



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **19TH DAY OF OCTOBER, 2005** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard, Saltzman and Sten, 5.

Commissioner Leonard arrived at 9:46 a.m.

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

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

COMMUNICATIONS	Disposition:
1222 Request of Paul Phillips to address Council regarding an initial visit/consultation (Communication)	PLACED ON FILE
1223 Request of Peter Williamson to address Council regarding Neighborhood Emergency Teams program (Communication)	PLACED ON FILE
1224 Request of Richard L. Koenig to address Council regarding the City Attorney Office (Communication)	PLACED ON FILE
TIME CERTAINS	
1225 TIME CERTAIN: 9:30 AM – Status report on the Willamette River Combined Sewer Overflow Program (Presentation Introduced by Commissioner Adams)	PLACED ON FILE
*1226 TIME CERTAIN: 10:00 AM – Re-establish a joint Sustainable Development Commission with Multnomah County (Previous Agenda 1129; amend Code Chapter 3.112; Ordinance introduced by Commissioner Saltzman) (Y-5)	179680
1227 Appoint Leslie Carlson, Christine Ervin, Dennis Hopwood, Mike Houck, Henry (Chip) Lazenby Jr. and Lillian Shirley to the Sustainable Development Commission for terms to expire October 12, 2007 (Report introduced by Mayor Potter) (Y-5)	CONFIRMED

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<p>*1228 TIME CERTAIN: 10:30 AM – Authorize the Utilities Customer Service Division to engage in a two-year pilot project with Hacienda Community Development Corporation to provide low-income discounts to low-income renters who occupy multi-family sub-metered apartments (Ordinance introduced by Mayor Potter, Commissioners Adams, Leonard, Saltzman and Sten)</p> <p>(Y-5)</p>	<p>179681</p>
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>1229 Statement of cash and investments August 25, 2005 through September 21, 2005 (Report; Treasurer)</p> <p>(Y-5)</p>	<p>PLACED ON FILE</p>
<p>Mayor Tom Potter</p> <p>Office of Management and Finance – Bureau of General Services</p> <p>*1230 Authorize acquisition of vehicles for use by City bureaus (Ordinance)</p> <p>(Y-5)</p>	<p>179665</p>
<p>*1231 Authorize payment of \$30,000 from the Parking Facilities Fund to Pioneer Courthouse Square, Inc. as a contribution to the holiday tree lighting ceremony at the Square (Ordinance)</p> <p>(Y-5)</p>	<p>179666</p>
<p>Office of Management and Finance – Purchasing</p> <p>1232 Authorize an annual price agreement with Jubitz Fleet Services for gasoline/diesel motor fuel by cardlock system for City vehicles at an estimated cost of \$950,000 (Report)</p> <p>(Y-5)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p>Police Bureau</p> <p>*1233 Amend a contract with Volunteers of America to continue domestic violence advocate services (Ordinance; amend Contract No. 35366)</p> <p>(Y-5)</p>	<p>179667</p>
<p>*1234 Amend a contract with Raphael House to continue domestic violence advocate services (Ordinance; amend Contract No. 35370)</p> <p>(Y-5)</p>	<p>179668</p>
<p>*1235 Amend a contract with Raphael House to continue domestic violence advocate services (Ordinance; amend Contract No. 35371)</p> <p>(Y-5)</p>	<p>179669</p>
<p>Commissioner Sam Adams</p> <p>Bureau of Environmental Services</p>	

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<p>*1236 Accept a grant award from the Oregon Watershed Enhancement Board in the amount of \$22,538 for restoration work at Oaks Amusement Park in the Willamette River Watershed (Ordinance)</p> <p>(Y-5)</p>	<p align="center">179670</p>
<p>*1237 Accept a grant from the Oregon Watershed Enhancement Board in the amount of \$64,795 for restoration work at Beggars Tick in the Johnson Creek Watershed (Ordinance)</p> <p>(Y-5)</p>	<p align="center">179671</p>
<p>*1238 Accept a grant award from the Oregon Watershed Enhancement Board in the amount of \$83,450 for restoration work at Tideman Johnson in the Johnson Creek Watershed (Ordinance)</p> <p>(Y-5)</p>	<p align="center">179672</p>
<p>*1239 Accept a grant award from the Oregon Watershed Enhancement Board in the amount of \$150,000 for restoration work at the Big Four Corners site in the Columbia Slough Watershed (Ordinance)</p> <p>(Y-5)</p>	<p align="center">179673</p>
<p>*1240 Authorize Intergovernmental Agreement with Portland State University to plan and implement stewardship activities to include community grants, technical assistance for community based stewardship projects, community education and program evaluation for the Clean River Plan (Ordinance)</p> <p>(Y-5)</p>	<p align="center">179674</p>
<p>1241 Authorize grant application for National Oceanic and Atmospheric Association community-based restoration grant for Tryon Creek Watershed partners for \$137,000 (Ordinance)</p>	<p align="center">PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM</p>
<p>1242 Authorize Intergovernmental Agreement with the East Multnomah Soil & Water Conservation District to partner on the Naturescaping for Clean Rivers Program (Ordinance)</p>	<p align="center">PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM</p>
<p>1243 Authorize a Master Interagency Agreement between the Bureau of Environmental Services and the Portland Development Commission for improvement of the community and environment for Fiscal Year 2005-06 (Ordinance)</p>	<p align="center">PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM</p>
<p>1244 Authorize an Intergovernmental Agreement with the Institute for Tribal Government at Portland State University for services associated with Portland Harbor Superfund Site (Ordinance)</p>	<p align="center">PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM</p>
<p>1245 Authorize individual agreements between the Sustainable Stormwater Management Program and public and private property owners to assist in implementation of stormwater management retrofit projects in amounts not to exceed \$100,000 per agreement (Ordinance)</p>	<p align="center">PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM</p>
<p align="center">Office of Transportation</p>	

