires of its citizens. President George W. Bush seems intent on involving the United States in an armed conflict with Iraq and direct contravention to United Nations principles, the desires of American citizens, and the wishes of all the countries of the world, except Britain, and I guess Micronesia. Entering into such a conflict with Iraq will not only bankrupt the United States

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and erode our status in the world, as a leader of democracy and freedom, it will encourage lawlessness and lack of cooperation with the united nations by other rogue nations. Ultimately, our local population of Portland will be affected not only by diminished federal funding for needed social and environmental programs, but also by the chaos, recriminations and possible terrorism which will be the inevitable aftermath of such an unjust war. I urge our Portland city counselors to be cure ages and support erik Sten's resolution opposing u.s. Military action against iraq. Thank you.

John Munson, AFSC: Mayor Katz and members of the council, thank you for this opportunity and thank you for your incredible patience to sit before all of us today. I am john munson, I live in northeast Portland, and I am a quaker. I am also the father of eight children. Three biological, three adopted, one in the process of adoption, and a foster child. My 16-year-old daughter spent the first eight years of her life in a small village in north vietnam. She grew up long after the war but the stories that she tells at 8 years old, she had many stories to tell us, are of a community racked with war. The men in her village. Her fathers, uncles and the others clearly had the symptoms of post-traumatic war syndrome. Her mother died. Her father died, and her grandmother died because there was no money for the simple medicine that could have cured them of pneumonia and similar diseases. We do not, as a nation, need to create more orphans, like my daughter. My 16-year-old son has lived with us for a year. He spent six years of his life in a disruptive family. Eight years in the system. He doesn't understand the issues in this war, but he's for the war because it's cool. It's a macho thing. I shutter when I think of the possibility of him going off to war and coming back with his arm torn off or his leg torn off or his mind shattered. He's a fragile kid. We don't need this. I am also clerk of the american friend services committee, which is a worldwide organization that, in this -- in this city, it has programs to serve immigrant and youth populations, primarily minority populations of youth. These are the groups that will be most severely impacted by a war that would drain away our city resources and that would cause social tensions and fear that would endanger the rights and safety --

Katz: Thank you.

Munson: Our council represents these people and must represent them well.

Katz: Thank you. Your time is up.

Munson: I urge you, then, to support this, to vote for this. This is a historic moment for the city council, and history will remember this day. Thank you.

Katz: Thank you. Mr. Frankel.

Herman M. Frankel, MD: My name is dr. Herman frankel. Mayor Katz and members of the city council, I welcome the opportunity to share with you the documentation of everything that I am about to say. For two reasons I think that it's appropriate for the council to pass this resolution unanimously. The resolution calling upon u.s. Congress to oppose unilateral preemptive war against iraq, a war that would be fought by our fellow citizens in uniform, that will be paid for without tax money, and that would be carried out in our name. You don't need me to add to what's already been said about the inappropriateness and of shunting large amounts of our tax money away from Portland for the purpose of conducting military activities against the people of iraq. In short, a war against the people of iraq is a war against the people of Portland. The second concern that I have is one that translates itself into my being proud of my city council. I celebrate the fact that you are considering passing a resolution that will teach the young people in our community something about the rights and the duties of being a citizen in a democracy. Mind you in today's Oregonian is a report of the most recent l.a. Times Washington post poll showing that 70% of our fellow citizens are opposed to unilateral war as proposed by president bush. I want to thank you

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for being ready to say boldly so that everyone can hear and our children, the children of our community, can hear that --

Katz: Your time is up. Why don't you finish your thought.

Frankel: Your citizens, I will read in your words, and then I am finished. "the citizens of Portland and their local officials have the constitutional right and duty to petition the national government on this matter of grave concern to our community as part of a national and international debate now underway."

Katz: Thank you.

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

Neil G. Blatner: Thank you. My name is neil blatner. Welcome, everybody. I am speaking on behalf of just the public. I know dozens of others I speak for today. There's no question in my mind that we have a majority in this debacle which is, what should we do at this point, you know, with our present situation that has been, from the onset, of the 2000 debacle. So, my -- I see here -- why is it the responsibility of the city council to make a statement, and I believe it is because you need to go on record for what lies ahead, I believe, in some foreshadowing in the future with some of the possibilities of biowarfare, bioattacks that could possibly happen here in the west. Right now from just reading some of the circles of intellect going around, that if 9-11 was the equivalent of the, what the rustag fire was to adolph hitler, this administration needs something else like this, no matter what, what happens with the, the decision on the war, there's going to be future wars. To me, in my personal opinion, it's out of control. It's like a cancer. And I don't believe that there is one individual responsible, and so I believe that it's your responsibility to go down on record as representatives of this wonderful city of Portland to oppose this war for future compensations because of what will result from future organizations and people wanting revenge, so that's, that's all I want to say, thank you.

Katz: Thanks.

Michael Haggmire: Hello, I am michael haggmire. Do unto others as you would have others do unto you. Karma, what goes around comes around. Those are ways of saying that our actions tend to have a way of, whether good or bad, have a way of coming back to us in a similar fashion, and we have seen this happen to the u.s. In previous wars. People coming back from the vietnam war, you know. I have read statistics saying that, that more vietnam veterans have committed suicide than were killed during the war. We have seen vietnam veterans and gulf war veterans suffer from all kinds of diseases, both physical and mental, coming back. Now we are proposing a preemptive war because of what's said to be a possible threat, and, you know, we just have to look at what could happen to the united states if other countries felt that it was okay to attack the u.s. Because it was perceived that maybe the u.s. Was a threat. We actually mined arbors in nicaragua in the 1980's against a country that we weren't officially at war with. And in fact, we are threatening war now against in an action that is opposed by most of the rest of the world and so maybe some of those other countries might say, hey, maybe we need to take a preemptive strike against the u.s. So, the flip side of that is the council has the opportunity to engage in an action on a positive side that will come back to us in good ways by, by passing this resolution opposing the war against iraq. Thank you.

Kathleen Suadat: If it were rational, then we could think through it. If it solved problems, then our problems will be solved by now. We need to have voices raised in opposition to this preemptive strike. It is a moral issue at some level. The arguments I hear against your speaking out are not -- don't have to do with morality. They have to do with bureaucracy, they have to do with turf, they have to do with how we view the world as it is divided, not as it is unified. We, the

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citizens of Portland, took to the streets to say we believe in ourselves and we believe in our country and we believe in what is right. And what is right is that we should not strike out in a massacre of the people of Iraq. This is not someone who can meet us militarily this. Is not a group of people who are prepared to have a war with us. This is an action where we are already planning the consequence because we are pretty darn sure that -- of what will happen. That is, we will wipe them out, take it over, and then insert ourselves to change the regime and to reestablish the country.

The cost of war in money is one way to look at it, in human lives I think is a much more important way to look at it. War is not rational. And in that I ration at, we have not understood how it is that people are willing to sacrifice their own lives in order to advocate for their own freedom. I ask you on behalf of the citizens of Portland to announce, declare, pronounce, proclaim, speak loudly in opposition to this preemptive strike against Iraq.

Katz: Thank you.

Herschel Soles: My name is Herschel Soles. I'm urging you to vote yes on this conclusion, because I think we need to put the brakes on a foreign policy that seems to have a callous disregard -- callous disregard for human life. During the second world war, when all this hell cost were going on in Germany, the people in -- the leaders of England and the United States were kind of watching the situation while Russia made some plea that, could we get together, form an alliance to stop what's going on in Germany. But these people that run our foreign policy thought it would be good to stand by and watch the Nazis and the Communists fight each other. Kind after common disregard for lives. I think the Gulf War was a needless war. Mr. Hussein was sucker-punched into it because we told him through the ambassador there that we were not going to be concerned about the Arab disputes over land. So he got suckered into going into Kuwait. And then we went through this war where thousands of Iraqis were killed, some buried in the trenches. Now we're going to threaten you to go to war again. We're using Uranium 238 to contaminate this land over there so no one can escape the devastation of war, including our soldiers, who have to handle the weapons and be supposed to the U-238. So I think we should send a clear message that this callous disregard for human life has to stop. War is not a solution and we're going to start right here in Portland.

Joseph A. Ulrich: My name is Joseph Ulrich, I moved here three years ago. Martinez and the council members, Randy, I voted for you, Jim I have followed what you've done and I respect it. I was there when Erik promised he would bring this resolution out. I only want to say two things because there's been so many eloquent speakers before me. I work for children. I've been a respiratory therapist for 25 years. I'm concerned what will happen mostly to the children over there. I'm also concerned with all the other humans. The other point is, I support the girl that spoke earlier that has a brother over there, I believe that I am patriotic and I do stand behind him and hope to bring him home for something that is an unnecessary war. Thank you.

Katz: I noticed you skip me over. Is there anything personal?

Ulrich: I'm sorry, I didn't mean to. [laughter]

Carol Armstrong: Carol Armstrong, a retired teacher from California, I moved here to help out with the grandchild. I'm not a public speaker.

*****: You are now.

Armstrong: I hope that the eloquence of everyone will convince you it certainly has overwhelmed me. With respect to a unilateral war by the United States against Iraq, when the administration and the majority of the legislature have made a mistake in judgment of this magnitude, it is incumbent upon them as a matter of political conscience to be willing to reverse this mistake. It is also incumbent upon us, the people and the local governments, to speak out and insist on a reversal of the judgment.

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Katz: Thank you.

Katz: We're getting close to the witching hour, so if you can keep it to less than two minutes, we may be able to get everybody in. Go ahead.

Laurie Mercier: My name is Laurie, and I was one of 12 volunteers who distributed and collected these postcards at Saturday's demonstration. I must say that I was overwhelmed by the eagerness of -- by many people to do something to register their opposition to the war. To support the city council resolution to declare Portland's opposition. We unfortunately ran out of postcards as the first few thousand marchers streamed by city hall, where we were stationed with barrels, where people could deposit their signed cards. People mobbed us, grabbing cards, desperately wanting to send their message to you. It was an exhilarating moment, but yet for the remaining few hours of the march, as many more thousands passed by, we had to deal with the disappointments of many who sincerely desire to influence the city council in some way. On the one hand, their disappointments symbolized the promise of democracy. The belief that one's actions matter. On the other hand, I heard many people express the sense of powerlessness that pervades the city and the nation. It won't do any good, they won't listen to me. As a historian I can testify that the widespread opposition to the war expressed in Portland and the nation is unprecedented. Working people, people of color, academics, young people, seniors, soccer moms, have been organizing in their communities and on the internet over a hundred labor unions, including many city workers representing unions such as SEIU, AFSCME and the Teamsters and many state labor councils, including Washington state, have condemned the war against Iraq, and many have formed a new organization, U.S. Labor Against the War. This kind of unprecedented organizing and collaboration among diverse groups harbors well for the democratic impulse. At the same time, the Bush administration whittles away at our constitutional freedoms, the principles of democracy are based on the democracy that the will of the people is expressed through their elected officials. The council should support this resolution to demonstrate the Portlanders that their voices have been heard.

Katz: Thank you. And.

Sten: If we get through ten more people we'll vote on it today.

Katz: I will box these up and they'll go under the archives, so if anybody, 20 or 30 years from now wants to know who was where and what they did, they'll have some history left. So go ahead.

Jeffrey Worthington: My name is Jeffrey Worthington, I'm just sort of here on my own. I'm sorry if I'm inarticulate. There are reasons why -- there was a German-American here, second generation German-American here, and France in particular, opposing this war, it's because they've been through many wars in the past, they've been through invasions, they know what war is, they know the horror of war. And of course they are going to oppose the war, and George W. Bush is sitting there condemning them for being obstructionists. Of course they're going to be obstructionists of the of course the world governments like Germany and France who have been through wars before are going to be obstructionists. It's because they know what is going to happen. And of course another point I'm going to make, what happens after the war? What happens if George W. Bush gets his way? What happens to the Iraqi people? They're divided into three different communities. There's the Kurds in the north, the Sunnis in the middle and Shiites in the south. That country is going to fall apart. There's only one thing that can hold them together, and that is a military strength. Is the United States going to be -- keep their military in there forever? That country is going to explode if we -- the moment we leave. And there's nothing that's going to prevent a blood bath once we leave.

