



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **1ST DAY OF OCTOBER, 2003** AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Francesconi, Presiding; Commissioners Leonard, Saltzman and Sten, 4.

Commissioner Saltzman arrived at 9:35 a.m.

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

Item No. 1164 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS	Disposition:
<p>1155 Request of Charles E. Long to address Council to promote police/community harmony (Communication)</p>	PLACED ON FILE
<p>1156 Request of Thomas Edward Mullen to address Council regarding Civil Service temporary appointments, appointments and promotions (Communication)</p>	PLACED ON FILE
<p>1157 Request of Stephen Edlefsen to address Council regarding Portland City Code (Communication)</p>	PLACED ON FILE
<p>1158 Request of Jada Mae Langloss to address Council regarding Mothers for Police Accountability (Communication)</p>	PLACED ON FILE
<p>1159 Request of Francine Kaufman to address Council regarding diversity training--lesbian and gay issues (Communication)</p>	PLACED ON FILE
<p style="text-align: center;">CONSENT AGENDA – NO DISCUSSION</p> <p style="text-align: center;">Mayor Vera Katz</p> <p>*1160 Pay property damage claim of Janelle Phillips (Ordinance) (Y-4)</p>	177922

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<p>*1161 Create one Office Support Specialist II position in the Bureau of Environmental Services (Ordinance) (Y-4)</p>	<p align="center">177923</p>
<p align="center">Commissioner Jim Francesconi</p>	
<p>*1162 Amend contract with Inekon Group to extend an additional twenty-four month option period to purchase additional streetcar vehicles (Ordinance; amend Contract No. 32210) (Y-4)</p>	<p align="center">177924</p>
<p>*1163 Initiate a Memorandum of Agreement with Portland Downtown Services, Inc. to mitigate adverse impacts of the requirement to locate holiday lighting underground services in the public right-of-way (Ordinance) (Y-4)</p>	<p align="center">177925</p>
<p>*1164 Authorize grants to five Portland school districts for out-of-school-hours youth programs (Ordinance) (Y-4)</p>	<p align="center">177935</p>
<p>*1165 Authorize payment to Bodacious-Zydeco Band (Ordinance) (Y-4)</p>	<p align="center">177926</p>
<p>*1166 Authorize contract with Loaves and Fishes, Inc. to provide a mid-day meal service to Senior Citizens and Meals on Wheels at University Park Community Center (Ordinance) (Y-4)</p>	<p align="center">177927</p>
<p align="center">Commissioner Randy Leonard</p>	
<p>*1167 Issue a revocable permit for Communication Management Services, LLC to install, maintain and operate public telephones on City Streets (Ordinance) (Y-4)</p>	<p align="center">177928</p>
<p>*1168 Extend term of a temporary, revocable permit granted to TCG Oregon to build and operate telecommunications facilities within City streets (Ordinance; amend Ordinance No. 173990) (Y-4)</p>	<p align="center">177929</p>
<p align="center">Commissioner Dan Saltzman</p>	
<p>*1169 Accept easements granted for the South Airport Basin Sewer Project and authorize payment (Ordinance) (Y-4)</p>	<p align="center">177930</p>

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<p>*1170 Amend an agreement with Multnomah County Drainage District No. 1 to provide additional detailed engineering designs and drawings for the 1135 project in the amount of \$40,000 (Ordinance; amend Contract No. 33666) (Y-4)</p>	<p align="center">177931</p>	
<p>*1171 Authorize the continuance of negotiations for the purchase of easements required for the South Airport Sanitary Trunk Sewer Project - Phase 4 and authorize the City Attorney to commence condemnation proceedings, if necessary, and obtain early possession (Ordinance) (Y-4)</p>	<p align="center">177932</p>	
<p>*1172 Amend agreement with the U.S.D.A. Forest Service, Mt. Hood National Forest for mitigation and monitoring in Bull Run Lake (Ordinance; amend Contract No. 32263) (Y-4)</p>	<p align="center">177933</p>	
<p align="center">Commissioner Erik Sten</p> <p>*1173 Amend subrecipient agreement with the Housing Authority of Portland to change the scope of services and allocate additional funds of \$117,276 (Ordinance; amend Contract No. 34331) (Y-4)</p>		<p align="center">177934</p>
<p align="center">REGULAR AGENDA</p> <p align="center">Mayor Vera Katz</p> <p>*1174 Accept a \$544,876 grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Local Law Enforcement Block Grant Program (Ordinance) (Y-4)</p>		<p align="center">177936</p>
<p>1175 Allow for accrual of vacation credits for up to a maximum of three years earnings for Chief Derrick Foxworth (Ordinance) Motion to accept amendment to deal with the Fire Chief the same way: Moved by Commissioner Leonard and withdrawn before seconded. Motion to accept amendment to allow the Fire Chief to accrue up to three years vacation: Moved by Commissioner Leonard and seconded by Commissioner Sten. (Y-4)</p>	<p align="center">PASSED TO SECOND READING AS AMENDED OCTOBER 15, 2003 AT 9:30 AM</p>	
<p>*1176 Authorize water system revenue and refunding bonds (Ordinance) (Y-4)</p>	<p align="center">177937</p>	
<p align="center">Commissioner Dan Saltzman</p>		

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<p>*1177 Accept a \$50,000 grant from the Energy Trust of Oregon, Inc. to promote the Energy Trust's green LED traffic light replacement program to local jurisdictions and provide technical assistance to potential program participants (Ordinance) (Y-4)</p>	<p>177938</p>
<p>*1178 Authorize a \$37,500 Intergovernmental Agreement with the Oregon Office of Energy to provide marketing and technical services for the Business Energy Tax Credit, State Energy Loan and State Home Oil Weatherization programs (Ordinance) (Y-4)</p>	<p>177939</p>
<p>*1179 Amend Intergovernmental Agreement with Multnomah County to better facilitate implementation of the Children's Investment Fund (Ordinance; amend Contract 51963) (Y-4)</p>	<p>177940</p>

At 10:50 a.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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WEDNESDAY, 2:00 PM, OCTOBER 1, 2003

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

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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.

OCTOBER 1, 2003 9:30 AM

Francesconi: Let's start with the communications first. I'm president of the council only because the mayor is on vacation. No, she's not, she's on her way to bologna, italy, and -- so anyway. And by the -- just the luck of the order of the draw, it's my turn to be council president. So let's just start with communications.

Moore: Roll call?

Francesconi: Sure. [roll call]

Item 1155.