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<p>*1246 Accept a Warranty Deed for the East Columbia to Lombard Connector Project and authorize payment (Ordinance) (Y-5)</p>	<p align="center">179675</p>
<p>1247 Extend the Lloyd District parking pay station pilot project to March 31, 2006 pending completion of a new procurement process for pay station technology (Ordinance; amend Contract No. 35437)</p>	<p align="center">PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM</p>
<p align="center">Commissioner Randy Leonard</p> <p align="center">Water Bureau</p>	
<p>1248 Accept contract with Stellar J. Corporation for Stephenson Pump Station Improvements as complete, authorize final payment and release retainage (Report; Contract No. 35318) (Y-5)</p>	<p align="center">ACCEPTED</p>
<p>1249 Accept contract with Werbin West Contracting, Inc. for the installation of Kings Heights Mains Package as complete and authorize final payment (Report; Contract No. 35621) (Y-5)</p>	<p align="center">ACCEPTED</p>
<p>*1250 Authorize a Forest Service special use permit for Hiya Mountain radio tower (Ordinance) (Y-5)</p>	<p align="center">179676</p>
<p>1251 Authorize a contract for the construction of conduit vulnerability reduction projects at the S-10 Road, Ditch Camp and Sam Barlow High School sites (Ordinance)</p>	<p align="center">PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM</p>
<p>1252 Authorize a contract and provide payment for construction of the Downtown Water Mains Improvements Project (Ordinance)</p>	<p align="center">PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM</p>
<p align="center">Commissioner Dan Saltzman</p> <p align="center">Parks and Recreation</p>	
<p>1253 Accept a \$47,000 Recreational Trails Program grant from Oregon Parks and Recreation Department to repave the Springwater Corridor Trail from SE 82nd Avenue to SE 92nd Avenue with asphalt (Ordinance)</p>	<p align="center">PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM</p>
<p>1254 Remove designation for five Heritage Trees in the City of Portland (Second Reading Agenda 1204) (Y-5)</p>	<p align="center">179677</p>
<p align="center">Commissioner Erik Sten</p>	

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1255 Donate a 1990 Chevrolet H30 Van to Multnomah County Emergency Medical Services (Second Reading Agenda 1209) (Y-5)	179678
1256 Accept donation from Han Younghee of exercise equipment to Portland Fire, Rescue and Emergency Services (Second Reading Agenda 1210) (Y-5)	179679
REGULAR AGENDA	
1257 Support partnership with Portland Public Schools and Housing Authority of Portland to complete funding of Community Campus at New Columbia and provide City with current Ball Elementary School property (Resolution introduced by Mayor Potter and Commissioner Saltzman) (Y-5)	36342
Mayor Tom Potter	
1258 Appoint William June to the Mt. Hood Cable Regulatory Commission for term to expire May 31, 2008 (Report) Motion to accept the Report: Moved by Commissioner Adams and seconded by Commissioner Leonard. (Y-5)	CONFIRMED
Office of Management and Finance – Bureau of General Services	
*1259 Adopt a policy to maximize City investment in City owned facilities (Ordinance) (Y-5)	179682
Office of Management and Finance – Human Resources	
*1260 Delegate authority to the Bureau of Human Resources Director to execute Intergovernmental Agreements in support of the City Training and Development Program (Ordinance) (Y-5)	179683
Office of Management and Finance – Revenue Bureau - Licenses	
1261 Eliminate issuance of temporary taxicab and limited passenger transportation driver permits and establish new permit application procedures (Second Reading Agenda 1214; amend Code Sections 16.40.240, 16.40.250 and 16.40.930) (Y-5)	179684
Office of Management and Finance – Purchasing	
1262 Adopt findings, authorize an exemption to the competitive bidding process to the Bureau of Purchases pursuant to ORS 279C.335 and City Code 5.34.870A, and provide payment for construction of the Glenhaven Skate Park Design-Build Project (Ordinance)	PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM

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<p>1263 Authorize price agreements with Blumenthal Uniform Co., Inc., Class Act Uniforms, Law Enforcement Equipment Distribution and Sea-Western, Inc. for annual supply of fire and police uniforms and accessories (Ordinance)</p>	<p align="center">PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM</p>
<p align="center">Planning Bureau</p> <p>1264 Amend Property Tax Exemption for Residential Rehabilitation and New Construction of Single-Unit Housing in Homebuyer Opportunity Areas to extend the program sunset date, allow the eligibility of condominiums and improve program administration (Second Reading Agenda 1194; amend Code Chapter 3.102)</p> <p>(Y-5)</p>	<p align="center">179685</p>
<p align="center">Police Bureau</p> <p>*1265 Extend expiration of drug-free zone designations until February 2, 2006 (Ordinance; amend Code Section 14B.20.020)</p> <p>(Y-5)</p>	<p align="center">179686</p>
<p>*1266 Extend expiration of prostitution-free zone designations until February 2, 2006 (Ordinance; amend Code Section 14B.30.020)</p> <p>(Y-5)</p>	<p align="center">179687</p>
<p align="center">Commissioner Sam Adams</p> <p>S-1267 Establish registration and reporting requirements for Lobbying entities and City officials (Second Reading 1182; add Code Chapter 2.12)</p>	<p align="center">REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p>
<p align="center">Bureau of Environmental Services</p> <p>*1268 Authorize Lease Agreement with the Oregon Museum of Science and Industry for vacant land to be used for construction and to stage activities related to the East Side Combined Sewer Overflow Tunnel Project No. 7594 (Ordinance)</p> <p>(Y-5)</p>	<p align="center">179688</p>
<p align="center">Office of Transportation</p> <p>*1269 Amend Purchase Order with Precise Parklink for \$116,000 to provide a six-month supply of parking receipts with wording added to alert parkers to remove valuables from their vehicles (Ordinance; amend Purchase Order No. 1026638)</p> <p>(Y-5)</p>	<p align="center">179689</p>
<p align="center">Commissioner Randy Leonard</p> <p align="center">Bureau of Development Services</p>	

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1270 Amend Erosion and Sediment Control regulations to clarify intent and authority, simplify certain requirements and improve administration (Second Reading Agenda 1218; amend Title 10) (Y-5)	179690
Commissioner Dan Saltzman Office of Cable Communications and Franchise Management 1271 Direct the Office of Cable Communications and Franchise Management and the Office of Sustainable Development to prepare a proposed renewed franchise agreement with PacifiCorp, dba Pacific Power, in coordination with the City Attorney Office, Transportation and other City bureaus (Previous Agenda 1067) (Y-5)	36343
Parks and Recreation *1272 Authorize expenditure of funds for construction documents and construction of repairs to Buckman Pool (Ordinance) (Y-5)	179691
1273 Accept a \$416,347 grant from Oregon State Parks Local Government Grant Program to develop the 1.7-acre Holly Farm property in Southwest Portland into a neighborhood park (Second Reading Agenda 1220) (Y-5)	179692
Office of Sustainable Development 1274 Authorize a grant to NW Housing Alternatives, Inc. for daylighting Dolph Creek and other green building features at Village at the Headwaters located at SW Barbur and Dolph Court for \$50,000 (Ordinance)	PASSED TO SECOND READING OCTOBER 26, 2005 AT 9:30 AM
Commissioner Erik Sten *1275 Direct the City not to accept new applications for the New Multiple-Unit Housing Property Tax Exemption Program for 180 days (Ordinance) (Y-5)	179693

At 1:18 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 File.