Katz: Thank you.

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Worthington: I urge you to -- i'm no supporter of saddam hussein, but the fact of the matter is, we betrayed the kurds in ten years ago. They're not going to forget that. They're not going to forget the fact we betrayed them, neither are the shiites. They're not going to forget the fact that we did not provide -- we stopped their advance south when they had a chance to overthrow saddam hussein. They are not going to forget these facts.

Katz: Thank you.

Steve Adler: I'm steve adler. It's the responsibility of a compassionate and civilized society to rebuke any doctrine, any doctrine of terror from any administration that considers unilateral preemptive warfare acceptable. Such warfare is unwise and indecent. Repugnant to our revolutionary ideals and our moral character. It smacks of fascism. Remember pearl harbor was unilateral and preemptive. In the streets of Portland, unilateral preemptive warfare will disturb our domestic tranquility, essential for civility, community prosperity, and homeland security. As such, I ask you to be guided by the courageous example of Oregon statesman wayne moores who stood alone in his opposition to the vietnam war, pass this resolution. Wave your threads alongside his and create the gorgeous fabric of Oregon conscience. Thank you.

Katz: Thank you.

Katz: I think we'll stop at that point. Come on up. Why don't you go ahead and start so we can make sure we can -- finish by 4:30.

David Barts: I live at 731 southwest king avenue. Apartment 15, my name is david barts. What can I say about the federal government's policy of unilateral preemptive war? It's got to be one of the most phenomenally dangerous ideas i've ever seen come out of Washington. Can anyone imagine a world where pakistan feels free to engage in unilateral preemptive war against india, or syria against israel, or north macadam against south korea? Make no mistake, that's exactly the sort of world such a policy helps to bring about. Sten's resolution is very specific and to the point, and I think that's -- that support should be self-evident.

Katz: Thank you.

Lore Wintergreen: I'm lore wintergreen, speaking before you is my opportunity to support this resolution and to make it clear that I am not in complicity with what the bush administration is planning. I ask you to stand with me and those people who have spoken before me very informatively and eloquently in saying this will not happen in our name.

Katz: Go ahead 1st, sharon.

Sharon Nasset: My name is sharon, i'm from north Portland, and i'm here speaking just as a citizen. And i'd like to thank you, mayor, for having this conversation. And for the council people to take the time to -- actually could be effective. And erik, I appreciate so much that you realize the possibility. We're all here because of possibility. It's possible to stop a war that could kill. It's possible. Because -- it's not probable, you don't do things because they're probable. You're inspired by what's possible. What is possible is to remember that peace creates peace, war creates famine, destitution and -- ruins our nation. I have been taking time out to say peace be with you to almost every person i've seen lately. And their face lights up and they smile back and within a heartbeat they say, "and with you." and I know that that's the correct direction. I have five brothers, I have seven brothers, I have five brothers in vietnam at the same time. Three of them got their draft papers before they got their diploma, and had to leave in june. My birthday is towards the end of june, and they were always gone off to war by the time it came. Two weeks' vacation after high school. They came back and never talked about it, because people don't talk about war. We're told not to ask them. A lot of them came back and had lost their mind. I have a good friend that says he doesn't believe in hate, but he hates johnson. I said, why do you hate president

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johnson? He said, the man tried to kill me. And he also tried to turn me into a killer. I hope you vote for peace.

Katz: Thank you, sharon.

*****: Thank you.

Jayson Dunlap: My name is jayson dunlap, i'm a resident of northwest Portland and I appreciate the opportunity to speak to you today. I don't have too much additional to add. I want to as everyone else i'm sure wants to -- I hope you'll vote in support of the resolution. I do want to add or just say one thing. Yesterday in the news it was repeated many times that george bush called the sequence of events the repeat of a bad movie. And I think that his words were very accurate. It does feel like a repeat of a bad movie, and again, it seems to me that the director of this horrible film is george bush. [laughter] and I would urge you to check out of the theater and demand your money back. [laughter] support this resolution. Thank you.

Katz: Thank you.

Hector Roche: Good afternoon, my name is hector, and actually I didn't plan on speaking today, and as I guess there were a lot of eloquent arguments in support of the resolution and against the war. But I was particularly moved by some of the testimony that I heard here earlier, that of the germany-american young man who talked about the psych and the ongoing damage to the psyche of the people of germany. And the woman who remembered and spoke about the damage and horror to her family, her grandparents and great grandparents. And it reminded me of our obligation to all of the generations that preceded us and all of those generation that's will come after us. And many traditions it is said that when you do healing work, you're healing seven generations. Your own, your children, your grandchildren, and your great grandchildren, your parents, your grandparents, and your great grandparents. This resolution, passage of this resolution, is a great opportunity for you to be part of that healing process. Thank you.

Katz: Thank you. Karla?

Moore: That's all.

Katz: Thank you, everybody. Usually we leave time for people who didn't sign up who changed their mind and wanted to say a few words, but because of commitments made a long time ago, that may not be possible. So this will be an opportunity for us to take a vote unless the council wants to discussion it, or ask any questions. I assume not, so let's go roll call.

Francesconi: I'm opposed to this war because I think it would cost innocent lives, it would destabilize the region, and it would fuel anti-american feelings throughout the country, and the world. Citizens have a duty to let their elected officials know what they think. I have written to the president and to our congressional delegation. I've attended a peace vigil and I attended the march. In an effort to let my feelings about this war be known. I also disagree with other presidential policies. I disagree with the president's recent budget that cuts a billion dollars from education. And I disagree with his position on affirmative action. Despite my personal feelings, I do not believe that city council resolutions are an effective means of changing national policy. If the council starts down the path of considering resolutions on foreign policy or the national budget, or the president's position on affirmative action, we strain our ability to focus on those things that we can control, like our schools, housing for our citizens, deteriorating infrastructure. As a citizen, i've spoken out against the war, and I agree with the resolution's sentiment. But I can't support city council resolutions over national issues over which we have no control. There are so many local issues that cry out for attention, and we need to stay focused on those things we can influence. No.

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Leonard: Well, with all due respect to my friend and colleague and in some ways mentor, commissioner Francesconi, if I ever thought that this kind of an issue was not of local concern, the morning that I got dressed and drove to work for my regular duty day at fire station 17, and I heard an interruption on the radio that the world trade towers had been attacked and Washington, d.c. Had been attacked, and later that morning on duty along with my colleagues, learn that over 2,000 innocent americans had died, including 343 firefighters and almost 100 police officers, that changed my view about a connection between foreign policy and local government. Forever. Some of the reactions I had today were visceral with respect to some of the testimony I heard, and I bit my tongue quite hard was of -- because of that experience that I had. I want to make it clear too that I agree with commissioner Francesconi, that as most of you may be aware, republicans have never been a group that have fondly heard my messages as i've spoke in the legislature about their policies, including this president's policy, social policies and in fact foreign policies. For an example, I find it perplexing that we would send a message to the world community that it's ok what korea is doing with respect to development of a nuclear bomb, but it's not ok what iraq is doing, and the message that I think is being sent by that foreign policy is that if you're a rogue country that has the where withal to develop a nuclear bomb we won't mess with you, but if you don't have such capability, you're on our target list. So I have deep concerns about the foreign policy of this country. But that experience on september 11th, and while it was true what I heard here today, that there were people who got on those planes and commandeered them that day that didn't decide that day to do that, I wish I had also heard acknowledgment that there were 2,000 people who went to work that day who expected to go home and see their families that night as well, but didn't. And that deeply concerns me. More than I can probably express here. The other issue that concerns me deeply is in my recollection of the gulf war, I just cannot forget that during that war israel tried as hard as it might to stay neutral and notwithstanding that fact, iraq chose to send scud missiles its way, as many as it could, as fast as it could, to cause as much destruction as it could and as much damage as it could to kill as many innocent people as it could, all while israel stayed neutral. And -- an act that to this day I think is -- speaks volumes to the character of that country. So what I don't have today is enough information. I appreciate those of you who have expressed your support of me and one of the things I said when I ran is i'll make decisions based on the facts. And were I to have the facts as i, randy leonard, require them, I might make a different judgment. But i'm not going to take a position today that sends a message potentially to a country, to a ruler more specifically, that somehow these things that i've described here have some tacit approval by me. So for all those conflicting reasons, I have only today come to the conclusion that I cannot support this resolution. I appreciate commissioner Sten's courage in bringing it forward, and causing this debate. I have learned a lot from it. No.

Sten: Well, I believe deeply in democracy, and there's been a lot of debate today, and it was really eloquent and I thought well spoken, and well argued. One point somebody put forward the notion we ought to have a vote on this, and I don't presume to know what the populous would vote. If I read the polls right, it depends on lot on -- a lot on how you frame the question. But I know how I feel, and I do know enough to take the position that we should not go in unilaterally and preemptively, and I believe the cost to this community will be so great and the cost to our world, this is -- this action is based on a new foreign policy, one of world domination, that's the words used, and I don't think we can sustain that approach. I actually don't disagree with my colleagues that the council has to be very careful what it gets into, and as you can tell, this resolution will fail today and the city council will not take this position, because a 2-2 tie fails, so whichever way the mayor goes, and I don't know, because I came into this saying to people, you should listen and do

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what's in your conscience. But I think this was a good use of this forum today, and I have no reservations about pushing it forward and saying we ought to think about these things. The idea we shouldn't get into everything is obvious, but the idea that follows, that we should get into nothing is equally wrong. And we have to use judgment and somebody who is here today, a good friend sent me a quote, arthur ash said leadership is doing what you can with what you have. I believe each of you today has done that, and I believe the folks on the other side have done that as well. I felt compelled with my conscience to bring this forward because this is what I have, the opportunity you've given me to file resolutions to this council and so arrive done that. And my conscience is clear. I do not believe the city council passing this or not passing this will decide what happens in this country, but I believe not speaking out by you on either side of the issue, and i'm looking at the brave woman who's husband is over there, is a moral failure. So I think we've had a good discussion today. I am saddened this will not pass, but I respect each of you and vote aye.

Katz: Let me -- [applause] for the citizens of this community who are listening or watching, let me be very clear on the words of this resolution. There was a lot of work that went in to craft this resolution. It's a little different than what originally was, and I want to make clear what in fact it includes. It supports the u.n. Security council resolution 1441 that recognizes the threat that iraq poses. Criticizes saddam hussein for not complying fully with u.n. Resolutions. But offers iraq a final opportunity to comply with disarmament obligations. This resolution also says that the council finds that it is in the best interest of our country and the world for the united states to act in concert with the united nations to get iraq to disarm. And this resolution also says that the council asserts that war should only be used as a last resort after exhausting all diplomatic and political means and that the u.s. should not undertake unilateral or preemptive action. As many of you know, I lived in europe during world war ii. I saw death and destruction myself. I saw hitler march across the continent. I saw his reign of terror. When the u.s. declared war against germany, millions of lives were spared. Unfortunately, there are times that war is not avoidable. World war ii and our declaration of war was not avoidable. But it is also important to speak up. The germanies -- the germans didn't speak up in 1933, the french didn't speak up in 1933. United states didn't speak up in 1933. Only the english spoke. And I think it's time for all of us to speak up and say that there are certain conditions where declaring war is probably unavoidable, but we have not come to that time right now. Aye. [gavel pounded] the motion fails. We stand adjourned. [applause]

At 4:33 p.m., Council recessed.

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2:00 PM

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

Katz: Mayor is present. Commissioner Leonard is not here. All right. Let's read the item number.

*****: 64.

Item 64.