Charles Long: I'm charles long, from -- I live at 420 northeast mason street. I'm sorry the mayor is not here this morning, but i'm sure she's very busy on her trip to italy, and we wish her well. There are a number of factors in promoting police community harmony, and one of them of course is the mayor, and the police chief, and the police officers, the police union, but also the community. And I wanted to spend a moment discussing the role of community in promoting harmony. The community has two responsibilities I think. The first is to govern themselves, self-government, or policing themselves so that police do not have to become involved with citizens. We hear about the trail blazers and their indiscretions and how the police cite them for violations, and it's very embarrassing to the trail blazers organizations. And i've read that -- I heard over the radio that the blazer management is going to police the trail blazers players so that they are sure to get insurance and drivers' licenses and so forth, and that's what happens when the community, the individuals in the community do not police themselves, or self-government. And I think that should be instilled in the children, especially by parents, by schools, and if necessary, by the police through various forms of communication. The second responsibility of the community is to act as a watchdog on the police department. This is being done presently by the albina ministerial alliance, but also the city club plays an important part in seeing that the police department operates in a fair manner. And also other organizations, such as cop watch. So these two factors are very important in promoting harmony, and we should encourage the citizens of the community to teach their children to police themselves, or self-government. That's a very important principle. Thank you.

Francesconi: Thank you, sir. Next?

Item 1156.

Thomas Edward Mullen: My name is thomas mullen, i'm now providing temporary housing at 708 northeast 99th, Portland, Oregon, apartment 17, zip code 97220. I'm here this morning to ask the council to -- i've been trying to work with this council ever since the latter part of july, trying to get them to stop -- to slow up some of the progress in st. Johns, they keep changing the name from hope vi project, now it's new columbia project, now I believe it's another name, so I don't have all the names with me, but i've been trying to work on this project, trying to get these places removed before the city could reuse these projects. And when I finally did get in here on the 24th, this gentleman wanted to help me on the project, even though he is helping me, but he's more hindering me. I was trying to get him to help me where we could speed this process up, not stop it. So therefore, the -- by the time I got in here, it was the same day they started demolition on that. So I would like for them, that's the reason why I went to my second promotion to the council for them to give me a special appointment, where I can work more diligent within the system and pulling these

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agencies together, and to help the whole city. I feel at this point in time that I don't have the whole cooperation of this council, and I am here to ask for it as of today, and if i'm not -- and there's -- in the article I asked for the temporary thing, I was supposed to get something in writing, and please send that back in writing to me, your response, and it's supposed to be done within 15 days. You have now exonerated seven of those days, and I would appreciate a quick response from the whole council. Thank you.

Francesconi: Thank you, sir. Next?

Item 1157.

Stephen Edlefsen: Edlefsen. That's ok. I got stung by a bee, so I look kind of funny. I guess I was kind of like what i'm here to talk about. i'm kind of sad, nobody likes getting stung by a bee, but it's cool -- a cop, as I was leaving this building, pulled me over and said I didn't cross the street at a right angle. Since then i've learned the law, he's speaking about the Portland code, as a pedestrian you must cross the street at right angles unless crossing within a crosswalk. It's weird, because I crossed within the crosswalk. And he was really rude. Mostly that is what I have to talk about. I don't have much disagreement with this law, it seems ok. If I cross the street at a big long angle, crossing the street will take forever and I might get hit by a car, and judging time is different and such things. And it seems kind of a minor thing, really, probably the cops aren't going to stop people mostly for it. A major disagreement I have with it is the fine is \$500, and I think it's 30 days in jail. All the other infractions, laws in its chapter, its section, are \$150, and no jail time. It seems a huge amount for such a minor thing. Another I found is no pedestrian may sit or stand or lean their torso over the willamette river bridge railing. Except they have qualifiers during work. Seems a person should be able to lean their torso over the bridge and not get charged \$500 and spend 30 days in jail. Reading this, and reading the rest of it made me think, the -- maybe this is in here to keep things in balance. It's so outrageous, no one would ever think it's worth that, so they would kind of understand maybe this is where it's their time to judge. It's something which happens so infrequently, with such great seriousness, it's time for them to sort of reevaluate themselves. But the cop didn't really do that. The cop didn't follow it. And the judge didn't do that. And now I have a \$255 fine for such a minor thing that I didn't even do, because I really crossed in the crosswalk. I think it's a situation needing addressing, maybe some repairs.

Francesconi: You need to go talk to the judges, not the city council, about that.

Edlefsen: Why should I speak with the judges and not the city council?

Francesconi: Because that's who has jurisdiction over that.

Edlefsen: Well, seems you knowing about it is good. You can keep that in mind for your decisions and things you have affect on it, if you don't have affect here.

Francesconi: Thank you. Next?

Edlefsen: I have 18 seconds. Seems it also relates to the police, and I know the council has jurisdiction, as you called it, over the police. Certainly a thing to be aware of. I was impressed by the code. It seemed well written. My reading of the charter, real quick reading, left me less impressed.

Francesconi: Next.

Item 1158.

Jada Mae Langloss: I've been trying to bring this subject up, but my health has been so bad, I can't get here on time for many reasons. And now that vera is not here, I have to look at four fellas that usually when I show up with -- their smiles turn into frowns because they fear what I might bring up that they wouldn't have the courage to bring up themselves without losing their sponsors. Well, since I have no sponsors, I am free to speak the way I want to, as long as I could catch a bus, get away before something gets me in the back. Anyway, I like being a candidate. I showed up the last time and vera was not here, and I don't know what I would ever do if somebody else was up there frowning at me, because every time I come in here, vera gets a smile from ear-to-ear. That's

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because I think she's been a great mayor, and put up with things that I would never be able to put up with, because i've got a hot head, and I let people know what I feel like. And she's sat here and received all sorts of dishonorable things said to her by people who actually sign up just to cuss her out in front of public: I couldn't think of doing something like that. Anyway, mr. Francesconi, you had such a wonderful speech last night, if I wasn't going to vote for myself, I might even vote for you. [laughter] it was -- it lifted my spirit, and you didn't use your trigger finger one time to tell someone blah, blah, blah, blah. Anyway, I was proud of you for not using that finger. And I was proud to see your family. And how you addressed your wife, and I thought that was pretty touching. So i'm looking forward to the race, and I doubt if i'll end up in vera's seat, but if I do, i'm going to need all you guys's help to share the chair with me in case I can't get out of my deathbed and get down here to face what the mayor has to face. You know. It's harder than you think to have to face that sort of stuff. I've watched it go on for over 25 years. Anyway, that's about -- oh, police accountability. One of my activist friends in seattle that i've known, her and most of her children before they were even born is part of mothers for police accountability. But since I believe that fathers also like police accountability, I would like to change the name of that thing to parents for police accountability. And by the way, tom mccall, I recall -- not tom mccall, but tom potter was the best chief of police I ever met in my whole life. So far. There could be another one, but I have to watch and see if he's going to be as good. I think we got some really good candidates, and i'm looking forward to sharing the chair with anybody who doesn't show up.

Francesconi: Thanks.

Langloss: Vera included.

Francesconi: Thank you. Thanks for coming. Next?

Item 1159.