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WEDNESDAY, 6:00 PM, OCTOBER 19, 2005

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

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

OCTOBER 19, 2005 9:30 AM

Potter: Good morning, everybody. Before we begin the regular council meeting, we have a couple of things that we'd like to get done. First, we begin each council meeting by asking the citizens here and the -- the citizens in the community to consider the question, how are the children. The reason we do this is because we think that if our children are healthy, if our children are well educated, if our children are doing well, our community is doing well. So we invite experts in to talk to us about youth issues. And today we have several experts with us. If they could please come up. These four folks are with the reap program and are on a recipe planning committee for the african american student conference held in november. Why don't we just begin at one end. We'll start with this young man. Start with your name and what you want us to know.

Deron Patterson: My name is deron patterson. Basically I want to describe our program and the atmosphere at our school for the african american students.

Potter: Good. Go ahead and start.

Patterson: All right. I know that it's kind of hard for the freshman students, african american students. As for me, I mean I made it through it. I'm a senior right now. I'm almost out of the high school system. But somehow we need to make our class sizes a little more diverse and make it a better learning environment for the african american students. I know sometimes they get discouraged by the fact that they're like maybe the only african american student in their class. I don't know, some way we need to work to get that changed sway.

Potter: Will that be an issue discussed at the conference in november?

Patterson: Yes. Talking with the african american students, trying to make them stronger individuals, so they'll be encouraged to trying a.p. Classes.

Potter: I'm looking forward to speaking with you at the conference. Thanks for being here, deron.

Patterson: No problem.

Potter: Pull the microphone toward you. Thank you.

DeAngelo Brown: My name is deangelo brown. And I attend grant high school. What I really want to know is if we can make class sizes smaller. I feel that the classes i'm in, I have philosophy, and we have, say, 42 kids in a class, and I think if class size would be smaller than you could learn much more.

Potter: Yes. Good. And are you also part of the reap program?

Brown: Yes, I am. Yes.

Potter: What do you gain from the reap program?

Brown: Knowledge of being an african american male, knowing my background really, say being more confident, being a confident speaker, like coming out here today and speaking in front of you. And just knowing more about myself.

Potter: You're doing a great job, too.

Brown: Thank you.

Potter: I hope you get an a-plus for speaking. Thanks for being here.

Brown: Thanks for having me.

Danielle Tucker: Hi. My name is danielle tucker. I'm a sophomore at grant. And one of the things that I would like you guys to know is that I believe there should be more african american

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teaching in grant, because I know being a student and going through Portland public schools there aren't a lot of opportunities for african americans to learn about their history or achievers who are like us besides slaves. So I think that would be a really good thing for african american students to learn.

Potter: Thank you, danielle.

Taylor Brown: Hello. I'm taylor allen. I'm also a sophomore at grant. And like deron said, when I was a freshman, I came into grant, I was taking, like, higher level classes, and in my classes I kind of felt alone because I was like one out of two or three african american students. I do believe maybe if we can make the classes more diverse, then it would be easier for the students to get along their freshman year. I'm now a sophomore, so i'm more used to the environment. But if we could ease the freshman in grant, make it more diverse, I think that would benefit our youth.

Potter: Thank you very much. Any closing words on behalf of anybody? Who brought you today? Could you have those folks stand up? Can you tell us who they are?

T. Brown: This is mr. Golden. He works with the reap program. And mr. Jackson also works with the reap program, and they brought us today.

Potter: Mr. Jackson, mr. Golden, thank you very much for bringing the students today. You were excellent. Thank you very much.

*****: Thank you. [applause]

Potter: Thank you. That's it.

Sten: And two of the five commissioners are from grant, so we expect to see you up here some today.

D. Brown: And mayor Potter, I would like to invite you to come to our meeting that we're having. It's the reap program on november 10.

Potter: I'm going to be there.

*****: Ok.

Potter: I'm signed up already.

*****: Well, thank you.

Potter: Good. Thank you very much.

*****: Thank you.

Potter: It's an excellent program. Is this suitable for framing? Good. Very good. Next i'd like to call up marcia dennis from the office of community development. Marsha, you understand we're kind of short on time.

*****: I certainly do.

Potter: I appreciate you coming in on short notice and keeping it to five minutes.

Marcia Dennis: I'll do my very best. As mayor said, i'm marcia dennis. In my day job i'm the graffiti abatement coordinator for the city, but my spare time is being spent a board member for the hands and words are not for hurting project. You have a packet that's got information that I hope you'll take a look at. The main reason i'm here today, and i'm talking fast, so I hope I don't forget anything important, is to let you know this is the eighth annual hands and words are not for hurting week. And schedules being what they are, I was a little bit behind trying to get things going, and so the mayor was gracious enough to give me just a few minutes to come in and talk to you about this.

I think the main thing I want you to know is that there is a 14-word pledge, half as long as the pledge of allegiance. I will not use my hands or words for hurting myself or others. People who take the pledge generally trace their hand on purple paper or paint it on a wall. We have a photograph there from southeast uplift a couple years ago. That wall is still there. Since this program started in 1997, in salem, it has grown to be in every state of the union, and is now in 10 countries. We have translations in spanish. We're working with countries that are spanish speaking, as well as communities of spanish speakers. Marion county sheriff has purchased banners for every corrections facility in marion county. In this program is working in hospitals and schools.

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It's for kids and adults. We believe very strongly in the power of one. I can't change how you all may act, but I can change how I act and react to things that make me angry. So we want each person to take that responsibility upon themselves. In your packet you have a pledge sheet, which the kids on the children's bill of rights committee made this banner on monday at their meeting, and they were hoping to get the commissioners and the mayor to trace their hands. I will cut them out and put them on this banner, and perhaps we can display it someplace for the rest of the week at the very least. Mayor has issued a proclamation, and he has been gracious enough to agree to read it. So if you would do that.