Katz: All right, everybody. Before we open it up for the team to come before us, let me give you a little bit of history. In September of 2000, the noise control task force was formed to review the issue of noise in the city and city-wide concerns. In July of 2001, this council adopted the task force's recommendations. We are going to hear from them in a minute. The council gave the noise review board further direction on limiting leaf blower use. Specifically developing a decibel level, hours of use for commercial and residential purposes, and work with the industry on technology and hopefully new methodologies so that we can really control the decibel level. This is a controversial issue. Residents have complained about noise in the city as a whole, but specifically about the level of noise with the use of leaf blowers and the fact that many of the leaf blowers he used late at night or early in the morning and on the weekends. And as we grow as a city, and as we the centers of the city, and as we become more of a diverse population with both residential and commercial living closeby, there has to be a sensitivity by everybody with regard to the level of noises, whether it's noise coming from taverns or noises coming from leaf blowers. The recommendations before you probably go too far for some businesses and not far enough for residents, so I think it was fair to say although I was not part of the task force, you will probably hear some testimony that it isn't quite what anybody wanted, and usually when we make both sides somewhat unhappy, but still improve the situation, you have got a good piece of legislation in front of you. And I think that that's what you have this afternoon. So, I want to thank the task force for meeting and working through these issues, and especially members of the team who are critical in helping us solve some of these problems. And with that, I have a sign-up sheet and a presentation sheet. We have got Dean from the Bureau of Development Services. Paul from the Bureau of Development Services. Susan Pierce, a new member of the noise review board, and Kerry Stanley, a member of the noise review board. So go ahead. Denise.

Denise Kleim, Bureau of Development Services: I am Denise with the Bureau of Development Services. We are here to present the following recommendations of the noise control. [inaudible]

The Mayor mentioned the process started back in September of 2000 with the noise control task force was formed. They sent their recommendations on leaf blowers to the noise review board, and in July of 2001, council did adopt the task force's recommendations. The critical language on the blowers was adopted at that time. And what it says is that there can be no use of leaf blowers at night on residential properties, and for all other zones, it requires that leaf blowers meet nighttime sound level standards. It has to be met by all other noise sources. The council also gave direction to the noise review board to further work on the leaf blower issue. They asked -- you had asked them to develop the specific decibel level for leaf blowers to phase in that decibel level over a three-year period. And then every three years, review that decibel level and adjust it as necessary based on the kind of equipment that was available from the industry. You also asked them to work with the industry on an educational program, to limit noise from operators who appropriately use blowers and also to research the possibility of the limit on the duration of leaf blowers, ie, look into the ban on leaf blowers. So that's what the board did there was a lot of public outreach involved.

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As we said, it started with the noise control task force program. There were three meetings city wide to get information from all kinds of issues on noise in the city, and then the noise control task force had numerous meetings on the leaf blower issue. The noise review board, then, got the issue on their agenda, discussed the issue at six different meetings from mid 2001 to late 2002 and also held public hearings on the issue. The board received 45 letters on the subject, and now we have a mailing list of 400 parties that we notify of any issue that comes from the task force, including the hearing today. I think you will find that the noise task force worked towards a solution to balance the citizen business concerns. It's been a controversial issue. The task force heard from citizens who were -- we worked closely with a manufacturer and a large regional sweeping company and worked with maintenance and parks bureaus and actually did some actual in-house testing of their actual equipment that they use and got feedback from both of those bureaus. So, I think what they will find is that we heard from all sides, citizens who wanted a ban or limits of leaf blowers, from businesses who have concerns that they are responsible for keeping the city clean. They are trying to balance that with cost to their business. [inaudible]

Kleim: The review board looked at many different solutions, and we will talk about that today. They looked at a full ban, a partial ban. They looked at an educational program for the leaf blower operators, bans on sundays and holidays, so all kinds of ideas were floated around. [inaudible]

Kleim: I had like to hand it over to paul right now, who is going to talk about the actual provisions of the current code and then provisions of the proposal.

Paul VanOrden, Noise Control Officer, BDS: So what i'd like to do is take a few moments just to go over what the actual standards are currently and how it would affect the city with the proposed changes. The current daytime standards -- there is no established specific decibel limit currently or leaf blower use during the daytime from 7:00 a.m. to 10:00 p.m., so an operator would be permitted to use any leaf blower under the current guidelines. That would require, however, that the leaf blower is properly muffled. The current requirements do have some standards -- more specific standards, I should say, at night time that require no leaf blowers to be operated on a residential property in the city after 10:00 p.m. There is also a requirement, which I will describe and explain a little further, a little more clearly with some graphics that I have, but this additional requirement at night time is for a leaf blower operator to meet the existing decibel standards in title 18. These are based on zoning, and the example that I have on the power point is a commercial-to-residential example. So in leaf blowers operated on a commercial piece of property has to maintain 55 decibel level at the property line. The graphics that I have will help to clarify that. The changes -- one of the important parts of the changes, and you will hear testimony probably today, relates to the time requirement, noise review board has established that they want to move the definition of daytime to a shorter time frame. So instead of 7:00 a.m. to 10:00 p.m., it changes to 7:00 a.m. to 7:00 p.m. So three hours less for daytime operations of leaf blowers. With the changes, however, even during the daytime, or I should say both during the daytime and the night time, starting on august 1rst, 2005, a leaf blower operator would have to use a leaf blower that's established on the city's leaf blower list. This list will entail leaf blowers to operate at 65 d.b.a. according to something called the ansi testing methodology. Which is the american national standards institute. So it would be an actual established list and all lee blowers operate that way. [inaudible]

VanOrden: At night time, again, they would have to meet the daytime standards by meeting the decibel level on the decibel level for established leaf blowers on the list for the city with 65 d.b.a., and they would not be able to use any blower on a residential piece of property. They would still be required to meet the decibel standards under title 18. So what does that really mean? I have tried to create a graphic that helps to clarify that. And this graphic is meant to represent more or

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less the zoning rules for the city. So I have the four primary classifications we use. Residential, commercial, industrial, and open space. And the graphic is showing residential at the center as the center of the focus of what we are discussing today. The concept is with the changes currently an operator would be able to operate many of the zones during the daytime, but at night, this graphic or buffer zone that I have popping up is meant to represent an area where night time leaf blower operation would not be permitted. So the consent meaning than average leaf blower operates at my experience at about 75 d.b.a., 75 decibels, and this is meant to represent the concept that to meet the 55 decibel standard that I mentioned earlier that's in the code for commercial to residential at night time, they would have to make sure that they are x distance away from the residence. In this case, technically that would be about 600 feet. So this buffer concept that I am talking about is already in place, and establishes that an operator at night would need to be sensitive about it.

Would respond to complaints to make sure that they are sensitive about it. If we talk about the changes, daytime, they would be able to use the leaf blower anywhere in the city but would need to operate a blower that meets the 65d.b.a. nsi standard. The buffer zone to become a smaller zone. It wouldn't have a greater impact on residents because we are using a quieter leaf blower. It will also have a tendency of having a different tonal quality so you won't have such a high-pitch sound. So what you wind up with is a quieter leaf blower for the residences and it actually to decide then if the buffer zone is depicting with a quieter blower, they can have larger area that they can operate in, and still meet the standards that we established under title 18. The other note that I just wanted to throw out -- this is a graphic -- this is a graphic that represents the zoning definitions that I am discussing as far as the standard from the source of the sound. The example I was using was residential, if you use this matrix and go across from residential to commercial, you will see the 55 that I am discussing. -- you will see the 55 that I am discussing. Just looking at other scenarios, a hypothetical, if someone were to say, what can we do in an industrial zone? On an industrial zone, it's almost no issue because they can meet one industrial property to another with a 65 d.b.a. Blower, then, they are meeting that standard. The last note we don't have in the power point is information we just acquired yesterday. We have been trying to study all of the cities. They are similar to Portland, and the work that they are doing on leaf blowers, and in vancouver, british columbia, they went back and forth a number of times trying to decide what they are going to do with the leaf blowers. They had a ban at one point and they canceled it. They went back and forth.

We just learned yesterday that as of january 1rst, this is a change in the documents that we supplied to council as an, attachment c, it was. They currently have a standard that as of january 1rst, operators have to meet a 65 d.b.a., so that was interesting news for us to learn. British, vancouver, is doing something very similar to what we are doing today. I would like to offer an opportunity for the members of the report to discuss this --

Katz: Before you do that, in your report you have got "best practices in american cities." so, what we are proposing is similar to san diego and palo and sunny veil and montgomery county?

VanOrden: Yes. The reason I was focusing on the issue up in vancouver, the cities in california don't have quite the same situation that we have and we need to be able to move wet leaves. The testimony you would hear today, I thought, would indicate that it isn't the same as in california. I thought this was a good example to mention.

Katz: Thank you, paul. Go ahead.

Susan Pierce: Thank you. Paul and thank you, city council. My name is susan pierce. I am a member of the noise review board and was a member of the noise control task force when it existed as a body. I'm a member of my neighborhood board and serve on those other -- the noise review board and the noise control task force as a citizen at large. While on the noise control task force, I

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served on the leaf blower subcommittee. We -- I believe it was Denise and Paul and myself, met at one point with representatives from the Portland parks and rec and from maintenance departments for the city of Portland, as well as private people from the private maintenance industry and the leaf blower manufacturing industry to discuss their needs for continued operation in an efficient and effective, cost efficient manner. And ways that they might be able to respond to the noise issues. We learned that gas-powered leaf blowers currently are the only technology in that genre with the capability of moving soggy leaves, which are often a problem in Portland, over large areas. Battery-powered models, which are a little quieter, do not have the efficiency and the sufficient power to move the soggy leaves and often are heavy, or maybe always are heavy, making it difficult to carry, and the battery life doesn't make it efficient in a large -- say a large park. Corded models are impracticable because of the length to get to the corners of the park make it impractical, as well as, we are told, not having the strength to move soggy leaves. As for clearing parking lots, we were told -- actually, this question came up several times in a number of meetings, that cleaning one segment of a parking lot, cordoning it off, and cleaning one segment and cordoning another segment off, so that could be done during daytime hours rather than night time hours, just won't work. We were also told that the manufacturing industry is working on quieter models and has some prototypes, and I think that we looked at some prototypes, perhaps, along the way. But, they are not -- what we are seeing on the market today is -- the best the market has to offer today. We also heard from, from residents, both at meetings of the noise control task force, at the noise review board, as well as through letters and e-mails to both bodies, and I've had many discussions with my neighbors, my co-workers, and my gardener, who uses a leaf blower. Very quietly at my assistance. Opinions vary from those who favor a complete ban citing noise as well as other concerns about leaf blowers. But, we're concentrating on noise issues here, and often suggesting that they could easily be replaced by a teenager with a broom and a rake. At the other end of the continuum are those who side with the industry and say they can't live without leaf blowers. Even the noise task force was divided among the same continuum. This was probably one of the most controversial issues that we looked at and required, I think, several votes before sending something forth to you. Those who contacted the noise review board and felt strongly enough to get in touch with us, of those people, the people who recommended bans and restrictions far outnumbered the people who felt that things should not be changed, that the current policy should not be changed. People favoring bans and restrictions cited loss of sleep as a result of noise from, most often from parking lot cleaning or street cleaning, resulting in loss of optimal function at work and difficulty thinking and conversing in their own homes, in some cases, in workplaces because of the noise of leaf blowers. We were told of the noise for multiple leaf blowers in some neighborhoods, there may be several yard projects going on at the same time or several lawn maintenance crews out at the same time or overlapping during the course of an afternoon over what becomes ours -- hours of listening to the noise of the leaf blowers. As a nurse, I'm familiar with the physiological and psychological effects of noise, as well as the problems with sleep deprivation, and I have to be similar to what I heard. In my next paragraph, I mentioned that news that Paul just shared with you regarding Vancouver's new ordinance that took effect in -- Vancouver, British Columbia's ordinance that took effect January 1 of this year. In some ways, I think it is more restrictive than what we are offering. Vancouver is on which a city compared to Portland in terms of livability, I believe. I think what we are recommending here offer a good balance between supporting businesses and the work that they have to do, maintaining livability in Portland, both in terms of maintaining cleanliness and tidiness and -- tidiness and livability in terms of noise. It provides for follow-up with revisiting every three years, and maintaining knowledge regarding

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technology and sends a message to the manufacturing industry that we were looking at improvements in technology. So, I am hoping that you will agree with me.