Francine Kaufman: Good morning. I -- this is the first time i've been aware of any kind of timer, but I appreciate the information. The reason i'm here is to bring to your attention the need for diversity training. I believe it's occurred in the past, although I wasn't an employee at that time. This -- I was told included some sort of -- at least have the impression that that included some sort of lesbian and gay sensitivity training and awareness, and i'd like to make the council aware that this was not an option when I was an employee, and i'd also like to make you all aware that as a past employee, I am aware of harassment and discrimination, both subtle and blatant that does occur with regard to this issue. And this occurred before mayor Katz was elected, and when I was an employee. And i'm hoping that the new mayor will continue mayor Katz's efforts, or her constituency and representatives if those are the people that actually made sure that that sort of thing was monitored, that it continues. And i'd like to ask the council if they've been made aware of anything recently that has occurred that would be construed as either harassment or discrimination based on that. And i'd like to ask you to limit your answer to about 15 seconds.

Francesconi: Well, unfortunately the way this format, it's confusing for the public, but we don't get into this dialogue.

Kaufman: That's sufficient. I would like to make the council aware that I think the name of the individual is joseph Quinones, according to the city council's website, who is in charge much diversity training for the city. And I perused that, not in detail, but there is a lengthy document that speaks to that. Many sections of the document did not contain discrimination based on sexual orientation, that particular word is left out of the document. I wanted to bring that to the council's attention, because I know that council members have written letters according to the information on the website, anyway, that have backed up that effort by the bureau of human resources, and I don't know how closely you monitor those efforts, but you might want to -- if in fact you are supportive of that issue, all of you might want to look over that document and determine why that word is omitted in certain places.

Francesconi: Well, with the mayor's leadership, the whole council cares about that issue.

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Kaufman: My time is up. That's all --

Francesconi: What the mayor does and what council members can do, if the head of the bureau that Joseph report to is in the audience right now, Tim Grewe, and so they can have a conversation with you and find out what the status is.

Kaufman: You're all elected officials. I appreciate that. I know that the business of the city needs to be taken care of, and I'm going to allow you to do that, since you are --

Francesconi: That was very nice of you, but you can talk right now. Tim is right there and he can point you to the right person.

Kaufman: Thanks very much.

Francesconi: Thanks. Ok. Next.

Moore: Consent agenda.

Francesconi: Oh, thanks for helping me out here. I pulled one item. It's 1164. Any council members want to pull anything else? Does anybody from the public want to pull anything? Let's vote on the consent agenda. Aye.

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

Francesconi: Let's do 1164.

Item 1164.

Francesconi: I wanted Lisa to come to just give the council briefly an update on what -- I don't know if everyone was aware in the public that we give some money directly to all the school districts to allow them to do after-school, in addition to the community school and S.U.N. School efforts, so I thought Lisa could give us a brief report on how the money is used and the nature of the program.

Lisa Turpel, Portland Parks and Recreation: Thanks. I am Lisa, the recreation division manager for Portland parks and recreation. And for many, many years, decades, in fact, we've had a long-standing agreement with our largest Portland school district, Portland public schools. Since about measure -- ballot measure 4750, we have actually, in a partnership with Portland public schools, provided them with a cash grant to help support their minor sports like swimming, tennis, golf, and after-school clubs that they no longer had been -- were able to afford after that time. We have never been able to expand that to the other Portland school districts, and thankfully, due to the voters' decision to vote for our parks levy, we are now able to give all Portland school districts a pro rata share in terms of a by pupil contribution that goes toward those school districts' efforts for additional after-school -- before- and after-school hours, out of school programs that they're unable to afford to do anymore.

Francesconi: Thank you. Any questions from the council? Does anybody want to testify? Roll call. The whole council was clear that when we work together with the county and others to support the schools, we wanted to support all the schools. So because of the generosity of the voters with the parks levy, we followed the same principle with these funds as well, therefore supporting all the school districts within Portland. Aye.

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

Francesconi: I think we're to the regular agenda here.

Moore: 1174.

Item 1174.

Francesconi: Is anyone here from the police bureau? Does anyone have any questions or anyone wish to testify? Do you want to testify on this one?

Langloss: I didn't understand what -- I lost my hearing [inaudible] [laughter] would you repeat that question again?

Francesconi: It's a grant from the federal government for \$955,000 to the police for hiring for overtime for equipment. So we're just accepting a grant.

Leonard: I think we had testimony on this last week.

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Francesconi: Oh, is this second reading?

Moore: It's an emergency.

Leonard: Didn't we have testimony on this last week?

Moore: This is a different one.

Francesconi: I think it's a different grant. Ok. Let's do roll call.

Francesconi: aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Francesconi: 1175.

Item 1175.

Francesconi: Anna?

Anna Kanwit, Bureau of Human Resources: Thanks. Commissioners, i'm operations manager for the bureau of human resources. This is a first reading for this ordinance, so we would be coming back in 30 days for the actual vote. The reason we're coming forward, what we're asking council to do is authorize chief foxworth to accrue his earned vacation hours at a rate of three years rather than the two-year rate generally available for a nonrepresented employees under the h.r. Administrative rules. And the reason for that is, chief foxworth was appointed to assistant chief in june of 2002, coming from a represented position in the Portland police commanding officers association, where pursuant to that contract, he did accrue vacation, or was allowed to carry over vacation at the three-year rate as opposed to the two-year rate. We did grant him that appointment because it was halfway through the calendar year, the opportunity to carry over vacation at the three-year rate. But then in 2003, at the end of august, he was appointed to chief of police. He has over 620 hours of vacation on the books as a 22-year employee, it's highly unlikely even at a three-year rate that he will be able to use any amounts of vacation, he'll still suffer a loss of those hours. Probably he would have to use at least 120 hours between now and the end of the calendar year, even if he were allowed to accrue vacation at the carryover vacation at the three-year rate. So this ordinance is asking council to authorize for his tenure as chief the ability to carry over the vacation at the three-year rate as opposed to the two-year rate. Do you have any questions?

Leonard: I do. I support this. I think it makes sense, but I happen to know the fire chief has run into the same thing, and i'm curious why we're not addressing that at the same time.

Kanwit: I didn't hear the last part.

Leonard: I'm -- I happen to know the fire chief has run into the same exact issue, and i'm wondering why we're not addressing that as well.

Kanwit: I think we're not addressing it because we haven't been requested. I was not aware that it was an issue. It had not been brought to our attention.

Leonard: It is an issue. So i'd like to be able to amend this to deal with the fire chief the same way. I happen to know he gives back vacation.

Francesconi: Is it the same two-year to three-year --

Leonard: It's exactly the same issue.

Francesconi: Is that a motion?

Leonard: Yes.

Francesconi: I thought maybe it was. Is there -- actually, before -- can you withdraw the motion for just a second?

Leonard: Ok.

Francesconi: Commissioner Sten?