Potter: Ok, thank you, marcia. Whereas a world without abuse and violence is a dream we all share, and whereas the mission of the hands and words are not for hurting project is to educate each person in every community about their moral and legal right to live free of violence and abuse, and whereas verbal and emotional abuse can be just as damaging as physical violence to a person's self-esteem, creating scars that carry throughout his or her life, and whereas the principle of nonviolent resolution of conflict must be taught to our children and practiced with each of our families, and whereas we recognize that respect for ourselves and others is key to developing healthy relationships at every age and all circumstances, and whereas we realize that each of us must come to understand that it is within our personal power to choose not to use abuse and/or violence to resolve conflict, and whereas the city of Portland together with communities across the country and overseas recognizes the hands and words are not for hurting project's pledge as an effective tool and a key piece of the puzzle in abuse and violence prevention education. Now therefore i, tom Potter, mayor of the city of Portland, Oregon, the city of roses, here by proclaim the week of october 16 to 22, 2005, to be hands and words are not for hurting week in Portland, Oregon. Thank you, marcia.

Dennis: Thank you. Would you all like to say the pledge.

Potter: Sure we will.

*****: Ok. I will not use my hands or my words for hurting myself or others. Thank you very much.

Potter: Thank you very much, marsha.

Dennis: I'll collect those. I made it in under five minutes.

Potter: Yes, you did, with 43 seconds to spare. Council will come to order. Karla, please call the roll. [roll call taken] communications, please. Read the first item, Karla.

Item 1222.

Potter: Thank you for being here, mr. Phillips. Please give us your name when you testify. You have three minutes.

Paul Phillips: Yes. I'm paul phillips. I was intending on reading this piece of paper from the dr. Michael van allen that's addressed as initial visit, consultation, but as you can hear I came down with a cold, and i'm going to read it, november the 9th, but i'll read the lines under the -- the sentences that's underlined. Patient claim that he was injured by the catholic hospital 23 years ago when they put him in a cast. They claim I wasn't injured. Review of the records indicate he has seen hand surgeon on one occasion and felt -- and arthrolysis of the thumb would be appropriate treatment but not performed. If you have received the second paper from michael van allen, as I explained last week, that the state of Oregon, quote, unquote, the Oregon taxpayers pay my medicare payments, this paper is written as charges \$188. That was for this piece of paper. The visit and consultation. I thought it was supposed to be medical treatment. And they have documented credits of \$98.26, which was what medicare paid, and then \$65.17, medicare adjustments. I'm not sure if there's more taxpayer money or if that was just a correction. But ed tabor, I presented him -- he's now retired, and i'll tell you what his job was. -- presented him with the facts and the x-ray of what walter hales had told me, an orthopedic hand surgeon, if you

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remember me asking you, mr. Mayor, if you've ever met anybody with growth rings before, and you were the only one that commented, no, that you believe that you hadn't. Do you remember that?

Potter: I do remember that.

Phillips: You're the only one that spoke up. Is there anybody else that would agree with the mayor.

Adams: That we have growth rings?

Phillips: Yeah.

Adams: I don't know.

Phillips: That you haven't heard of that before.

Adams: I've not heard of that before, no.

Phillips: Anybody else? Well, politicians do practice politics. I guess my time is up.

Potter: Thank you, mr. Philips. Karla, please read the next item.

Item 1223.

Potter: Good morning. Please state your name when you testify. You have three minutes.

Peter Williamson: My name is peter williamson. I'm here on behalf of the neighborhood emergency teams. I'm sure that you guys are all familiar with that, I hope. I did it in 2000, and I think in light of recent events that there needs to be more attention paid to it. When I took the initial training I was issued some gear, i.d. Badge, a vest, helmet, you know. Looks pretty official, but underneath the surface, what you find is I have a helmet that has never really been used, already cracked, pretty much worthless. I have a vest that's pretty much a one-size-fits-all, no pockets, pretty much worthless. I have an i.d. badge, moved a year and a half ago, tried to get one in my new neighborhood, and for various reasons not been able to get one. Very hard to recruit people in my new neighborhood when I have badge that is old. At this point it comes down to, we've all seen because of recent disasters, that it's going to be citizens that are going to make the difference between a disaster and a catastrophe. I think at this point the n.e.t. teams need to be more integrated with the fire bureau, there needs to be changes, so when they have exercises like they had in salem that the funding goes to pay for the exercise, not for overtime. There needs to be some flexibility for professional first responders to be able to work on a weekend without being required to pay them overtime. Then I think we need to create another level of the n.e.t., something called, what I think should be called, citizens first responders. I think we need to jump on top of our initial investment. We have \$200 that we spend for the initial training, and yet these people aren't used for anything. Occasionally we meet at med stations at rose festival frayed or greek festival, but other than that, nothing. We play victims, but we have no training, we have no integration with our fire bureau. You know, we're going to be on our own. And I believe it's time that the city steps up and provides at least some kind of direction. I think that if we had a program called citizens first responders, we could have people out there that are in this program that are willing to do more to help the city take on additional responsibilities and provide an auxiliary unit for the fire bureau. I don't see how spending our money on overtime or spending our money on management is going to be effective when in a major emergency it will be citizens like myself that will make the difference between having that disaster-turning-catastrophe like katrina, or having a disaster where we can look back and see citizens that can effectively help other citizens.

Potter: What was your name again, sir?

Williamson: Peter williamson.

Potter: Thank you for coming in, mr. Williamson. I think you're absolutely right about citizens are going to be the key to any response to a major disaster. And we'll certainly share the information you gave us with the fire bureau.

Williamson: Well, i've shared that. And I hope that soon you'll see other n.e.t. members coming in and sharing their stories with you.

Potter: Thank you, sir.

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Adams: Thank you.

Potter: Karla, please read the next item.

Item 1224.

*******:** Good morning city of Portland, city council, mayor.

Potter: You know the drill, richard.