Katz: Thank you. Go ahead. Grab the mike.

Kerrie Standlee: Thank you, mayor and commissioners. My name is Kerry Stanley. I am an acoustical engineer in the Portland area. I am the representative to the board from the acoustic industry. I just wanted to give you a little bit of background on how we got where we are today and let that be kind of the last word on this. I've been on the board for several years, and over the past five years, this issue of leaf blowers has come to us. At the first time when it came to us, the only regulation that was available to address leaf blowers was 18-10-10, which is the land use regulation. We realized at that time that it probably -- we were looking at a problem with enforcement because this is a situation where someone has to be there to measure it. We begin to believe that it would be best to address leaf blowers in a separate section of the code such as the lawn mowers and other power tools are addressed. About that time, though, the task force was organized, and so we let the task force go through. It came back to the board with the recommendations to immediately start 18-10-35, which addressed nighttime activity. So, that's how we got to where we are. It's just an ongoing issue that's come to the board, and the board then looked at all available data on what was kind of feasible in the industry and using the ANSI approach, which I wanted to let you know is not a maximum level. That is a level that's determined after you measure four positions, and that's including the highest level and the lowest level, and you kind of do an averaging. So, it's, it's not -- it's not the quietest level that you will find at any time around a leaf blower. It's just a number that's developed from four measurements around a leaf blower. But, we think that it's a feasible number, and we recommend it being considered for this ordinance.

Katz: Thank you. Are you finished with your presentation? Okay. Questions by the council? Let's save them until the very end. All right. Let's open it up to public testimony.

Nancy Bruns-Hall: Nancy, and live at 2833 northeast Weidler, 97232. I have worked for many years to secure relief from leaf blower noise in my neighborhood. When the noise control task force was in session, I attended every meeting. I am also a regular citizen at the monthly review board meetings on noise. I respect the work done by the boards. However, in my opinion, the proposed rules for leaf blowers are inadequate to protect the public from these nuisance machines. In my situation adjacent to the Hollywood West Fred Meyer store, we do not have seasonal use of leaf blowers. We hear dirt blowers for two-hour sessions, four times a week year around because they are used in conjunction with parking lot cleaning. In addition to that, we are subjected to leaf blower noise by the store's landscaping company. With the new rules, we will have the same noise but a lower decibel level. Leaf blowers still produce an annoying and penetrating sound without a limit on frequency and duration, the new rules offer minimal relief. I am also deeply concerned that citizens like me who live next to a commercial entity are not protected by a total night time ban like other residential areas. Leaf blowers should at least be banned during night time hours for all zones within 500 feet of a residence. I also feel the proposed changes of hours of 7:00 a.m. to 7:00 p.m. is too lenient. Listening to leaf blowers at 7:00 a.m., which we do on a regular basis, is not a pleasant way to start your day. I think the hours should be shortened to 9:00 a.m. to 7:00 p.m. I know that it isn't the noise review board's job to address the issue of the pollution caused by leaf blowers, but the pollution issue will not go away by lowering the decibel limit. Not only do the leaf blower engines themselves create pollution, but the fine particulates they blast into the air are of major concern. I believe leaf blowers are a contributing factor in the increase of asthma sufferers. The complete ban on leaf blowers, I think that we can get along fine in this society

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would it them. I don't think we need to scour the sidewalks of every speck of dirt. I am not offended by a stray leaf. We may not get leaf blowers banned today, but tomorrow is another day. Thank you.

Katz: Howard.

Howard Glazer: Howard glazer. I don't know if you want my address -- 2378 --

Katz: Talk into the mike.

Glazer: 2378 southwest madison. I want to comment first before I read some sections of a letter that had been given to you, that this question of trying to monitor decibel levels and the attempt to control noise that way is absolutely impossible. It's unreasonable. It's impossible because you have two staff members on your noise control board. Now, tell me how you are going to monitor the hundreds of leaf blowers to be sure that they meet that criteria. It's absolutely unreasonable to expect that. And I want to say that despite the claims of maintenance companies, that they cannot operate without leaf blowers, this technological absurdity, I call it, only arrived from japan in 1970.

Do we see Portland streets cleaner or the gardens and parks in better condition than they were before when the only thing used were brooms and rakes and vacuum trucks, which got rid of the debris rather than blow it in somebody else's backyard. The question answers itself. There's absolutely no, no evidence at all that the leaf blower helps keep Portland pristine. The noise review board has been disingenuous in claiming there was strong objection to say banning leaf blowers in residential areas. When I was finally able to -- when I was finally able to get copies of the letters that came to them both opposing and favoring banning leaf blowers, it turned out that without exception, I believe there was no exception. Maybe one, the objections were to banning leaf blowers in nonresidential areas. Not in residential areas. And that's where the support is, is to ban leaf blowers in residential areas. That's where the problem lies, not in commercial areas. There may be some exceptions where you have parking lots next to residential or mixed with residential. I think that that's a separate problem. It can be dealt with separately, but the thousands of people who live in residential areas are the ones that ought to be protected. They are not being by this decibel or hourly limitations. It's not going to do it. I think that there is three reasons that there ought to be a total ban in residential areas. The first is the noise that we know causes both physical, as well as psychological damage. There is ample evidence that this impacts that. While you are not dealing with pollution, it's a very important issue. The pollution -- the vancouver, b.c., reported from two-stroke engines, in one-half hour of operation, hydrocarbons -- listen to this carefully -- equal to about 7,800 miles of driving at 30 miles per hour. That's in a half-hour.

Katz: Howard --

Glazer: And the equivalent of carbon monoxide of a half an hour of a leaf blower is equivalent of 400 miles of driving.

Katz: Howard, your time is up, and I know that you have two more reasons. Do you want to give us those reasons, quickly?

Glazer: I will give you -- yes. One is that most of the operators of the gas equipment are immigrants working for minimum wage who is have no control, have, have really no options. They are working with these blowers within inches of their nose. I have talked to some of them, and it's a foul job. Some 20 california cities have banned leaf blowers beginning 20 years ago, and I understand, contrary to what you heard before, that the city of vancouver last year voted to prohibit as of february 2004 the use of gas powered leaf blowers anywhere, any time in the city.

Katz: Howard. Thank you. I am going to have to cut you off. We have your testimony in front. Go ahead, sir.

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Bob Downing, Portland Parks and Recreation: Hi. I am bob, maintenance superintendent for Portland city parks. My objections or my concerns about the ordinance as specified has to do with our ability to work with a 65-degree -- of 5 d.b.a. limitation. Primarily it has to do with the availability of the equipment that will do the work for us, that will measure at that level at the date of implementation in 2005. Right now, there's very little equipment that's of commercial quality. The power, weight durability that we need to work at this scale that we do that is available at 65 d.b.a. average. We have tested machines and technologies that have come available. We do -- we have a great deal of savings because we have backpack blowers. It reduces our -- we don't -- we can't afford to do rake, shovel, broom any more given the labor costs and the quality of labor that's available in the area. I would like to see some adjustment on the 85 d.b.a. Standard or on the implementation date so the market has time to catch up with the equipment that meets the standards that the citizens desire. As we go forward, I did some quick calculations, and the changeover in equipment costs is not that great for us, but the decreased efficiency of our workforce, because it will take us longer to do the work with less efficient equipment, is on the order of \$50,000 a year or so. In the era of limited funding and pressure to perform effectively and economically, I think that that's a large price to pay.

Katz: Thank you. Commissioner, first.

Leonard: Can I ask you a question. Your position was?

Downing: Park maintenance superintendent.

Leonard: And what did we do prior to the introduction of leaf blowers.

Downing: We had several technologies. There was the rake, shovel, broom piece, which was people, primarily paid staff would rake leaves and piles, sweep them to the curb. People would come with the dump truck, pick them up and carry them away. Primarily, manual labor. And we also did -- washed them into the drains, which we can't do any more. Not so much leaves, but the other kinds of -- we use backpack blowers for a variety of reasons. Some of it is just to keep public areas clean during the other months of the year, as well, not just for leaf blowing, so we would flush or rake -- I mean, flush or sweep materials into drainways and things like that. We can't do that any more given environmental restrictions that are in place today that weren't in place then.

Leonard: What would you do for parks and residential areas if we banned leaf blowers all together? In residential areas.

Downing: Residential -- a total ban, thinking big, what we would be doing it looking at more volunteers, more adopt park programs. A bunch of things. Those aren't reliable and predictable for us to do -- to provide the quality of service that we do today on a, on an ongoing basis. Whatever the technology was, we would work with something to --

Leonard: Let me ask you one more question do you use leaf blower for any other purposes?

Downing: No, we use them for a variety of purposes, as well. Mostly it has to do with moving light material that would be difficult to collect in a rake or broom or something like that. Public meeting places, picnic areas, things like that so that we do provide a variety of other public benefits, depending on your definition, I guess. But, we do work to provide other services to the public in a cost effective way using backpack blowers with similar technology.

Katz: Go ahead.

Saltzman: I was curious when you said using the blowers meeting the new standard would be less efficient. What do you mean by efficiency? How you do measure efficiency?

Downing: If you -- some of the noise that's generated by backpack blower is the power of the engine, the high r.p.m.'s and a substantial portion of it is the turbine noise made by the air moving through the mechanism to increase the speed and volume. Blowers when you limit the noise, you

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have to necessarily limit the efficiency -- maybe not efficiency, but the operating noise of the engine and the -- when you do that, generally you limit the air volume that paces. The air volume and speed is what makes the blower work. You have 600 cubic feet a minute working at 1 mile per hour will not do anything. But that same volume of air at 1,200 cubic feet a second or minute or whatever is where the efficiency lies

Leonard: So it's really.

Saltzman: It's really related to the volume of air?

Downing: Yes. And other things that are associated with that are long-term longevity of the equipment. If it's restricted, you get heat build up around the engine department. It decreases the longevity of the equipment. So we have higher cost equipment that doesn't last so long.

Saltzman: I don't know if you know the answer to this, but I am can you say -- are the newer models more fuel efficient and are we gaining that --

Downing: Maybe. Depends on what the market comes up with. What we would like to do, we are very committed to supporting clean air, clean environment. That's what we work for in parks. We want to do that in the best way that we can but we need to be able to do it with what we can on the market. We don't want to get to august 2, 2005 and not have anything -- not have any machines that will work for us.

Saltzman: Thanks.

Francesconi: My only question, bob, and it will be for some of the other manufactures is on this question of availability by 2005 is apparently san diego, palo alto, sunnyvale are going to this technology, so do they have the technology. I don't understand how they are able to do it.

Downing: There are some -- there is some equipment that's available that will meet a 62 or 65 or 67 d.b.a. Standard right now. But it tends to be residential quality material rather than a commercial quality material, so it won't stand up to the hours of use, say, or seasons of use that we might at the present time for.

Francesconi: I see.

Katz: So their parks are dirtier than ours.

Downing: No. I couldn't characterize it that way, but they may run into increased operating cost to do the same amount of work. They also have dryer climates and they don't -- the leaves don't stick to the ground as much. When we are just talking leaves.

Katz: Okay. Fine. Thank you.

*******:** I can't address that. I'm sorry.

Katz: All right. Leaf blowers sunny veil sunny veil sunny veil.

Richard Lazere (?): Mayor Katz and distinguished council members, I am here representing the royal manor condominiums, 2021 southwest main street. Our challenge is the leaf blowing in the parking lot adjacent to our condominium building, which begins regularly at 9:00, 9:30, is piercing, very loud. And it disturbs the health and welfare of many of the residents of our condominium who are elderly and infirmed. Part of my thesis is that leaf blowing is not an emergency and that, perhaps, we might wish to consider having leaf blowing begin a little later in the day so as not to disturb the slumber, the restorative slumber of those people who are infirm and who need their sleep and the stress level that has been imparted to me by many of the residents of the royal manor over the years. I have been active in the condo association, is truly vexing and distressing. So, I favor a ban or certainly regulation on leaf blowing in terms of time, certainly in terms of decibel level, and in terms of air pollution. I just want to add my voice to those who see this leaf blowing issue as an abominable curse -- as an abominable curse on our citizens.