Sten: I'm not aware of the issue, so -- i'm certainly not against giving the fire chief the same thing the police chief gets. This is the first i've heard it's an issue. I know chief wilson has taken vacation in the course of the year, so I don't know if he's got that build-up or not. I encourage the chief to take his vacation as opposed to building it up.

Francesconi: The reason i'm surprised is because I hired the fire chief, and I don't remember -- and he was the assistant fire chief, and I don't remember it coming up. But having said that, they should

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be treated the same. Could we do this? Rather than join them, could we just keep this one, commissioner Sten could find out if that's an issue, and you could bring an ordinance. They don't have to be connected. Would that be ok?

Leonard: I'm not clear why we couldn't just amend it into this one and deal with them both at the same time.

Francesconi: The only question is, is --

Leonard: Simply because ed didn't come forward to bring it up as an issue, I -- I mean, that's --

Sten: Would you motion to allow him to accrue up to three years?

Leonard: Same exact verbiage.

Sten: That's fine with me. Second.

Francesconi: Ok. Any discussion on the amendment? Well, actually, do you have any reactions?

Kanwit: One of the things -- i'm not sure, and I don't know if this is relevant, if when he was in a represented position, you may know this, commissioner, if -- in that position he accrued at a higher rate. Like the Portland police commanding officers do. One of the reasons we did the initial extension for chief foxworth when he went first up to the chief's office as an assistant chief because it was so far into the calendar year, and his accrual rate had changed, and then when he was appointed chief, he had not had the opportunity, so it was his request when he was appointed chief to be allowed to do this basically to keep him in the same place he was when he was the Portland police commanding officers association for the vacation carryover. But that's just the information I don't have concerning that part.

Yvonne Deckard, Director, Bureau of Human Resources: I think the other issue that we need to keep in mind is that when we look at all of the bureau directors, or executive staff at that level, they all have a pretty difficult time because of the level of position of getting -- of using their vacation time. And so rather than -- we thought we had a unique situation here with the police chief. I think what commissioner Leonard, the issue he's bringing up is that you're a bureau director at that level, there may be more than one in that situation, and rather than to -- my recommendation would be rather than to just tack the fire chief on to this, maybe we need to go back and look to see what really is going on at that level for all bureau directors.

Leonard: That's not the point i'm getting at. The point i'm getting at, that he finds himself in the same position, I know, of being on call 24 hours a day, like a police chief would, unlike other bureau heads, to respond to emergencies and as a consequence, finds himself in this exact same position. So I don't think that you can infer that this is an issue that all other bureau heads -- if you want to look at that, that's fine, but what i'm suggesting is this is a good idea for the chief of police, and it's just as good of an idea for the fire chief.

Francesconi: Ok. Is there anybody that wants any more questions -- anybody want to testify on this? I guess we're on the amendment here for the moment. Ok. Does council want to just adopt this? Do you want to move --

Harry Auerbach, Sr. Deputy City Attorney: The appropriate practice is to vote on the amendment.

Deckard: This is a first reading.

Auerbach: You have to vote on the amendment.

Francesconi: We're voting on the amendment. Go ahead.

Auerbach: Pass whatever is left at second reading.

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

Francesconi: Ok. So that is going to pass on to second with the rest. Does anybody want to testify on the ordinance itself? Any other questions, folks? Ok. Passes to second.

Francesconi: Next.

Item 1176.

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Francesconi: Ken, do you want to come forward? Commissioner Saltzman, do you want to introduce this?

Saltzman: Sure. This is an ordinance that would allow the city to issue approximately \$91 million in revenue bonds. This was originally I think in december of 2002, city council passed an ordinance authorizing up to \$200 million in revenue bonds, so this is actually issuing the bonds, the action today would issue the bonds, and the bonds will be used for three purposes, ken can probably explain it better than I can, but roughly \$75 million will go for the water bureau's capital projects and repayment of our line of credit, and then we'll also refund certain outstanding water revenue bonds, and other costs. I'll turn it over to ken. I think he can elaborate on that.

Ken Rust, Director, Bureau of Financial Services: Thank you, commissioner, members of the council. My name is ken russ, the director of the bureau of financial services. The ordinance in front of you this morning will authorize the issuance of revenue bonds for the water bureau, and as commissioner Saltzman has mentioned, we estimate the issue size to be about \$91 million, and the proceeds will be used for three primary purposes. Approximately \$50 million will be deposited to the water bureau's construction fund to pay for capital improvement costs for a variety of projects. And also to pay costs of issuing the bonds. There is a \$25 million portion of the bond proceeds that will be used to repay a line of credit that is currently outstanding with one of the local commercial banks, I believe it's wells fargo, that is backed by the general fund. We took out the line of credit to provide an interim source of capital funding for water bureau projects as we dealt with some of the issues around the billing system before we were ready to take this credit back to the markets and get the bonds rated again. So \$25 million would free up the -- would repay that line of credit and free up that capacity to be used for other general fund back projects around the city. And the final portion of the bond proceeds, about \$16 million, will be used to refund some outstanding 1993 bonds. It's much akin to do a -- what many households have done in terms of refinancing their mortgage, we're going to refinance some bonds, take advantage of lower interest rates, and we expect to achieve present value savings of about \$1.4 million for the water bureau. So those are the three purposes of the particular bond ordinance. There are other members of the water bureau and staff that can talk about specifics, and we ask for your vote this morning on this. Thank you.

Saltzman: Do you want to explain why we have this on as an emergency ordinance?

Rust: Yes, commissioner. Routinely when we bring bond ordinances to council we bring it with an emergency ordinance. We have found that gives us the maximum flexibility to get the bonds into the marketplace, particularly when we have a refunding component, or refinance component that's interest rate sensitive. This particular issue that's has component as well. As long as I have been in my capacity of the city, even as advisor to the city, the practice has been to bring the bond ordinance on emergency basis. As recent as the last spring when we brought the sewer revenue bonds to council at \$238 million, those were both brought on emergency basis also.

Saltzman: Thank you.

Francesconi: Any other questions from the council? Ok. Let's have testimony.

Francesconi: Go ahead, you can start. Whoever wants to, go ahead.

Stephen Edlefsen: My name is stephen. I'm not sure exactly what this funding is about, but it mentioned sewer lines, and the other day I happened to be down at the waterfront, and I read about a big pipe project. My recollection of it is it would cost a lot of money, and it didn't seem very efficient. Seemed by 2008, the beginning of construction, a much better system could be devised. I see good in pumping sewage into the river, and a lot of the mistakes and things people have called bad, but I also see the drawbacks of those things. Seems we could have something which kind of works and is like a plant, or a river, and still avoid the pollution and dirt. Perhaps this isn't that. If not, don't spend a lot of money on sewage we don't need.

Francesconi: Thank you. Next?