Richard Koenig: Indeed I do. My name is richard koenig, Portland, Oregon. On october 5, when you weren't here, mayor, we did achieve clarity in just what your directive means when you write to me and say i'm deprived the right to associate with my public servants and/or petition them for redress, and henceforth i'm restricted to putting my concerns in writing to hair are you auerbach. Apparently you mean -- apparently you mean that you wish to have me deadlocked with someone who's a desperate conflict of interest with my agenda, which is to expose corruption in public office. Mr. Potter, yourself, intends to prevent an effective investigation as to who knew what when and to engage in damage control by not allowing loyal public servants to become informed of the organized criminal activity that I would ask them to help me expose. Mr. Potter has on many occasions refused to allow dialogue regarding the misapplication of title 59 of business regulations, part two, which is also known as the vehicle code, and instead referred me to chief deputy city attorney harry auerbach, who's now exposed by our loyal public servant over here as the guiding hand behind the organized crime ring. And harry isn't talking or writing back. It's utterly astounding that while I come to council each month and publicly call harry auerbach a criminal he sits silently on his fifth amendment right and the mayor tells the city of Portland that the only person i'm allowed to talk to about this corruption is harry, the very guy that's trying to cover it up. Here's a little civics lesson. You're the chief executive officer of the city, but your authority ends with telling people like me what to do. I'm a member of the general public in whom all power is inherent. Just a reminder, mayor, that's from the constitution that you swore to support. Do you intend to pay me to follow your instructions, mayor? Do you intend to have harry auerbach community with me? If so, when? Are you going to hand him over to the district attorney for a fair trial if he doesn't? Will you deny my first amendment right to authentically petition for redress of grievance? If you do not intend to criminally infringe my right to petition for redress, you will designate a loyal public servant to hear my petition, review the facts, and law, in a transparent manner, and make appropriate referrals to law enforcement. And i'm not suicidal this week either.

Potter: Is that it for the communications?

Moore: That is all.

Potter: Ok. We'll move to the consent agenda. Do the commissioners have any items they wish to pull from the consent agenda? Does anyone from the audience want to pull any item? Karla, please call the roll.

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

Potter: Aye. [gavel pounded] Karla, please read the 9:30 time certain.

Item 1225.

Potter: Commissioner Adams.

Adams: This part back to council is mandated by early council actions, and our purpose today is to give you a brief status on the program and answer questions and take any additional direction that council might have. Bureau manager dean marriott will proceed. Thank you.

Dean Marriott: Thank you. Good morning, mayor, members of the council. I'm dean marriott, environmental services director. With me is paul gibbon, our chief engineer for both the east side big pipe and the west side big pipe. We're here to give you one of our periodic updates on progress with the program. It's been a while since we've been here, so we'll cover quite a bit of ground this morning. We'll do it rather quickly and we have photographs to show you as well. Let me just start with the -- if you could hit the first slide there -- just a refresher. This map in the brighter yellow central city part of the city shows the area served by combined sewers. Portland was built with a

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combined sewer system, because until just 50 years ago we had no wastewater treatment system at all, so all stormwater and wastewater went to the river. Obviously the city has been moving in the direction of cleaning up that situation for quite some time. Here's a slide that refreshes your recollection about the milestones we agreed on back in 1991. We signed an agreement with the state, completed our facilities plan in 1994, which was the road map to how we were going to complete the cleanup. We began our focus on the cornerstone projects, completed the columbia slough projects and some willamette outfalls in 2001, and now closing in on the 2006 milestone which completes the west side outfall controls of 16 outfalls. The ultimate goal is 2011, where we will complete the willamette controls on the east side.

Adams: If I could just insert a comment there.

Marriott: Yes, sir.

Adams: We're working with members of the perb and also an ad hoc group of other interested residential and commercial ratepayers on that earlier slide to go back and assess the question of whether the city settled for two high of a standard, which has been a lingering issue with some stakeholders, and I just -- so we're working with them, through the actual documents and the data, and comparing that to what other cities in the united states settled for in terms of their standard of cleanup. We want to be very open book about that, and we should have that done probably by the end of november.

Marriott: All right. Thank you. Just a quick summary of the c.s.o. program. It's more than tunnels, as you know. Under the circumstances a three-legged stool. One of the legs of the stool, we always talk about it, are the cornerstone projects. This is everything from downspout disconnections to stream separations, including the tanner creek project, which has been winding its way through the downtown for several years. The second leg of the -- and most of that work is done, by the way, we're finishing up soon the last leg of the tanner creek project. The columbia slough project, those have been completed on time as I mentioned earlier. They included work, not only along the columbia slough, but out at the treatment plant. The third leg of the stool is the willamette, including the west side tunnel and the east side tunnel. The west side project is nearing completion. You'll hear about that in just a moment. This is one of my favorite slides that shows the magnitude of the problem back in the 1970's. We had about 10 billion gallons of combined sewage reaching the willamette and the columbia slough annually. The city began acting in the 1970's and 1980's to address that, and by 1991 that figure had reached about 6 billion gallons, still a very large volume of combined sewage. That's when we signed the 20-year agreement, 1991, to reduce that amount. Then you can see the progress we've made ever since. The next step down, which will occur in 2006, represents the improvements that will be shown by the -- bringing the west side project online. We will go essentially from about a 54% reduction, where we are today, to about a 64% reduction. Just by bringing that project online. The final project online in 2011, when the total program is completed, will get us about a 96% overall reduction. And then the final slide for me this morning, just a summary of how we've done on these intermediate milestones, we've met every one that's been set for us. As I said, the next one, which is coming up a year from now, is the completion of the willamette outfall control -- 16 of the willamette outfall controls. Then the final one in december of 2011, and the remaining willamette outfall. Paul will now talk to you about where we are on the west side project, and then he'll move right into the east side. Then i'll come back for the wrap-up.

Adams: If I could also interject one other thing in terms of introductions to what paul's going to talk about. As has been discussed by council in the past, the e.p.a. has been investigating the city of Portland for -- how many years now?

Marriott: Four years.

Adams: -- four years regarding, we're not exactly sure what they're investigating us for, but we think it has something to do with city compliance with the interim agreements of when we signed

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the stipulated agreement and when we have to get to the designated -- designated -- should I say measures that you just discussed in the last slide. Their investigation could conclude any day, and we could -- it could result in changes to the program that you just heard about, and that you're about to hear about. So we shall see. Paul?