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Lee Lacey, 910 SW Park Ave., 97205: Live at park avenue. A long-time downtown aren't. I am speaking, of course, only on my own behalf. I would like to speak in support of the regulations on the, the leaf blowers, as the prior speaker implied. When the blowers are heard in neighborhoods outside of downtown, maybe they can annoy five, six, seven families. A leaf blower in downtown Portland can annoy people and disturb them in increments of, of dozens at a time, can be into the hundreds. Some of us live in residential buildings downtown outside the r.x. Zone, and therefore want to make sure that this discussion is taking place, or not oblivious to the residential -- the growing residential component of downtown as it relates to buildings currently existing and currently being built in the commercial areas. For example, the presentations of staff prior to this mentioned regulations' use of the leaf blowers on residential property, quote, end quote. So some of that I don't know how exactly the downtown residents who put up with leaf blowers that are operating in the public right-of-way on a sidewalk by a, by an adjacent hotel or some other entity other than themselves, how we can factor into the current equation. Obviously, in downtown Portland, we have like -- I have heard the noise abatement program. Of course, there is the anti-cruising effort. And I would like to think that the leaf blower regulations could be a part of that theme to try to mitigate the noise as is a factor -- a recurrent factor for all downtown residents. A lot of the residential buildings live adjacent to commercial garage areas and open parking lots, but are nonetheless in the r.x. zone and have to put up with a lot of noise, trying to maintain the parking structures and lots, and I would welcome having this regulation take into account those residents of downtown and the dense commercial -- dense residential areas that are a part of our downtown area. Thank you.

Katz: So, let me just understand, so you would recommend a later starting hour in the residential areas as this gentleman recommended.

Lacey: Yes, I would.

Katz: See, I haven't seen you -- we haven't seen you for a long time. Everything okay?

*******:** Doing fine.

Katz: Thank you.

*******:** I think I am on the other side of the issue --

Katz: It's all right. We don't have sides here of issues here. [laughter]

*******:** You should have said that yesterday.

Mike Spencer, 12434 SE Steele St., 97236: My name is mike spencer, and I own spencer sweeping service. I've been in the sweeping business here in the Portland area for 17 years. Previously I faxed a letter on the 20th to city council on the proposed ordinance. My comment here is on the noise ordinance change from 10:00 p.m. To 7:00 a.m. As a business, this proposed 7:00 a.m. Creates a great hardship on business. We sweep 150 to 200 parking lots in the Portland area, and many of them can't be swept at any other time. Mainly, my question, idea, or point is this -- that if this ordinance passes, the blowers will become quieter, okay. I greatly favor. So, why can't we work from the 7:00 a.m. to 10:00 p.m. under these quieter conditions. And you know, why take away the three-hour vital time we need that's necessary to sweep these parking lots? It's an important time window. Like passing this would, you know, it's a double whammy on business. It's a, number one, a time constraint and a noise constraint, and I don't know. It's just -- there's like 16 to 18 sweeper services in the yellow pages, and I think that like 100% of them, of course, operate next to residential areas or adjacent to the residents. My main point is to ask you to retain the current 10:00 p.m. to 7:00 a.m. ordinance and not to adopt the 7:00 a.m. to 7:00 p.m. part of the ordinance. I think it's going to have a devastating effect on business in Portland as a whole with all the sweeper companies involved, including myself. I figure it affects probably 30 to 35% of my

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business, and that has a great adverse effect. So, I don't have any other time window to sweep the parking lots, other than this 7:00 to, you know, 10:00 p.m. time frame. So, that's why I'm, you know, opposed to just the time. I favor, like I said, I favor the blowers becoming quieter, you know. I know that they are noisy, but, and I am more than willing, of course, to work with that and be responsible with it. So, that's it. Thank you.

Saltzman: How would you feel if we had a later start date? Not 7:00 a.m. But say 9:00 a.m. And still allowed you to have the evening hour? Which is more important the evening or early?

Spencer: There is weekends where you sweep where the parking lots are empty. There is days during the week where you go out and sweep on graveyard shift. So my, my schedule and my timing is what I just stated. If I had to move these jobs to other jobs, there wouldn't be any time frame to complete these jobs. The businesses, when they are open, when they are closed, et cetera

--

Saltzman: But what I am trying to say, on balance is the 7:00 to 7:00, having more access to those hours say than necessarily starting at 7:00 a.m.? What if to do start at 10:00 a.m.?

Spencer: I need both because of the time, you know. Businesses open 7:00 a.m., you know, or early in the morning, et cetera. The lots are empty, you know, mainly during business hours.

Katz: Where are your lots?

Spencer: I work in the Portland area.

Katz: Where in the Portland area?

Spencer: Where, I probably have 30 to 40 locations.

Katz: In the downtown area? Where?

Spencer: I have a couple lots in the downtown area.

Katz: Where are most of your lots?

Spencer: Some in southeast, some in some northeast, all over Portland.

Katz: In residential areas?

Spencer: Like 100% of these sweepers that work, I mean, I'd say 90% of their work, other than the industrial, like if you are working on Swan Island, they touch residential areas. Whether it be apartments or, you know, residents or condos or whatever.

Katz: Thank you.

Francesconi: Just a couple of questions, sir. On the parking lot, when you blow between 7:00 and 10:00, and there is some rip testimony on this, it's because then the lots are empty -- there is some testimony on this, it's because then the lots are empty. Is that the reason or are there other reasons?

Spencer: There is less cars on the lots. And you can, you know, until now you can be noisier.

You don't want to work late into the evening and cause more noise later.

Francesconi: So why can't you sweep during the day between 5:00 --

Spencer: Because the parking lots, you know, the businesses and all -- the lots, it's not practical, at all. You would have to move cars -- there is too many cars on these lots.

Francesconi: Okay. You did not address parks's concern about the equipment and whether it's going to be available in 2005. Do you think the equipment will be available?

Spencer: You know, I honestly don't know. The industry hasn't progressed that fast, but hopefully, you know, with the sign -- I think -- I talked to Paul, and he gave me a couple of, of blowers that meet the, the 6 was d.b.a. Standards that are currently on the market. So, I have used one before. I don't have one now, but, and another thing in saying this, that, you know, there might have been more noise complaints with me, but in 17 years I probably have had a dozen noise complaints where the people have come to me and said, hey, you are too loud, and then, of course,

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I just cut it off and say, okay. There might have been more, but nobody -- the city has never let me know, so, you know, I try to be responsible and -- in running this business, keeping the noise down.

Francesconi: How big a businesses are we talking about, these leaf blowers? How many people do they employ? What range of number of people?

Spencer: Well I think that there's many. I think that I am a smaller operator, but, I think that there is a few others larger. I think that I have like four blowers and employment, probably three to four people.

Francesconi: Thank you, sir.

Leonard: Could I ask you a question?

Katz: Sir, come on back.

Spencer: Sure

Leonard: Just so I understand, are you talking about the restriction that's proposed in the ordinance in commercial zones or are you including residential zones as well? Your concern about --

Spencer: I am specifically talking as a business owner, the commercial zones

Leonard: Okay. So your quarrel isn't with what we do within residential zones?

Spencer: No, sir

Leonard: Okay. Thanks.

Katz: The problem, though, is that, is that there are people who live in the downtown, in the heart of a, of a commercial but their apartments --

Leonard: Do they fall under the commercial zone?

Katz: Where would they fall?

VanOrden: Most of the downtown is commercial. That's commercial-to-commercial type zoning

Leonard: But you are you residential occupancies within downtown as a part of the commercial zone?

Katz: The zoning is commercial.

VanOrden: The zoning is commercial, so it actually -- there's a stipulation in the noise code that commercial-to-commercial establishes a 6 was decibel limit. 60 at night.

Katz: Why don't you come up to the mic.

Leonard: That's -- that's not what I am asking. I am trying to figure out if my mind, if those in the pearl, for example, is that area considered commercial or residential?

VanOrden: From a zoning perspective, it's considered commercial.

Leonard: Okay. So the commercial provision here would apply for those residences within the pearl?

VanOrden: Right. So a good example is in the pearl or downtown and many of the other residential but commercially zoned areas, this set of standards would not ban leaf blower use at night. Although on a residential piece of property, it's more standard single family-type residential. It would not be allowed to be used. I think that that's the question you are asking.

Leonard: Okay.

Katz: Thank you.

Katz: Go ahead, sir. 6.

Bob Escribano, 10100 NE Marx St., 97220: Mayor, good afternoon, and good afternoon to the commissioners. I am bob, one of the principals of a large -- the largest parking lot sweeping contractor in the Portland-metropolitan area. In going through, what I would like to do is backtrack

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a little bit, just kind of explain to you what our business is and why we use leaf blowers. Our parking lot sweeper is a huge vacuum cleaner. When we go into a parking lot, there are nooks and crannies and areas where the sweeper truck cannot access. We use a leaf blower to move debris from those areas out into the open so that the truck can, can pick it up. That is our primary use for a leaf blower. We feel that using a leaf blower is efficient and economical. My concern, and the reason for me being here today, is I believe today that there is technology out there that allows us to meet the 65 d.b.a. parameter. So, the noise level is not the issue. My biggest issue is with changing the daytime time frame from 7:00 to 10:00 p.m. to 7:00 to 7:00. That 7:00 p.m. to 10:00 p.m. Critical is critical to our business. It's critical because as our city continues to grow and we continue to infill, we continue to build residences around commercial shopping centers, and we are starting to build commercial shopping centers in the middle of residential areas, so we have this mixed use demand that even though I may be on commercial property across the street is residential homes, and we impact those homes. That 7:00 p.m. to 10:00 p.m. window allows us to try to get into that commercial property late enough so that the majority of vehicles have vacated the property so that we can do a thorough job of cleaning that property before it gets to 10:00 p.m. If you change that time and limit me to getting in there, or, or the maximum time to be in there would be 7:00 p.m. If you consider where you go shopping for groceries or whatever, what does that parking lot look like at 7:00 at night? It's nearly impossible to get in there and clean the parking lot because it is full of people, full of vehicles. One analogy, if you consider this room, i'm sure that when the carpet in this room is vacuumed, these chairs are moved so that you have access to underneath the chairs. What I am asking is to allow me the same opportunity.

Katz: Go ahead

Leonard: You drew a distinction between sweeping the lot and using blowers, and as I understood it, you said that the sweep -- that the blowers are used to get inaccessible stuff, not from places that are hard to get to with the sweepers. Are the sweepers a noise issue? Do they fall under the restrictions of this proposed resolution?

Escribano: Sweepers are noise issue, also

Leonard: Do they meet the decibel levels that are at issue here, as well?

Escribano: No

Leonard: No what? They are --

Escribano: They do not meet the decibel levels that we are establishing here for leaf blowers

Leonard: They do not meet in terms of, they are louder?

Katz: They are not included? Is that what you are --

Leonard: Yes.

Escribano: They exceed the 65 d.b.a. Currently.

Katz: Keep notes on that so that we can come back

Leonard: My question is -- does this proposed ordinance ban those sweepers, as well?

Escribano: It does not. This proposed ordinance is strictly related to leaf blowers, and our sweeping equipment is part of the task force agenda that we have talked about that up to this point is a separate item.

Leonard: So if there is an ordinance that, that bans the use of leaf blowers between 7:00 p.m. And 7:00 a.m. What that means isn't that you can't do what you are doing, with the sweepers, but you have to use some other device other than a leaf blower between 7:00 p.m. And 7:00am to get them into an area where you can use the sweepers?

Escribano: Correct.