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David Nelson: My name is david nelson, I have spoken with you before once about the mt. Tabor park destruction that you have proposed. And these bonds seem to bear some relation to that project. This morning we have a golden opportunity to do something right. This morning instead of rubber stamping a done deal, there's a chance to stop the waste of our scarce resources on a purposeless project and get on to taking care of important issues facing the community. In yesterday's Portland tribune, some of you might have read that, phil stanford says mr. Saltzman has privately expressed doubts about this -- about that this project is wise. What he says is, it's a secret, I suppose, but in private, commissioner dan Saltzman is expressing doubts about the water bureau's multimillion dollar plan to cover p-town's reservoirs. It's probably beginning to dawn on him that it doesn't make sense to spend that kind of dough on security measures that could be easily defeated by your average nut case, let alone a fiendish band of terrorists. As for the bureau's fallback argument that it will make for cleaner water, please: Last heard, our municipal water ranked among the top five in the nation. Well, it's time to make these doubts public, mr. Saltzman. You're voting on a bond measure that's partially going to fund these projects today. I hope you realize that there's a ground swell of opposition you're eliciting. There's an initiative petition circulating this month to take away your ability to foist these bonds off on ratepayers without a vote of the public. You're politicians, you know the mood of the public about waste of public money. This project is going to come to a grinding halt for lack of funds. The only question is, how much money you want to waste before that happens. What kind of legacy do you want to leave? Do you want to be remembered not just for wasting \$30 million on a computer fiasco, but tens or hundreds of millions on unnecessary destruction of a beautiful park and historical structures? Do you want future councils hamstrung in their ability to bond for needed capital improvements? It's easy. Table it, vote no, talk amongst yourselves, but don't waste the political and financial capital of our community. Thank you.

Jim Whittenburg: jim whittenburg. This is rather creative, this clock. I think that's a good way to limit the public in what they want to say and make them very nervous about what they're doing. So good work. Two things I want to start with. In going through some papers, I came across this sign which was in the window of many businesses downtown three years ago concerning a jesse truitt, 84, who was hit at the intersection of fourth and Washington at 9:30 p.m. He was thrown 40 feet, sustaining fatal injuries, and as to this date, no one has found out who hit him, who killed him, and he died in the hospital. And he was a wonderful, wonderful man. I remember a raleigh truitt, that's how I remember this guy, jesse, he's one of our fatalities in the -- in our lack of traffic enforcement in the city. Secondly, in the pack of information you have, you'll see a resume for a scott wittenburg at the university of new orleans. I was going to talk to mr. Saltzman and mr. Sten about it, he is a computer expert, and he designs computer systems for the university system, l.s.u. In louisiana, and you might want to talk with him, maybe he could help you get this water bureau system up and running. He's very, very good. He's the real bright one in the whittenburg family, he's the doctor. So i'll -- if you want to contact him. Like so many actions in the recent years, we're putting expensive of public support into this. There's a p.g.e. Park, there's a pearl district, there's a north macadam redevelopment, and some river, one of the riverplaces, river -- river something? Anyway, there's another river something which we put public money into, and i'm told we put that on contaminated land also.

Francesconi: Is this relating to the bond?

Whittenburg: Yeah. M-hmm. Sure does. I think we need to have some public oversight about the costs and the environmental damage. The little flyer they hand out here, they talk about destruction of historic and cultural landmarks, circumvention of land use laws, and open public process. And contracting irregularities and improprieties. I've heard figures for this from \$15 million to \$90 million, to \$150 million, to \$200 million for this project, and as of yet, we don't have a figure that I know of that tells us how much the city is going to spend on this latest boondoggle

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that we're doing. And I would like to see some of those figures. It seems like we never get the figures on these projects, it's always kind of this, it's near this, it's around this number. And we're not getting the information I'd like to see us get. Let us have real figures. Let us know what we're signing on to. I'm thinking we're getting quite a bill set up for -- I have nieces and nephews in this county who will be paying this stuff. I'm going to be gone and buried before we ever get these things made off, but they're going to be stuck with it. Last thing, I rode in with a judge this morning from the west hills, and he was very interested in the police and fire pension fund. He was talking about --

Francesconi: Thanks for coming.

Whittenburg: Just something I think you might want to think about. He felt that was the major problem in the city right now, is that problem with the police and fire --

Leonard: We'll talk to you more about that later. I think he's probably misinformed.

Whittenburg: Appreciate your time.

Steve Stevens: Good morning, commissioners. Steve Stevens, I've been a Portland resident for over 30 years. And I'm here because of my concern regarding the use of the bond funds for burying the reservoirs of Mt. Tabor. I have expressed my views in writing and in other public forums, particularly to commissioner Saltzman and Sten in the past, so I won't go into a lot of detail as to why I have such strong objections to burying the reservoirs. But I want to say that because of the magnitude of the cost, which I see range anywhere from \$80 million to \$150 million, just for the burying and then the replacement work on top, the magnitude in that financial regard, and in my mind, the magnitude and the loss of these treasures to the city. Because of my concern, because of the magnitude of the concern, it's my feeling that the commission should refer this decision to the voters. That the voters be allowed to make the decision regarding the spending of this money and the loss of this resource of the city. Thank you.

Jeff Boly, Arlington Heights Neighborhood Association: Good morning. For the record, I am Jeff Boly, chairman of the committee designated by the board of the Arlington Heights Neighborhood Association to monitor and respond to the water bureau's proposed open reservoir replacement plan. For many months, city officials have dismissed reservoir destruction opponents as a minuscule minority of NIMBY fanatics who don't care about public safety. The facts suggest otherwise. We are doctors, engineers, scientists, lawyers, businessmen and women, teachers, nurses, civil servants, grade school, middle school, high school, university and graduate students of all ages, economic and social backgrounds, and from all sectors of the city. We use the water bureau's own documents to prove that the project will cost \$100 million more than it admits. We demonstrated this project would more than double our water rates in the next 10 years. We show that the safety risk is minimal, that burial won't make us safer, and there are many other safety alternatives that cost much less and work much better. We show that the EPA does not require that our reservoirs be covered. We nominated all five reservoirs at both Mt. Tabor and Washington Park to the National Historic Register. We filed land use appeals for both Mt. Tabor and Washington Park, seeking a stay from Luba and a Multnomah County circuit court injunction. We filed petitions opposing revenue bond financing without citizen review. We secured the support of neighborhood associations from all parts of the city. On short notice, we demonstrate with over 1,000 people. Former Portland Utilities Review Board Chairman Jim Abrahamson supports us. A majority of the citizen replacement alternative design committee supports us. Major business centers, especially the Portland Water Users Coalition, support us. The city's own historic landmark commission supports us. A new scientific poll finds that 77% of our citizens support reopening public comment on the reservoir plan, 51% say water rates are already too high, and 74% favor an audit, an independent audit of the water bureau. We are in very good company. The City of New York continues to supply 9 million people with unfiltered water from a single open reservoir. NIMBY, indeed. Our evidence of public opposition is overwhelming. Where's the council's evidence of public support? Thank you.