Paul Gribbon: Here's where we are today, just on the west side, starting first. There's four main pieces to the west side, just to refresh your memories briefly. It's a 14-foot diameter tunnel, the main piece, goes under naito park avenue and front avenue to swan island, 3 1/2 miles long, 120 feet deep. Next piece is the swan island pump station, 160 feet below ground, able to pump 220 million gallons a day when we're done. What you see here, the bulk of this is below ground. And there will be of you force mains that come from that pump station to pump to interceptors. Four shafts on the west side, one on swan island, to convey flow from the surface diversions to the tunnel, and it consolidates existing outfalls and provide maintenance access to the tunnel. That's a picture of the nicolai shaft today. Last piece is the southwest parallel interceptor, upstream of the tunnel. It ties into the tunnel on southwest clay street, carrying all the flows from southwest to the tunnel. Project status, tunneling is complete, the mining was done on july 29, when breakthrough occurred at the clay street shaft. So both tunnel boring machines are now packed up and gone. The south drive, break in clay street occurred two months earlier than the original schedule had showed. Swan island pump station, finishing concrete work on the upper level. Right now what you see is that surface level, actually 160 feet below that. We've got four levels below what you can see in that photograph. The main push now is mechanical/electrical work. That's continuing. It's currently on schedule, working with p.g.e. To make sure we have the primary power available when it's time to test the systems. Shafts, basically now that tunneling is complete, we're finishing all the interior work. And the remainder right now, we're removing all the inside utilities out of the tunnel through the nicolai shaft. And southwest parallel interceptor, that mining was completed some time ago. It's just now -- now just finishing interior work on the manholes. So our contract status, right now we're projecting to be complete a month ahead of the contract time in mid-august. We're project to be complete in mid-july. As I said, tunneling is complete, and the big focus is now on the mechanical and electrical work. That's a photograph from lower level four, down at the bottom of the pump station.

Marriott: Paul, could you go back to that picture? Many of you were on the tour last december and actually looked from that vantage point, as you were -- may recall the work at the pump station had just begun. As paul has pointed out, most of it is complete on the way up to the surface.

Gribbon: The vantage point was from the opposite side of the wall that you see on the left there. Cost projection, this shows the cost -- if you look at the blue dashed line. That was the original cash flow over time when the contract started back in september of 2002. The green line is the actual cost that we've made since -- as compared with that original curve. And then the yellow line is what we're projecting to be at the end. As I said, if you look at the far right, we're projecting to be about a month early on the contract time right now, and we expect to be within 2% of the original estimate. Cost and schedule oversight, we had an audit completed in january of 2004. We've got still three full-time costs to schedule staff, all they spend their time on is cost and schedule analysis. We still do full monthly cost and schedule review comparisons with the staff, and we also do parallel cost projections to make sure we're thinking the same thing about where we'll be at the end. As far as minority women, emerging small businesses, local business participation, we have to date 113 subcontracts and purchase orders, plus an additional 33 second subcontracts. Right now we've got about \$20 million in mwesb subcontracts, exceeding our project goal of \$13 million. We've utilized well over 300 local businesses. At the peak, we have 450 construction-related jobs on sight. That's it for the west side. The east side right now, just a brief overview, that's going to be six miles long, 22 feet in diameter. Goes from southeast 17th and mcloughlin boulevard, up the greenway, along the railroad rightaway up to swan island. There will

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be six large shafts, approximately 50 feet in diameter, and nine smaller structures. Reach one will be from 17th and mcloughlin to southeast hawthorne and third. And then reach two is from southeast hawthorne and third to the steel bridge. That's under the central east side industrial district. Reach three is from the steel bridge to swan island along a railroad right-of-way. Where we are right now, design is over 90% complete. We currently have a preconstruction phase contract with the contractor. They've done a detailed review of the 90% documents. They've had a number of cost savings suggestions. We're proceeding with procurement of the main staging and mining site from omsi, which will be for consideration on today's agenda. Current construction estimate is \$390 million. Our two parallel estimates are within a couple million dollars of each other, so we feel pretty confident at this point about that number. We're going to still proceed with trying to get it down. They've done their analysis of a one t.b.m. Option. We're looking at that now. It looks like it's very doable. We've also looked at doing an alternative tunnel segment design, something which has been done in europe, not much in the u.s., but has a potential savings of \$3 million. So we're looking very closely at that. Challenges, geology. Geology may drive where the exact site of where some of the shafts are. A lot of old fill where we are. There's a lot of old railroad ties and wood plank roads that we're going to have to deal with. We're trying our best to minimize impacts to the central east side industrial district, because that's where the bulk of our pipeline work will be. Property acquisition, as I mentioned, can be very time-consuming, but we're moving on that. And then for a job like this we want to make sure we maximize local contractor participation. And we're looking at a lot of ways, as many ways as we can to do that. Some of the lessons we learned from the west side, was this preconstruction planning phase with the contractor on board and the design consultant on board is critical. A lot of really key cost-saving decisions get made during this time, and we're trying to maximize the use of that time. We've got a lot of experience with the local geology as far as the tunnel boring machine performance is concerned that we will use on the east side. And we've learned that creating local and mwesb contracting opportunities continues throughout construction. Actually we far exceeded what we thought we could do during the course of the west side. Public involvement is pretty intense at this stage. The businesses for clean rivers we have on a regular basis, and we've changed that from mostly west side businesses to east side businesses. We try to keep our project website update. We have a lot of personal contact with the individual businesses that may be affected by what we're going to do. And we have interpretive signs, a lot of advertising. So we have a pretty intensive campaign. And with that, i'll turn the rest over to dean.

Marriott: Thanks, paul. And we'll certainly be available for your questions here in just a moment. This is a 20-year program. And we know that the overall cost of the program is quite significant. We have spent approximately \$600 million so far. We still estimate the total program cost at completion to be \$1.4 billion. We're working with commissioner Adams and others on the council to aggressively seek federal financial assistance. I think most of you appreciate the difficult nature of that, particularly in this federal budget climate that we face today, but we have pledged over the years to continue to press for this, and we will redouble our efforts in the future. We also want to pledge to you that we will continue to report to you on a regular basis, progress we've made, challenges that we face so there will be no surprises regarding this program. I think we've been able to meet that challenge right along. We will commit to you to that regular reporting interval. One final note, last december I was fortunate to be able to take four of you on the tour. And i'm happy at any point, if any of you would like to go on another tour. For instance, as you noted the swan island pump station looks entirely different today than it did last december. And so you have an open invitation for any of you to take a look at the site up close and personal at anytime. With that, we'll be happy to answer any questions you might have of us.

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Potter: Dean, I had a question. I was wondering if the west side project, once it's completed, will it become operational or will you wait until the east side is completed and operationalize both at the same time?

Marriott: That's a great question, mayor. It's been designed and intended that it will operate early. So before the east side tunnel is finished. So we expect to be -- beginning testing the system this time next year, we should be testing the system, and it needs to be operational before the end of next calendar year. So the west side collection system, the pump station, will be operational before the completion of 2006.