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Leonard: And -- what -- I mean, why can't you use something like a, a more manual device that we commonly think of between the hours of 7:00 p.m. And 7:00 a.m. To address that?

Escribano: What happens is if you get into a parking lot that's, that's, that has cars in it, it's very difficult to clean underneath where the cars are parked. And so, with a leaf blower, you have somewhat of an opportunity to try to blow the debris out from underneath the car. When we go and clean, what we call a noise-sensitive parking lot, because it's restricted by the 10:00 p.m. Time frame, we clean it, and if you were to come back several hours later after the stores close or whatever and the cars are gone, you will see that the parking lot really isn't clean. There's a lot of debris that has been left behind because that was the debris that was sitting underneath the vehicles, et cetera, that we were not able to get up. The ideal situation is to be able to get into a parking lot when it is mostly empty

Leonard: Understood. But the fred meyer in hollywood --

Escribano: Yes

Leonard: Let's say between the hours of 10:00 a.m. And 6:00 a.m., my best recollection is the parking lot is empty. 10:00 a.m. And 6:00 p.m., is empty. Why can't your sweepers go in there during those hours without the use of leaf blowers and then use more manual devices in the corners and crevasses.

Escribano: Because our sweepers make excessive noise, also

Leonard: But, please stop. I thought I heard -- that's why I was walking you down this path. I thought you said that they weren't covered by this ordinance?

Escribano: They are not.

Leonard: So they aren't banned by this ordinance.

Escribano: Well, they are covered by this ordinance in that they are making noise and that depends that noise level

Leonard: But this defines them as they have to be leaf blowers.

Escribano: Today we are talking strictly leaf blowers. But, my other equipment exceeds that noise level.

Katz: It's two different types of equipment. One is covered and one is not. We can cover the other one. That's, I think, that's where you were heading.

Leonard: That's not -- I guess where I am heading is -- the alternative for you to use the more conventional sweepers, I mean, this isn't a true ban on you being able to sweep parking lots. It just says you can't use leaf blower kinds of devices during those hours. You can still sweep, for instance, the hollywood fred meyer, you just don't have the latitude to use the leaf blower equipments between 7:00 p.m. And 7:00 a.m.

Escribano: We would have to adjust our operation if that were to be the case.

Leonard: But did I just describe accurately what the conditions would be if we adopted this?

Escribano: Yes

Leonard: Thank you. That's all -- that's what I was trying to get at. Thanks.

Francesconi: How would you have to change your operations? That's the obvious next question.

Escribano: You had a speaker earlier, nancy brunhall, and her concern is that we are there within the time frame, after 7:00 a.m. To clean the parking lot, and she feels the noise is excessive. If you are going to -- and I have to be -- I am the one that does that. So, I have to be there after 7:00 in the morning to comply with the ordinance that's on the books. If you allow me to go in there at 2:00 in the morning, I would love to be able to do that. She's going to be living on your doorstep because we are going to be making a huge amount of noise now, not at 7:00 in the morning, but at

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2:00 in the morning when they are trying to sleep. I don't know what time nancy wakes up. I am assuming that it's 7:00 in the morning, she's already awake --

Katz: We got the story. Commissioner Saltzman?

Saltzman: Well, I wanted to ask you the same question I asked the other gentleman. If you had to make a tradeoff, 9:00 a.m. To 9:00 p.m., could you live with that more?

Escribano: The 7:00 to 10:00 p.m. Is more significant than in the morning.

Saltzman: Thanks.

Katz: Yeah, I was going to say, you don't allow them to sleep at night and you don't allow them to sleep in the morning. It's sort of a no-win situation.

Escribano: Correct.

Katz: All right. [laughter]

Katz: I am glad you admit it. All right. Sir, go ahead.

John Foster: My name is John foster. I am here on behalf of leaf blower manufacturers and also personally as a blower manufacturer. I want to thank you for allowing me to speak here today. I can't speak to the hours that the city is proposing in terms of the limits of lee blower use, but I would like to address the decibel level that is being offered. 6 was d.b.a. Has become the target -- 65 d.b.a. Has been become the target -- 65 d.b.a. Has been the target. But, I just want to caution you if you impose that limit, it won't be the end of this discussion because it will become just as controversial in terms of the ability of, of the parks and recreation and other grounds maintenance companies to perform their jobs properly. 65 d.b.a. Sounds great but you are virtually cutting the performance of a blower in half at this point. We are in the process of doing everything that we can right now to develop blower noise leaf blowers that are still as powerful and as productive as the current ones. What I would suggest is that if it's reasonable, is to perhaps consider a time where you might consider the first level to be at 71 and then bring it down over time and give manufacturers a chance to catch up. The other issue brought up, just for your information, and one of the reasons why we are resource strapped right now is the exhaust emissions of leaf blowers, you may be aware had that the e.p.a. And state of california has stringent standards which we now have to meet. We have reduced our exhaust emissions by 80% and we expect to reduce them even more. So, and that's all in the same time frame that council is proposing as an effective time for this leaf blower ordinance. So that's just, just my thoughts on the matter, and I am always -- by the way, I want to say that I have had the pleasure of working with the noise task force and they took the job very seriously.

Katz: You just blew up their work. [laughter]

Leonard: I just wanted to ask if you or anybody had some information on the decibel level of the sweepers, themselves, compared to the blowers? Is.

Foster: We haven't researched that. We are strictly manufacturers --

Leonard: I am wondering if anybody is familiar with --

Escribano: Paul has investigated that.

Katz: He will come back and respond to that. Greg, what do you have to say? [laughter]

Greg Peden, Portland Business Alliance: Good afternoon, mayor and council. Greg with the Portland business alliance. Our position in general on this is, is that this is -- this is going to hurt business. And I want to back up for a second. I am restricting my comments to the commercial zones. I think that the residential zones have some legitimate concerns, and I am not commenting on that. But as you have heard from these gentlemen and other business owners, both those who own sweeping businesses, manufacturers and those who employ sweepers, this seems like a regulation step that is, perhaps, unnecessary or we don't have all the answers. I think at

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implementation time that's stretched out, that meets the manufacturers time lines and make a lot more sense. And one other thought, I have heard testimony on, but I don't know the specifics of it, haven't heard the specifics, the original testimony from the staff talked about a buffer zone in those areas where commercial and residential zones meet up. I think what he said was the proposed buffer of 600 feet. Why 600 feet? Is there some kind of a degradation of the noise at 600 feet or could it be 100 feet or 250 feet? I didn't think that we heard any testimony or explanation why the 600 feet. I would like to understand that better. Maybe there is compromise there where the two different commercial residential zones would meet some compromise. Thank you.

Katz: Keep going.

Tom Van Raalke: I am tom. I might have broken the ground on this. I wrote a letter to the **Oregonian** about eight years that was --

Katz: It's all your fault.

Raalke: Yeah, yeah. Anyway, we are not talking foreign policy, we were talking about something that people could make a difference on. I guess I got into this issue by waiting for the bus at 2nd and market where I did everything to go down to wilsonville. Every day at the time that I was waiting, about 8:00, I would be standing at the bus station, and the guy in charge of cleaning the blue cross, blue shield would walk there and blow and blow and blow, and I think that basically they are unhealthy and loud and unpleasant devices that maybe it's the operator training that's faulty. There are a lot of problems. We can't breathe when they are going. I often saw him pushing this thing at a -- and a wet leaf that wasn't going to move no matter how long he did it. So, after listening to the people today, I realize that it is somewhat a complicated issue. There seems to be distinctions between parking lots that legitimately need to be cleaned and sidewalks where people are walking and trying to live their lives. In terms of what to do about this, I think that any restrictions you can put in place are better than none. The more the better. I think you need to start with working with the parks' department. I suggest you say, let's ban them in the parks' department and try the alternate technology, which I used as a kid very effectively. Get the volunteers in there. See if it works for the parks, you know. See if they can function, you know, do some parameters. Here's how much you are allowed to save. I think that we will save a lot in our air pollution. I think we will save a lot in our quality of life. I think that we will save a lot of money. You can get the volunteers in there. I think that people are dying to volunteer for a lot of things like this, particularly teenagers, and I don't think that they are defective -- I don't think that they are effective. They seem to blow things in every direction. The gas, the noise, and the, and the dust -- they are ineffective compared to the rake I use around my house and a lot of other people have for a long time. Thank you.

Katz: Thank you. Ly because you started all of this, first, you deserve a lot of credit if you are standing on a bus on main to go to wilsonville. That's the first thing. You take the bus every day to --

Raalke: I did for five years. I don't any more.

Katz: Oh, okay. [laughter]

Katz: You heard the testimony, the conflicts we heard. What do you think the resolution would be, especially in commercial zones where we have a high density of residents because this is the kind of city that we are?

Raalke: Well, I personally, as I say, I really don't believe that this technology is effective. I can understand commercial people saying that it is, but I think that the vacuum, I mean, I can understand and I saw the guy using the vacuum to suck up leaves, and they have smaller ones, not just the vacuum trucks, and I think that they work very well. That, I can understand. The blowers,

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I don't understand the blowers. I don't understand the function, the use -- I just don't understand them. So it's just something that I have never been able to figure out.

Katz: When the gentleman was blowing the leaves, did he pick up the leaves after the leaves got into the gutter?

Raalke: They just get blown to another corner, and when the wind comes along -- I just don't understand it.

Katz: I am just putting words in your mouth, and I apologize. But you see them blowing into the gutter and then they lay in the gutter and then when it rains, it goes down and deals with, with our sewer problems.

Raalke: I mean, I have sympathy for people that do business and think this is effective. I understand that, you know, I understand that this is the, the practice that people use now, but I don't believe that it does the trick. I don't believe that there are alternatives that can work just as well, and they may involve manual labor that people have to do with rakes that people don't like to do any more. I don't know. That might be the case.

Katz: Thank you. That doesn't work. You need to move closer to him -- or move the mike.

Michael Wagoner: I am Michael Wagoner. I own a sweeping company, again, one of the largest sweeping companies in the Portland area. We sweep over 1,000 parking lots in the Portland area, including Mayor Katz, almost all the downtown parking lots. We are very noise sensitive. My big concern was the proposal, is the change from 7:00 p.m. to 10:00 p.m. The lots are full of cars. There is no way that we can clean those. If you -- if they are next to an apartment or a housing area, we do clean them between 7:00 p.m. and 10:00 p.m. That's our, really our own window to do that. If you take away that window, there's really not going to be much time that we will be able to do it. The vast majority of lots that we do clean are in the middle of the night. We use the backpack blower, not just to blow things out of the street, but we use them to blow things away from the corners, the sidewalks, and in particular, not just leaves, think about all the cigarette butts that people are flicking out there. Those are going on sidewalks, in front of safeways and shopping centers. We blow those out into the parking lots so that we can vacuum it up with a sweeper truck, take them away and dispose of them. The purpose of a back pack blower is just that -- to prepare a lot to be, to prepare a lot to be cleaned. One of the things that council may want to be aware of is sweeping parking lots is mandated under the EPA as the best management practices. The reason it is because it helps reduce the amount of stormwater pollution. You addressed the issue about, about these being blown into the gutter. Yes, that's true. We don't blow them into the gutter. We blow them into an area where we vacuum them up, haul them away and dispose of them. That's what we do for the, for the city here. If you move the window from 7:00 to 10:00 p.m., we will be prohibited from being able to do that. We are, as I indicated, we do many lots downtown. And last year, we had one complaint, one complaint, which we quickly addressed. We changed the lot from the middle of the night one to a before 10:00 p.m. Since that time, we have never had a complaint. Parking lot sweeping -- I personally think it should be exempt from the noise issue in the same way that other necessary services are exempt, such as the garbage pickup, ambulance, and fire trucks. That should not give us a license to make noise any time of the night, but it should say it's a necessary service to keep the, the city clean, necessary to reduce amount of stormwater pollution, and as such, we need to be accommodating, work with the citizens. If we get a complaint, as I worked with Paul a few times, very few times over the last few years, we work with them, we, we come to accommodations and they can change. That solves the problem. So, again, I would strongly disagree with the changing of the time from 7:00 p.m. to 10:00 p.m.