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Eric Dickman: Good morning. My name is eric dickman, i'm a resident of southeast Portland. I appreciate the opportunity to address the council this morning considering this city ordinance. This measure will authorize bonding necessary to fund the burial of reservoirs at mt. Tabor and Washington parks. As Mark Twain said, It's a terrible death to be talked to death, so i'll make my comments brief. It saddens me to note this ordinance is yet another step in a chain that has been marked by the short circuiting of the public process. This ordinance was conceived in deception, borne under the false declaration of an emergency, as part of a deliberate attempt to further a public project that lacks any significant public support. Any chain is defined by its weakest link, in this case it's the link of trust that is broken. That the burial replacement project is unwanted has been objectively verified. You've seen the same polling numbers that I have. Recently citizens have heard a variety of public servants posturing about the need to make unpopular decisions as if this is a talisman against future voter disapproval. As representatives of the people, there's always the need to weigh your public mandate, and resolve any conflict according to the public process. If you believe the city needs to go in a different direction. This is the judgment you were elected to exercise. When to take the temperature of the voters through the election process. As a lifelong citizen of Portland, as a taxpayer, as a water ratepayer and a voter, i'm concerned about how the public process is being handled, and i'm not alone. I have 50 postcards of other people in the city who have similar concerns. And this is just a portion I was handed today. If you have future public aspirations, choose not to be part of this train wreck by simply referring the bond measure to a vote of the people you were elected to serve. This is the time to exercise good judgment. Refer the bonding to the voters. Thank you.

Floy Jones: I'll go ahead and start. My name is floy jones, i'm going to present information from dr. Valerie hunter, who's unable to be here today. She writes, I was surprised to hear mayor Katz repeat commissioner Saltzman's error when she stated on the radio tuesday that the proposed new e.p.a. rule will not allow open reservoirs. Listeners challenged her and she requested that we show documentation. So for the record, here's the actual text of the proposed rule in the federal register. August 11, 2003. On page 47718, which I provided you, additional treatment technique requires for systems with uncovered finished water storage facilities. This proposed rule requires that systems with uncovered finished water storage must, one, cover the uncovered water storage, or treat storage facility discharge to the distribution system to achieve virus inactivation, unless the system implements a state approved risk mitigation plan that addresses physical access, site security, surface water runoff, animal and bird waste, and ongoing water quality assessment, and includes a schedule for plan implementation. I've also provided you with the next page, which goes on to say, "today's proposal allows systems to treat the storage facility effluent instead of providing a cover. Alternately, states may determine existing risk mitigation is adequate, providing a system implements a risk mitigation plan as described in this section." this proposed rule does not require any specific security measures. It states only that the water facility must convince the state, Oregon, that its risk mitigation plan is adequate. I'd like to point out that this is a proposed rule. Which is currently, she writes in a 90-day comment period, but we know that's been extended by 60 days. So it will go until january of next year. The city council is overlooking its fiscal duty to the citizens of Portland by failing to challenge this substantial unfunded mandate. This proposed rule is bad for Portland. Not because it says we have to cover our reservoirs, which it doesn't, but because it says we have to provide further treatment to bull run. Portland should challenge the proposed rule on these grounds. With regard to cryptosporidium, the rule distinguishes between filtered and unfiltered water systems. The city of milwaukie, for instance, which had the 1993 crypto outbreak, filters its source water which by the way with a state of the art membrane filtration system, that system is contaminated with waste from agriculture. In 1993, among other events, there was a back flow problem with an illegal cattle slaughterhouse sewer connection. Portland uses unfiltered water source, the bull run, which is one of the most protected watersheds on the planet. The e.p.a.

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Document states on average, the source water in unfiltered systems is 10 times more pure than water from systems which must filter.

Francesconi: Ma'am, we have your letter, but do you -- and we can read it, but do you want to wrap up your conclusion?

*****: Can I give her two minutes of my time?

Francesconi: No. But take a little time --

Jones: The primary point is, we're going to be spending an extreme amount of money in this bond measure, approximately \$40 million of that, I understand, is going to the reservoir replacement project, and at 1% increase for every 5 million of capital improvement costs, that's a very large increase. And it should be referred to the voters.

Francesconi: Thank you.

Charles Heying: I'm charles, i'm going to not go for my text and just speak directly to you. I'm going to speak to you about the inner workings of the friends of the reservoir. I've been with them since the beginning, and I want to tell you that if any of you have been engaged in citizen action, you know how chaotic it can get and how difficult it is to organize people, keep us going. We have lots of things that we argue about, and it's very difficult for citizens to keep their spirit up and keep going. And I want to say, I want to pat us on the back first thing, because through all these difficult times, we've hung together and we've done what we thought was the right thing to do. And we've tried to approach you in a disciplined way and to do all the things that citizens are really good at. Presenting alternatives the council may not think about. We've provided documentation, we've made the public aware, we've done all the kinds of things that a good organization should do. But what i'm looking at now in the organization is an organization who just has the capability to do almost anything. We are really tried and tested, and we can turn out a thousand people within three weeks. We have placed two petitions in their -- they're in draft motion right now, they're being looked at by the city attorney, and I will tell you at the last meeting when we were discussing this, i'm the only person who is not willing to support this. And that's how convinced our group is to -- and willing to take action on these kinds of things. My argument is simple, this is going to hamstring the city. And I don't particularly want to do that. These two initiatives that are before you are much more radical than I would choose. So i'm asking you, i'm actually pleading with you, give me a little support in my group. Refer this to the people. Here's a simple thing that you can pull out that has to do only with the reservoirs, and you can pull that out, you can refer that to the people, and you can find out exactly how much the citizens support you. I know many of you are concerned about security issues, many of you are concerned about safety issues. And you say it's your responsibility to act for the people. But I would ask you, let the people have a chance to say how seriously they consider the risks. Let them have a chance to see how much they really want to spend for the things that they may not think are as worrisome as you do. So I would just plead with you, give me some support in our group. Help me make an argument that we really don't need to go to these more radical measures. And I assure you, we're fully competent of getting this large number of signatures, i'm always amazed by this group, i'm always the one to say, this isn't going to work, and every time the group comes through, they produce it, they do it. So I can assure you the group is very effective and we will do it if we have to. And in the end, I always follow the group, I always do what they think is best, and in the end, I will pull with them on this as well, so i'm just pleading with you, give me some support in the group so I don't have to go with them on a more radical measure. Thank you.