Potter: Excellent. Thank you. Other questions from the commissioners?

Saltzman: I just wanted to commend everybody at b.e.s. and the contractor for doing an outstanding job on the west side big pipe. It's great that you finished it early, that the cost projections are accurate, and that we have maximized the use of minority women and emerging small businesses, in fact exceeded our original goal. I think you've done an outstanding job and continue to do an outstanding job.

Marriott: Well, thank you, commissioner. I want to thank you for pushing us to set a high bar. What we thought at the time was a high bar. You can remember our -- our reluctance to pick a target, but in fact the great news is we've been able to, working with the contractor, actually surpass that goal. So thank you.

Adams: I want to thank both you and Paul Dean for your presentation today and your continued work on the project and to help me get up to speed to be an effective commissioner in charge. I also want to laud commissioner Saltzman for his very, very good work on the c.s.o. project to date in terms of his leadership, and before him commissioner Sten. And I look forward to building on that. Commissioner Leonard and I will be going to D.C. in mid-November to do that face-to-face work with both the delegation and other key federal legislators on both water issues and on sewer issues. So that outreach to the federal government is going to happen soon, and it's going to be done in a very personal and hopefully very persuasive and effective way. Thank you.

Marriott: Thank you.

Potter: Thank you folks. There was no sign-up for this, was there?

Moore: I didn't set one out.

Potter: We'll go to the 10:00 a.m. Certain. Please read items 1226 and 1227 together.

Item 1226 & 1227:

Potter: Commissioner Saltzman.

Saltzman: Thank you, Mr. Mayor, members of the council. The sustainable development commission, which began a decade ago as the sustainable Portland commission, is a citizen advisory group that has done some very impressive work over the years. Many of the efforts that they started and that continue today include the green building program, the food policy council, and the toxics reduction strategy work group. About nine months ago the city and county put the commission on pause with the expectation of reestablishing a new group with the clarified mission and focus. That new focus for the city/county sustainable development commission will include assisting both the city and the county to promote opportunities to incorporate environmental and economic efficiencies within government internal operations, to create sustainability education campaign based on a sustainable community report card that will inform residents and businesses alike about the city's successes and failures related to sustainable development, and it will enhance sustainable industries and related job growth and economic development. The primary purpose of this ordinance is really housekeeping, so that the new -- so that the city code now reflects the new focus areas of the sustainable development commission and reduces the membership of the group to 11 people. It also proves the attached intergovernmental agreement between the city and Multnomah county. The recruitment process to appoint new members of the commission has been extremely successful. We had over 130 applications and they were from very qualified, dedicated,

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and visionary citizens. Together with Multnomah county commissioner maria rojo de steffey, the mayor's office and my office, we finalized the recommendations, and mayor Potter did approve these recommendations. In your packet are the bios and membership applications from the members. I believe Portland is appointing, I believe, six members. I think the county appoints five members. And we are very pleased today to have with us a distinguished set of appointees. Let me just read the Portland appointees in their entirety. Leslie carlson, christine ervin, dennis hopwood, mike houck, chip lazenby and lillian shirley. I think they're going to come up here now and say a few words. Did you want to say something, too? Did you want to come up here, too?

Molly Chidsey: Good morning, mr. Mayor, commissioners. I'm from Multnomah county's sustainability initiative. I'm only going to say a few words, just to say thank you for listening to this today. We are working on many projects together, Multnomah county and city of Portland, and that has been greatly helpful to reduce duplication of efforts and also, you know, put our brain power together in creative solutions for sustainability. We've already mentioned some of these projects. Really excited to continue doing this work in partnership with the city and with our new sustainable development commission. They've been a great assistance to us in the past, and looking forward to continuing that tradition. And especially looking forward to working on these priority projects. The county has recently appointed our five appointments to the sustainable development commission. That happened last week. We're looking -- i'm looking forward to helping to staff this commission and assisting doing -- assisting their work during their tenure. So i'll let them talk a bit. Thank you.

Kent Snyder: Good morning. I'm kent snyder. I'm from Portland. I'm actually one of the reappointees from the county side. I came to this from a background, I have a degree in environmental biology from 1975, I got into law in many years, doing bankruptcy and financial work, and was recruited by commissioner Sten to the sustainable Portland commission, I think back in 1998 or so, and through the process we've pushed to expand it from a city agency, an advisory commission, to a joint city/county, because the issues of sustainability, as we all know, don't recognize political boundaries. And if so, a number of years ago we've expanded. As commissioner Saltzman, really to take -- taken an opportunity to step back and refocus a bit. We also want good lives. We all want livable communities. One of the things that's been very important to me, very important on the commission, is that we think that there are -- there's a goal of mind in economic opportunity in the process of how we go about creating that sustainable community, in terms of energy technologies, the environmental issues, you know, sewer issues, water issues, all kinds of things. We have a wealth of abundance of talent here that we can use, so putting that as a focus of the commission has been really important. We look forward to working as a good partnership with the city and the county in the future.

Chip Lazenby: Good morning, mr. Mayor, members of the council. My name is chip lazenby, a lawyer with the bullivant firm here in Portland. I was the general council for the Portland development commission, and before that general counsel to governor kitzhaber. I've been involved in sustainability issues since my time with the governor. Governor kitzhaber spearheaded the institution of sustainable practices in state government, and on behalf of all state agencies, and I work closely with greg wolf and other members of our staff in doing that. Then at the Portland development commission, in large part due to the leadership of commissioners Saltzman and Sten, the Portland development commission started incorporating leads and other sustainable elements in -- in their requirements for people that sought funding from the Portland development commission to do that. Also p.d.c. Is charged -- or has been charged in the past with being part of Portland's economic development arm, and from the point of view of the development commission it was -- became acutely aware to me that a lot of the small businesses here in Portland are the backbone of our economic development, and that sustainability and sustainable products really form a strong basis for that economic development initiatives that we want to pursue here. And that one of the

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keys is making people that are in business understand that sustainable practices make good business sense. And that's some of the policies I think i'm going to try to focus on as commissioner Saltzman's asked me to be the cochair of the commission. I'm looking forward to serving in that capacity and pursuing these and other policies. So thank you very much.