Leonard: Is there a distinction between sweeping a lot and using a blower on a lot?

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Wagoner: In my industry, the definition of sweeping a lot is to blow out the corners of the walls and sidewalks, and then sweep it up. That is --

Leonard: I heard you say suck it up with the vacuum machine and then I heard you say sweeping it. What's the difference?

Wagoner: I use them interchangeably

Leonard: Are there two different technologies?

Wagoner: No, the vacuum truck sucks it up

Leonard: Are there sweepers to do that instead of the vacuum trucks?

Wagoner: They are vacuum trucks. I am using them interchangeably I am asking, if there are sweepers that do just that. Like the, the ones you commonly see that go down the street and sweep --

Wagoner: What you are thinking about, it goes along highways, those are called brush trucks. They have a brush --

Leonard: Do you use those?

Wagoner: We do not use those. Those are not feasible to use in parking lots because they don't have good turning radiuses, and secondly when the brushes go through, they leave a lot of small leaves behind, whereas the vacuum truck sucks it up. Many cigarette butt examines others would not come up.

Francesconi: If we enacted this 7:00 to 10:00 ban, what would happen? An average scenario here.

Wagoner: I think that I would struggle to find out ways to get very small electric blowers or very small hand-held blowers that we could then sweep the lots in the middle of the night. That's probably what we would do. It would take much more man-power to blow out the lots. If you think about it, in particular when the leaves are on the parking lots in downtown, it takes a long time to blow out a lot. Just to give you a quick example, many porter locks that during the summer, it will take us ten minutes to sweep up. During the fall, it takes us a good hour. That's using the backpack flow.

Tom Lackman: Tom, I am a principal with pro-sweep services. To address commissioner Leonard's question a moment ago our key job is to remove the litter from a site, not just move it from one place to another. We don't blow leaves off one property into the street or onto another property. We couldn't just brush debris around. We remove thousands of tons of debris, hazardous waste, litter from parking lots throughout Portland. The commercial sweepers present here today sweep thousands of parking lots in Portland. Some daily, some weekly, some less often. We remove thousands of tons of litter. Water run-off is a major issue, and we keep drainages clear by removing litter and we remove small particulate pollutants from parking areas, which is a main gathering point of pollutants. We remove them from the parking lots, and dispose of them commercially and properly. That is our function. As the gentleman was saying earlier, you doesn't understand the role of blowers. Blowers are vital to our work because we remove with blowers litter from walkways and curb areas and so on into a main parking lot area where we can pick it up, remove it and haul it to the dump. Unlike a landscaper or, or a neighbor who will blow leaves off his lawn onto my lawn, we dispose of t I think that that's very important. There are health and safety considerations for property owners in Portland. There are many parking lots that we do that simply cannot be swept any other time, except between 7:00 p.m. And 10:00 p.m. The reason is we have to wait until the cars leave for the day, such as an office building, and if it's adjacent to a residential property, therefore, we need to sweep it before 10:00 p.m. That only leaves 7:00 p.m. To 10:00 p.m. To do those properties. Not all of our properties, but many of them. If this

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ordinance is enacted, we will not be able to sweep and clean the properties, and that raises health and safety issues for our customers and your constituency.

Katz: Thank you. Sorry.

*******:** All right.

Katz: I am sorry, did you have something else?

Lackman: No, I think that about covers it.

Katz: Thank you. Anybody else in the audience want to testify? Okay. Come on up, team. We heard the issue of parks, the 600-foot buffer zone, sweeper issue, later hours and residential, cutting off our business opportunities. Could you kind of respond to all of these issues? You did admit, as I did, that this was, this was a controversial issue that we weren't going to resolve either request. Either 9:00 from the residential -- residents or people who have to work in commercial zones. But you heard specific ones. So, paul, and then you heard commissioner leonard want to know the issue on the sweepers. So start from wherever you want and let's walk through the issues with us.

Van Orden: I think I probably should back up and just first clarify the issue of the sweepers. The work before you today is focused on the leaf blowers because this was an item that the task force recognized was something that could be solved. There was a lot of information available on a limited number of leaf blowers as compared to street sweepers. When the company makes a street sweeper, they only need to sell a small number to be in business. Leaf blowers -- there are a small number of manufacturers and units, but there are a lot of them out there. So, we haven't started addressing sweepers because they are a larger number of different types of sweepers, very broad range of decibel levels they operate at. What we are trying to do first is deal with the easier issue, and deal with the leaf blowers. We have an intention of going back and dealing with the street sweepers next.

Leonard: But that's really not my -- the issue that I had. The issue that I have is how loud are they?

Van Orden: They are much louder than the leaf blowers are. They are as loud as 85, from some of the information that I received.

Leonard: A sweeper?

Van Orden: When I say a sweeper, this is the larger units, not quite the size the maintenance bureau is using, but a large truck that has -- the gentleman who testified today -- a number of them mentioned a vacuum apparatus

Leonard: I am not talking about that. Maybe I am just remembering something from a long time ago that doesn't exist. You used to see the street sweepers that work for the city in the street that had brushes.

Van Orden: There are. In fact that type of mechanism is slightly different mechanism than the vacuum trucks, which are also called sweepers --

Leonard: I'm not talking about those. I am talking strictly about the brushes --

Van Orden: The brush trucks would be equally as loud as the vacuum trucks, so they would be louder than a leaf blower.

Standlee: And those you are talking about had water used with them?

Leonard: Exactly.

*******:** They just washed the street and the debris went into the gutter

Leonard: Well, no, they had a brush.

Standlee: They had a brush that brushed it out to the water, and the water pushed it into the drain. That was just the method of moving the material to the drain. It didn't pick it up.

Van Orden: They picked up some material but it was larger material, larger pieces of debris

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Leonard: So that's not technology that we are talking about today or that's in use today?

Van Orden: No, it isn't used by the maintenance bureau, but what we are focusing today on, specifically, are the smaller units, the hand-held units --

Leonard: I understand that. I guess that I am doing -- trying to do something different, think outside the boundaries that you have drawn. I am trying to figure out if there is an alternative technology that can accomplish the same thing that isn't as loud. Does that -- is that not possible?

Van Orden: From the feedback we got from the industry studying the issue, a truck, like a sweeper you are describing, would meet the needs of one parking lot -- many of them have very small ones, and the brush-type trucks you described are primarily larger in size and can't fit into the average downtown parking lot. So it would be a matter of not necessarily new technology, but something that would need to be made quieter and something that would need to be reduced in size from the size of the sweepers

Leonard: What did they do before the technology came around in garages? How did they clean them?

Van Orden: I would venture to guess as we have heard testimony from a number of people that the annual mechanisms, brushing, or not brushing, sweeping, rakes, primarily

Leonard: Is that such an outrageous idea that -- we can't consider that?

Van Orden: Well, you know, the challenge the noise review board had and the task force going back almost three years now was looking at the bigger picture and saying, is that the best balance for this particular issue in Portland in the sense of what leaves and other challenges are. You know, there was a vocal contingent, even Susan was the representative as a citizen on the committee, on which said what about full bans? [inaudible]

*****: The outcome we came out with, at this point in time, it's probably not [inaudible]

Francesconi: Parks may be willing to consider it if Boac will give parks \$100,000 a year to help maintain the parks. [laughter]

Leonard: Is that how we do things here? Sure, no problem.

*****: I like thinking outside the box.

Katz: I need to confess, I wasn't happy with their recommendations. I told Michael Mock, who was representing me on this, that the recommendations didn't go far enough. But, I also understood after I had conversations with him that there were, you know, issues that the task force had to deal with. Real issues. You heard about them today. So let's go down the list. Any one of you can jump in at any point on the issues that were raised.

Saltzman: I am curious, really, about the hours and whether there was any discussion to -- something other than a 7:00 to 10:00 p.m., and trading hours on the other end. I don't know very many people asleep between say 7:00 and 9:00 at night, but I know a lot of people asleep, especially on weekends, between 7:00 and 9:00 a.m.

Standlee: There wasn't any discussion of the tradeoff. Between the 7:00 a.m. And 9:00 a.m. Issue, that never came up in the discussion from either testimony from people or -- it was either total ban, I mean, actually total ban or reduction in level. That was all we heard. We actually came up with the idea of reducing the hours from 7:00 p.m. To 10:00 p.m. Or 10:00 p.m. -- 7 to 10:00 p.m. If we hadn't been told that, in the morning, more important to us than the evening, we would have probably gone the other way. So I think that --

Saltzman: Do you agree with I said? It seems that most people, 7 to 9:00 a.m. Is a sacred time versus 7:00 to 9:00 p.m.

Van Orden: One of the things, with that particular concern, the majority of residents are up between 7:00 and 8:00 a.m., let's say, on an average day. Not necessarily on the weekend but on

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the weekdays. And at 7:00 to 10:00, that's often a time frame that many of us have -- it's limited insofar as that's the opportunity that we have to spend with our partners or with our children. So, there was a concept or a discussion that, how do we create a time [inaudible] for the city, and the morning is not a time for the average citizen has the availability to [inaudible]

Saltzman: Did they have a survey on how many people have the tv on between 7:00 and 10:00? [laughter]

Van Orden: The challenge we realize in the bigger picture is we had a lot of different options that we were looking at on the table. The problem was many of them are wonderful ideas, but how you come up with, as people represented for the council today, something that's actually enforceable. We start getting too many standards. What I am hoping to see as the city's noise control officer and something I push hard for is a standard that's enforceable and potentially that not only myself as the city's noise control officer and my small staff, but maybe other entities in the city, like the police bureau can help, and they know a straightforward standard. Can't use leaf blowers at a certain hour. If there is something that they can actually help with. That's something I am working for, weekends we will do this different, weekdays with this. I think it's really a very complicated challenging issue, and finding the breaking point of where there is something that's enforceable is the bigger challenge.

Kleim: We did hear from some folks about the morning hours and the 7:00 a.m. Was really a little too late, that they need to do some, some blowing, leaf blowing, mostly, before 7:00 a.m., and it was mostly in regards to downtown and keeping the, the downtown streets, businesses cleaned up.

Standlee: We also were considering the fact that construction is limited between -- hang on. Let me look at it here. Construction is currently limited between 6:00 p.m. And 7:00 a.m. If you wanted to operate construction activity between those hours, you had to get a variance. So, we didn't feel that that was any more restrictive than what we already have in the code for some other parts of the commercial field. I think because we allow lawn mowers to be used until 10:00 p.m., I don't see in a residential area where you would restrict one other source from 10:00 p.m. When you don't restrict lawn mowers until 7:00 p.m.

Francesconi: I'm glad you -- I am struggling with this because people don't go to sleep until later, and I saw the residents nodding their heads, some of them. And then if it's difficult -- I accept the argument it's hard to clean parking lots when there is cars in them, and so I am trying to figure out what are the alternatives? This doesn't -- 7:00 to 10:00 ban doesn't make a lot of sense to me, and I was going to ask commissioner Saltzman's question, which I appreciate him asking. I need some other options or else it will be difficult for me to support that.

Van Orden: If I might throw in just to really help clarify why part of the discussion was to have additional limits from 7 to 10:00 p.m. When I take a closer look at the 50 or so average complaints that we had for the last year, the majority are very dense areas. Looking back at the complaints, I was able to have my staff go back into the computer, write down all the complaints, actually put their comments down, and in reviewing the complaints, they are in dense areas and also saying, you know, it's not a matter of this leaf blower, it's a matter of the fact that once this leaf blower is gone, someone else is here, ten minutes in here, and another person is here, ten minutes -- the challenge is, it's a livability issue in the sense of is there a way that we can find a balance that allows them to have some time, not have to deal with the disturbance? So, I am not sure what the final answer is, but that's how --

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Francesconi: The issue for me is the parking lots, not the streets, so you don't have different people doing the parking lots? So can you carve out a separate exception for the parking lots? From 7:00 to 10:00?