Michael Stine: I kind of represent somewhat the radical fringe of our group here. So I -- charles is trying to protect you from me and my ilk a little bit. We're getting really frustrated, and these people have been working so hard, i'm kind of a johnny come lately, i've just been convinced in the last six months or so that this is just a horrible idea. A horribly expensive idea, a horribly uglifying, if that's a word, making something ugly and ashamed, a tragedy we're going to be regretting for a

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long time. So we're going to continue to go the right way, and to do things legally, and to do things properly, but I just have to say there's a lot of frustration going on. And we're talking about southeast Portland here. I wish some of you had been there on Sunday. We had drummers coming up Hawthorne Street, hundreds in the street, belly dancers, people coming out of their homes. So what I'm -- I guess what I'm saying, there's a lot of potential radicalism in those neighborhoods, and I don't know to what lengths we'll have to go to get an open process here. Certainly we want to make things as proper and as civil as we can, but there are frustrations that are growing. So you can see citizens continue to be frustrated. We citizens aren't going away, but are getting stronger. We got hundreds of new people signed up on Sunday at our volunteer list. Had lots of -- we're getting more and more public media, front page article on the metro section, on t.v. Stations. So please open your minds to this movement, and be part of it rather than resist it. Please reopen the public discussion process and allow yourselves to be convinced. That would be a great way to save some face and to hear all sides completely, and then to ultimately we would hope you would change your decision, but if that isn't possible, please refer it to the people, and let us make the decision. It will be a great way to shut us up if you -- if the people say no, we want to do this, but we think otherwise. Thank you for listening so carefully. I can see you're all paying attention, and I hope you take it to heart. Thank you.

Francesconi: Is there anyone else who wishes to testify? Any questions from council? Or do you want Ken to come back up? Roll call.

Francesconi: Aye.

Leonard: I do want to say a couple things. I want people to understand where at least one of us is coming from. This debate is not unlike a debate I've had in the course of my career in the fire bureau where I also served as a legislator on issues ranging from the wisdom of requiring the most technologically advanced smoke detection systems in houses, to fire sprinkler systems. The debate is not unlike this debate. It reminds me a lot of that. It goes something like this -- what you're asking us to do, Senator Leonard, or Representative Leonard, costs a lot of money, and it doesn't make sense. So the bottom line is, we don't have legislation in this state requiring all multiple occupancy buildings to have fire sprinklers, because those that were more concerned about the cost of those systems were able to defeat that legislation, notwithstanding the fact on a fairly regular basis in this city, in this community, and in this state, we bring people out of buildings such as the ones I wanted to put sprinklers in, in body bags. And I always thought, as I was participating in that part of the equation, I wish some of those folks were here now to see this. Because this is the result of their lobbying efforts. This debate surrounds that same kind of an issue. Commissioner Saltzman, in addition to being a politician, is an engineer. My experience with Commissioner Saltzman over the 10-plus years I have known him and worked with him, is that he -- his ethics are second to none, his understanding of issues when he gets involved in them are second to none. So when he comes to me and says to me that the research he has done and the research others have done indicate to him that we are vulnerable to having our open reservoirs contaminated with technology today to the extent that people could be killed, I believe him. So the issue of the polls, I respect polls. I respect what people say in masses. But I have to tell you, I'm also burdened with a degree in history. . So I have to think back 140-some-odd years when this state formed its constitution, and some of the abhorrent provisions in the constitution overwhelmingly passed then, denying African-Americans the right to own property, people of Chinese descent to own property. I have to think about World War II and the overwhelming agreement and support of taking American citizens who happened to be of Japanese ancestry and putting them in camps. So while polls mean a lot, I have to take -- I'm just talking about myself -- I have to take them in -- and balance them against what it is that we're talking about doing. And what we're talking about doing here is nothing short of looking into the future and anticipating what may happen, and taking steps now to prevent a tragedy from happening. That is the hardest thing in the world I have learned, that you try to explain to people.

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If they haven't actually experienced a fire, if they actually haven't seen the effects of a fire, you can talk until you're blue in the face and they're not going to agree to spend money to make their buildings safer. And I can give you examples ad nauseam of that in this community and around the country. So this is an action that the council is taking, trying to do something other communities don't normally do. In Boston, you used to be able to lock exits, have revolving doors from all restaurants and bars until the Coconut Grove fire in the 1940's, and 450 people died. Now you can't do that anymore in Boston. But they had to have a tragedy for that to happen. What I'm hearing here is, we haven't had a tragedy. So why are you taking on this issue without a tragedy? I have to tell you, what I'm hearing Commissioner Saltzman say, I don't want to experience a tragedy happen before we do something. Having said that, is there -- is this a win-lose? I don't think it is. What I've heard Commissioner Saltzman say, when I've talked to some of the groups about, why can't we leave the reservoirs as they are? As a water feature and bury the tanks beneath them? Some have said that's not a good enough solution. Would I urge those of you who think that's not good enough to rethink your position. I think there's a good compromise here so we can have the features, have what they -- have the historic preservation represent the best of old Portland architecture, and do the things that Commissioner Saltzman is rightfully urging we do, protect the future public from being poisoned. That's what we're talking about. And I -- I have thought about this position a lot, and this issue a lot, as all of us have here, and I have to tell you, it is one that I think he is right about on balance, and I think it's one of those unfortunate situations where us taking the action we do will never be able to prove right, because we're probably going to prevent something from happening, versus doing nothing and something horrible happens, then where is everybody who thinks this is such a bad idea then? They're not going to be anywhere near to be found. So again, I've thought through this a lot, I think it -- it's obviously a tough issue, but I am coming down on the side of doing what we need to do to prevent a horrible event from occurring in this city. Aye.

Saltzman: Well, the bond measure before us does deal with capital construction projects for the water bureau, including the open reservoir project, but not exclusively. And I know many of the concerns stated by people who are concerned about our action is about the cost of this project and again, this bond measure as Ken Rust alluded to, is part of it in essence a refinancing measure that's going to save ratepayers about a million and a half dollars. So I think we're certainly -- this whole council hears the people who are concerned about the open reservoir project, and that's one of the reasons why early on we increased the budget by about \$14 million to make sure we have an outstanding parks improvement for what goes on top of those reservoirs. And we have a jury design competition occurring next weekend. We get the proposals from the four final design firms the day after tomorrow, a jury competition is next weekend, also public workshops are next weekend too, and I know many of the friends of reservoirs have participated in the public advisory committee that has helped develop the guiding principals for what goes on top of the Mt. Tabor reservoirs. And I truly believe from what I've seen so far, that there are some outstanding ideas, including as Commissioner Leonard said, one idea could be simply to have the same reservoir look by having a layer of water on top of the buried reservoirs. That is an option, but it's ultimately up to the public and the city council to approve it. But I think from what I've seen, there's some outstanding people working on this design competition, and there's some outstanding alternatives. It's not to say that we understand that change is difficult, change is always hard. But there are public health and safety reasons driving the decisions that we're making. And Dr. Hunter was right, I did misspeak, and I can't remember to who I misspoke it to when I said the e.p.a. rule does require us to bury the reservoirs. She's correct. It doesn't require us to do it, but to do some sort of a treatment on the tail end of the reservoir is very expensive, it's more expensive than burial of the reservoirs, and it would be redundant with what we have to do with Bull Run, too, under the same e.p.a. rule, which is going to require treatment. So we would be looking at the option of doing double treatment, which would be very expensive. The risk mitigation plan measures too, I think

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this council has concluded would be equally unpopular if we were to put up a perimeter barrier with motion detectors and things like that to keep out not only people, but to keep out mammals, those things, I don't think that would be any more desirable to people who enjoy mt. Tabor park than ultimately the burial, and I do believe the burial will be the superior option both in terms of what it looks like afterwards, but also in the health and safety protection it gives all water users what they, the 300,000 citizens of Portland who get their water from the mt. Tabor system. So I know you know this, but I believe we are making the right decision for now, and for our future. Aye.