Van Orden: There is a potential way to deal with that. I talked with a number of gentlemen from the sweeper companies that said that they may not need to be as nervous as they are about what we are bringing forward. There's an existing methodology of getting a noise variance or a noise permit, and what that requires is a discussion with the city's noise control officer about what they are requesting to do and finding a balance of how is that impacting the neighborhood community. We have worked with a lot of issues, construction in particular, where working needs to happen outside of an established set of hours. Today, there are about 16 to 17 sweeper companies. That's not a phenomenal number of permits from my office to have to process.

Katz: That's not?

Van Orden: That's not. So, I think that that would be one potential way. If they say, we have x number of lots downtown [inaudible] and we have these other throughout the city, can we get a permit or a variance to do that? That's something that is not possible --

Katz: Just a minute. Why didn't you bring that forward in the discussion?

Van Orden: That is in the council package. It wasn't something -- there are so many different items in this issue that we weren't able to bring forward in this presentation.

Katz: All right. So one of the ways -- it's interesting none of them brought it up. One of the ways you think that you can deal with the parking lot is through the variance?

Van Orden: Right. The reason why I think that would be a successful way for dealing with the situation -- we have built a rapport with the sweeping companies when problems arise, so if they had a permit that allowed them to do things [inaudible] like almost any variance does, they will work with the noise control officer upon receipt of the complaints if, they hold this permit.

Katz: And that -- why is that a better way as versus exempting parking lots all together?

Standlee: Between 7:00 and 10:00?

Van Orden: Well, the question would be, are we just leaving an open policy in the sense that my experience has been that there are a limited number of parking lots where we have it deal with this. If we exempt them all, we are leaving it too open and without the ability to solve what some of the problems are.

Katz: So you think that that gives you the ability to, to provide variances where you need them in the parts of the city that -- where that, that, that makes some sense or as opposed to leaving the door wide open and you -- leaves you with no controls?

Standlee: The conditional use permit. You have the opportunity to help alleviate the problems between the neighbor and the, the operator.

Katz: Okay.

Van Orden: And I understand that part of the challenge the city is facing is to make sure that, that we are as friendly to businesses as we can, so we conceptualize whether this is a realistic kept, i'm not seeing the companies having to come forward with every lot, but rather presenting the number of lots that they have a challenge with, and using that as one permit for their body of work.

Katz: Okay. So we may be talking about six or seven?

Van Orden: Six or seven variances?

Katz: Variances grouped in these dense downtown areas.

Van Orden: Again, it depends on how, how far you want to go with the ordinance, and if you feel that the 7:00 to 10:00 is too restrictive overall, then you might want to adjust the time, but if we are

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just talking about, you know, let's focus on these parking lots, sweeping and we want to just deal with those on an individual basis, then the variance process is a great process. We use it for all kinds of things. Spots people to go beyond what the noise code is.

Katz: All right. We are not going to take -- did you want to say anything? No? We are not going to take a vote on it today, but I need a sense from the council where you want -- where, where do you want us to go with this? The council gave instructions and directions to these folks to come up with something, so I don't -- I don't want you to say, oops, well, we didn't really mean it. I mean, they worked very hard at this, and it is a problem. We need to solve it and balance both sides. So, I need to know where you are -- what do you want to do?

Saltzman: I do think something like a 9:00 p.m. To 9:00 a.m. Is imminently more reasonable window, to not have the noise. I think it responds to the needs of the industry we have heard, not totally but it gives them from 7:00 to 9:00 p.m., and I do think, you know, on balance, I think that people's right to sleep is more sacred, perhaps, than the right to necessarily have silence between 7:00 and 9:00 p.m. At night. Especially when you are living in an urban area. Sleep is sacred, and I think that there's a lot more people out there who are, who will benefit from the 7:00 to 9:00 a.m. Period. I do understand it does impose somewhat of a burden on the industry, but I also think that those same lots that they need to get to before 7:00 a.m. -- i'm sorry, they needed to get to at 7:00 a.m. Right now, they can also get to in that window of after 7:00 p.m., especially if they are downtown commuter type parking lots. They are going to be empty at 5:00, so I guess I would like to throw that out as one thing that I would like to see.

Katz: Commissioner Leonard, we just I think resolved the parking lot with the ability of the bureau to provide variances to group the parking lots, especially in a high, dense area and provide them. So, commissioner Sten?

Sten: Something about commissioner Saltzman's point -- I tend to lean towards the hours you picked. I think that the evening hours are -- it's a hard tradeoff because they are both important hours, but I think the evening hours, that's important, too. Other than that, I am generally comfortable.

Katz: Commissioner? We are not voting on it today, so if there's -- if there's things you want to see --

Leonard: Okay. Well, I should just reveal my thinking then.

Katz: Yeah, that would help.

Leonard: I think I just have this old, I think, English point of view of living in your home, that it's a sacred place. And I think that there's an angst between business and residential issues. But frankly, if I had the parks, I would ask them to find an alternative method of just not -- I have just not used them in the parks. Just to set an example. I would support banning them in neighborhoods all together. I would work very hard -- I am glad that we are not voting today because I didn't know what I was going to do. I didn't recognize that we were just discussing this --

Katz: We usually, on a controversial issue, it's -- and then come back, rework it, come back, and hopefully the second time we get it right, but you may come back a third time.

Leonard: I greatly appreciate that because -- and you will see that this isn't like an instant knee jerk reaction that I am having. I will be rolling out for the council to consider later this-year some discussions on restricting the hours of -- this year some discussions on restricting the hours of serving alcohol in neighborhoods. This is something that I have thought a lot about. I very much care about good jobs and small businesses, but I also think that I very much care about people who have a house and can live in peace to the extent possible and that, and that for me, the urban growth boundary means that we have more people living in the same amount of space. As time goes on,

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we are going to have more of these kinds of issues arise. And I think that it's a proper role of government to regulate the activities that are created when you have a lot of people living in a small area so that you find and try to strike this balance between having a healthy, economic government and livability. Frankly I think that -- I think that -- i'd like to explore alternatives to this technology. Certainly, I am sensitive to the impact it has on business, but that's my thoughts and how I lean.

Katz: Commissioner Francesconi?

Francesconi: I am in a different place here, folks. Let me first say that I personally spend more time than I care to at trying to mediate disputes between business and residents in terms of noise. I spent a month going back and forth between the paragon restaurant and the neighbors living nearby in the pearl district. We actually were able to remediate it and resolve it. It's a very difficult issue in an urban growth boundary to resolve. That's a general statement. But, in regards to this -- I need alternatives to the 7:00 to 10:00 p.m. Time because we have competing goals of also having a clean downtown and clean neighborhoods. That's the issue. We spend money, city money, a lot of it, from our fund, general fund to keep the streets clean downtown. We are being a little inconsistent. We, as a city, on this issue. So, the specifics are the 7:00 to 9:00 window makes some sense to me, but, you know, we need some reaction. We are just doing things on the fly. You had this committee, so I need to hear back from people what they think about 7:00 to 9:00 as a ban on going -- I mean, an increased window. But, the time earlier in the day that commissioner Saltzman suggests, I need feedback. Does that really mean that that is a critical time to keep the downtown clean and open for business? I can't decide that question. I need a little more feedback on that.

Standlee: You are asking about the 7:00 apple to 9:00 a.m.? -- providing I am asking about both. 7:00 p.m. To 9:00 p.m. Seems more reasonable to me than firm at 7:00 p.m. The second point that commissioner Saltzman was suggesting, a tradeoff. That I need more information on. It sounds appealing until somebody said that that's the times critical to keep the downtown clean. So, I need a little more feedback on that point, okay. Then the issue. Parking lots, I am not ready to jump to the idea of conditional use because that's what got us in trouble on a lot of our regulations.

We create exceptions here. This conversation is a little interesting to me given the process that we are going through on the other side on a regulatory reform, by the way. But, anyway, so on the parking lot idea, I need some feedback from people, including the operators on what they think about this as to whether that makes sense. It may make sense and it may not. I am not there yet. The final piece, and this is where I really disagree with the notion advanced here by commissioner Leonard. You know, we are asking our agencies to be more efficient. That means using technology. The idea that we are going to use ban leaf blowers and subsidize from the general fund 50 to \$100,000 at a time that we are trying to save taxpayer dollars and cutting programs, police officers, afterschool programs -- that doesn't make any sense to me, and I am not going there. Now, on the exception of the idea of -- the other thing is, we have to look -- the idea of creating a mandate on commercial products in the year 2005 may make some sense to encourage an industry that we don't regulate to meet those conditions. But, we need some kind of escape clause if the industry doesn't move by 2005. I have never heard of a situation where a government imposes a regulation that the industry may not be able to meet. So, we can do it, and that's okay, but there has to be some kind of escape clause that if the industry doesn't, then there is some kind of escape clause. So, those are the issues for me.

Katz: All right. I think -- let me try to summarize. I think I heard consensus. People would like to think that the 9:00 a.m. To 9:00 p.m., and I am going to meet with, with each one of the

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commissioners to double-check that before I give you a green light to amend, to amend whatever is in front of us. We will be back another two times. I also heard the suggestion of banning leaf blowers in residential areas completely. I need to double-check to see if there's additional support - - there may be additional support for that, and with that said, we will come back and have testimony on that. I think I heard only one commissioner deal with some of the other issues. Do I have it right here in terms of -- I need to bring it back. We could vote on these things right now. I would rather not do it because this is not an easy issue, so I --

Kleim: We could, based on your direction and your further conversations, we can redraft the ordinance. The one issue that came up, that commissioner Francesconi came up and talked about was the 2005 date, and originally, the intent was that we would pick a leaf blower decibel level that was available and then give people three years to phase it in. So, you wouldn't be picking -- so, I think that there's an issue with difference in opinion on what kind of leaf blower really works to meet people's needs and what doesn't. I think you heard park's bureau said it doesn't meet our needs and you heard from some businesses that said that that was not a problem for them. Part of it may be what they are trying to do with the leaf blower. Blow small, light debris versus huge piles of wet leaves. But, the intent wasn't to come up with a -- a standard that the industry hadn't developed yet. It was to come up with a standard that people, as they replace their leaf blowers, they had three years to do it to meet the standards.

Francesconi: That makes me feel a lot better, but there's a part of it that concerns me a bit. Do you know -- I didn't know this was a concern of parks until yesterday. Do you know what the -- is it what you just said? Is that the difference between the commercial folks?

Kleim: I'm not sure.

Francesconi: Well, I am a little concerned about that we don't know that, because that's important. So could we maybe work on that and find out?

Van Orden: The importance, I am getting the sense, commissioner Francesconi, is that there are actually blowers that are on the market that are available at the 65, and with the vancouver --

Francesconi: I have gotten that. The issue is -- does it make sense from an efficiency standpoint in parks that probably has different needs in some of these parking lots? That's the question. The question is -- is it worth the added cost to the public? That's the question. And we need some help on the answer.

Van Orden: I think we will be able to get some good information out of vancouver because one of the things they recognized in their standards, we just found this out in the last day or two, is that they did have some information that they included, special standards for parks to use other types of machineries.

Francesconi: Okay. That's fair. And so on the other side of the equation, since now I want to switch roles to parks commissioner. I would like to you check with vancouver and all those cities in california because if there is better technology out there, we should be using it. So, we need to -- I need to know that before I can vote on this.

Katz: Well, I am going to bring this back asap if I get a sense that there is some consensus on the council. Commissioner Francesconi wants to know about the parks' issue. I need to know what other cities are doing. I sort of lean toward commissioner leonard's perspective on a different way of doing business. But, we are not going to get into that right now. We could maybe get into it during the budget period and have a conversation about that. So, I think that I have a consensus on the council that we can get to closure on this. We will check in with the council members. I will let you all know and then we will bring it back. Then we will have some conversation about the

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amendments, and then we will vote on it the next time. Thank you, everybody. We stand adjourned.

At 3:52 p.m., Council adjourned.