Sten: Briefly, I actually -- I don't know if you've heard otherwise from the council, I agree with the description of how tenacious and legal and playing by the rules the friends have been, and I think it's an admirable organizing, and I think it's in the spirit of what Portland's done in the past, and I wish I had a way to resolve your point of view with the opposite side that would bring us harmony. I don't think it exists. There's been a lot of call for process. I don't believe based on -- and I mean again, this is in the context of a compliment, I don't believe at this point there is any process that would change anyone in your group's mind in terms of what you think. The original push to me was very much around the issue of, it will be ugly as one of the gentlemen testified today. I worked very hard to make it clear with commissioner Saltzman's absolute concurrence, that there will be no construction until the city council personally holds a hearing in these chambers and approves a design after what I expect to be hours and hours of public testimony, and i'm yet to hear any of the opponents acknowledge that there's a huge effort underway to make sure that what's designed is beautiful. So I don't believe that the issue is going to be what's there is ugly. I think the issue, and I don't believe people are being as fair as you say you are in acknowledging that. But I do believe that the issue of, is it worth the money, is absolutely at the heart of the matter, and I think lots and lots of people are going to think and debate about that. What I do believe is if you look at the context of both the rule that's coming out and just reality, these reservoirs are going to have to be updated sometime in all of our lifetimes. Long before I think people realize. I don't think any community in the world would store water this way given a choice, and in fact they couldn't legally.

So we're going to have to update them in some way. I think there's reasonable arguments around different ways that perhaps we could make the system safer without burying the reservoirs but I don't think there's any reasonable argument you could leave them as they are indefinitely and meet both the rules and kind of the common sense approach to how you would store water. A gentleman jumped in this water and died not so long ago, and you could say no one got sick, but this is clearly an argument against storing the water this way. It's just not a great way to store water. The useful life span of these reservoirs is in the foreseeable future. So we need to do some planning and move forward with a different approach. I think we can do something that will meet the aesthetic needs. I continue to be intrigued and interested in the ideas of more process, but I also don't believe in process as a substitute for an honest disagreement. And as I look at your team, I don't believe there's a process out there that's going to change any of your minds on this, period, and I don't say that as an insult, in fact, i'm trying to say it as a compliment. I understand the argument i'm thinking about, do we really want to risk that these ballot measures which your own group is saying aren't a good idea are worth this. My recollection of the vote, Portland voters is that they rarely pass bad ideas. So if it is a bad idea, I don't believe they'll pass. And so I don't think that's the right approach. I'm -- I am interested in continuing to think and talk, but I guess I wanted to share those thoughts. Certainly on the revenue bonds I vote aye.

Francesconi: Passes. There's been -- we've already voted, there's been plenty of process on this now. There's plenty of opportunities for folks to testify. There's just a basic disagreement on whether this is the right approach. The entire council believes it is, primarily for safety reasons. The neighborhood believes it's -- it isn't. So we just need to move forward. Next.

Item 1177.

Francesconi: Anybody wish to testify on this? Any questions? Roll call.

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Francesconi: aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Francesconi: Next?

Item 1178.

Francesconi: Any testimony or comments? Roll call.

Francesconi: aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Francesconi: 1179.

Item 1179.

Francesconi: Do you want to say anything?

Saltzman: I'd like to explain this real briefly. Voters passed the children's initiative last november, and we worked closely with Multnomah county to come up with a way to implement the children's initiative, particularly the children's investment fund in what we felt was going to be a very cost effective way, bearing in mind the ballot measure limits the fund's expenses to 50% or less administratively. The change that's represented, and we executed an intergovernmental agreement with the county, I think it was back in february, we are now changing that agreement because the -- the change would be that the city rather than the county will now be responsible for contract compliance. And it was the county that initiated this change, because they did not feel they could administer the contracts due to the administrative costs required by the children's investment fund. So the director of the children's investment fund now will work with the bureau of housing and community development to monitor the contracts, and the county is fully supportive of this, in fact the county commission has already approved this intergovernmental agreement.

Francesconi: Ok. Any questions or testimony?

Jada MaeLangloss: When the word "children's investment fund" comes into my consciousness, i'm same as you are, because you gave me five minutes to talk about kids first, and that was many eons ago. You gave me five minutes. I gave you the plans for arcology, where you can put 20 times as many beautiful people working together in an area that does not use fossil fuels, and it does not require automobiles, and the poisoning of the water and the surface of the ground, and also the air that we have to breathe that is getting more difficult to breathe all the time. 27 years ago I decided to bring this up, and that's why I run for office, mainly. Outside of the fact I like to debate with lars larsen some day. I'm looking forward to that. Mr. Francesconi, you have two beautiful children. I'm looking forward for their lives to be improved by our self-sustaining ideas of creating our own energy source here that doesn't require us draining all the oil out of alaska. And this is what I want to talk to the children about. Before they get married to automobiles and have to have three vehicles in front of every garage. In order to get rid of the gasoline, which is waste product in the first place, after everything is made out of plastic. They've got chairs at fred meyer for \$5 made out of plastic. Of course they don't stand up for long, and they only are \$5. They don't last very long, and it's very hard on the environment. Now, i've been thinking about the kids of the future for the last 27 years that i've been campaigning without asking for money, without paying the press one cent to get elected. And by sassing off the media when they make a mistake by putting all the bad news on the front page, and not giving any hope to the people, or the children that we can -- we can do better by becoming more. Self-sustaining. We don't need oranges coming on boeing jets from australia. And the reason our onions cost \$1.50 a point is because the onion crop field in australia. And there are weather changes all over. When you have all the onions coming from australia to safeway and fred meyer, and the crop fails, then our own Oregon onions and Washington onions go up to \$1.50 a pound and we can't even afford it ourselves. It doesn't make sense and it's not energy efficient, and I will always protect your chimp as well as everybody else's with good common sense. We've got to stop living the way we do.

Francesconi: Thanks.

Langloss: With oil as our prime source of energy.

Francesconi: Thanks.

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Langloss: Thanks.

Francesconi: We're done, so the council --

Leonard: Did we vote?

Francesconi: Vote. Sorry. I got eager.

Leonard: A little technical thing.

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

Francesconi: Ok. We're adjourned. Have a nice week, everybody. [gavel pounded]

At 10:50 a.m., Council adjourned.