Dennis Hopwood: Good morning, mayor and members of the council. My name is dennis hopwood. I'm vice president of human resources for standard insurance company. I'd like to spend a few minutes talking about my background, why i'm interested in s.d.c., and why s.d.c. is important to the business community. Early in my professional career I worked for several universities, including lewis and clark college. I've spent the last 25 years working in corporate human resources in high tech principally in Oregon and in the silicon valley. My experience has encompassed rapid growth, rapid decline, over a dozen mergers and acquisitions, and a good deal of international experience mostly in europe. As to my interest in appointment to s.d.c., it's a highly personal one. For over a decade i've been involved as a volunteer and as a board member for environmental organizations that are nonprofit. I now serve as a board member along with jennifer simms of the columbia land trust, which has preserved nearly 7,000 acres in perpetuity from the mouth of the columbia to the Klickitat gorge. I hold a personal commitment to helping -- helping further Portland's leadership as the center of the universe in sustainability. I think that's possible and I think it makes good business sense as well. I'm encouraged that the city is -- is so supportive of sustainability as a priority. Let me talk a moment about why the sustainability development commission is important to the business community. Businesses can't thrive without a healthy community, a healthy economy, and a healthy environment. Portland has a unique opportunity to differentiate itself as a community that balances economy and community interests and environmental interests in an optimal way, the so-called triple bottom line. On the business level, research has shown that companies that are committed to their community and committed to preserving the environment are much more successful in attracting employees and much more successful in retaining those employees. I'm very proud to work for one of those companies, and that's standard insurance where of our 2,000 employees in downtown Portland literally 1300 of them ride public transportation every day with a generous subsidy from the company. Finally, I want to note that our business partners, our customers, and our stakeholders, both domestically as well as globally, are increasingly expecting to see evidence of sustainable business practices in our businesses. So thank you.

Saltzman: If the council would allow, i'd like to invite lillian shirley, one of the other Portland appointees to come up and introduce herself. She's the director of the Multnomah county health department, but actually a city appointee.

Lillian Shirley: Which is a great honor. Just to not take too much of your time, but I too am honored and proud to have been selected for this commissions. I look forward to our work together. As the director of the health department, being appointed to this, it shows that once again Portland is in the forefront of understanding interconnections between different disciplines and making a sustainable community. And public health, of course, has not traditionally been at the table, but we've definitely been working here with the openness to the planning commission, the food policy council, and others. I think that together we will achieve the dream that my colleagues have just talked about. Thank you.

Potter: Thank you.

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

Potter: Is there nun to testify on this matter, Karla?

Moore: I didn't have a sign-up sheet.

Potter: First an emergency vote for creating the sustainable development commission with the county. Would you please call the roll, Karla.

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

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Potter: Aye. [gavel pounded] please read item 1227.

Item 1227.

Adams: Thank you all for signing up for this very important work that's near and dear to the heart of the city council. Really appreciate your enthusiasm and your commitment and partnership with the county. Also want to thank commissioner Saltzman for bringing it back. Aye.

Leonard: Aye.

Saltzman: Well, I want to thank all of the new appointees. I just wanted to highlight the two that are not here. Leslie carlson has a great background in communications and journalism. And christine irvin is the -- used to work for the state department of energy, but she was the initial executive director of the nation's u.s. Green building council, the organization that established this green building standards, leed standards. She happens to be an Oregon resident, and she's now living in Oregon, and consulting, but she'll be an outstanding member of the commission, too. I do believe we have some real movers and shakers who are really going to press us, the city, as we want to be pressed to really excel at doing the right thing by our environment and by our children and making sure that people tomorrow can live by the same standards that we live today. So thank you for your work in advance. Aye.

Sten: Well, I just want to thank you, thanks, commissioner Saltzman, for keeping this going. Kent's been at this for a while, and still sounds absolutely fresh. That's a very good sign. To the other new appointees, i'm very glad you're willing to serve. I could go on for a long time. I'm just going to give a couple of quick thoughts. I think we're poised to move on this. I also think that our efforts need to take an exponential jump as good as they are. I believe we may be one of the better places in the country, but two things that are going on, one I believe that the -- the peak oil crisis is coming sooner than people believed, and we need to move very, very quickly to not be in a bad position from that. And I think that the city ought to be a place that sets the standard. Secondly, and this is a good thing, the first one's a bad thing, we see more and more consequences coming from our lack of environmental consciousness, the good thing is there are other cities taking this seriously, to the extent we want to be the place that gets the economic advantage by being out front, as dennis was talking about, the business jump. We don't have time to wait. What I would like to ask you to do is to come to us and to the other Multnomah county -- and it's wonderful we're doing this with Multnomah county again -- come to us with what are the things we could do that would take some resources, take some risks, that would move us much more quickly. If I had one complaint, and I would plead myself as being, you know, part of the problem on this, is that over the last few years is perhaps we've been too polite. I think I would like to see us -- see you guys come back and say, "this is great that you say you want to do this, but here's what you have to do as a community." I think to standard and the other leaders as well. I mean, what can we do as a community to say, if we're really serious about this, if we really get the business advantage -- and business advantages don't hang around for very long, because somebody else finds them. I hope you'll be very aggressive. I was inspired by what you had to say so far. I think we're off to the right start. Aye.

Potter: And i'm really pleased that the council is making these appointments. I look forward to engaging the commission on how the city government functions can be made more sustainable. As government Sten pointed out, pushing us to do even better. I really appreciated the words, dennis, what you said about healthy businesses in Portland. We need healthy communities and healthy environment. I could not agree more. That triple bottom line thinking is what we need more in importantly. I appreciate that. I appreciate all of the citizens working on sustain development in Portland, and look forward to working with you in the future. Aye. [gavel pounded] thank you. We have a 10:30 time certain. Please read it.

Item 1228.

Potter: Please go ahead.

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Sue Klobertanz: Good morning, mayor and council. I'm excited -- i'm the acting director for the revenue bureau. And brad blake is program coordinator in the utilities customers services division. As I started to say, i'm excited to be here this morning about this particular item, because it very simply this item allows for expansion of our low-income assistance for utility bills from single family income -- single family low-income residences to a test market of multifamily customers. And that's -- that's a big change for us. By way of background, the city's offered low-income assistance to single-family home customers for water/sewer bills since 1995. Currently we have 6700 customers, and an annual cost of right around \$2.75 million. Our goal is really to expand this to 10,000 customers. We give about 2.4 of that \$2.75 million as direct discounts and crisis vouchers to the low-income customers. The city contracts with Multnomah county to do intake applications and verify income levels at eight community service centers around the city. To be eligible, a family of four must have a gross monthly income under \$3,079. The assistance comes from the city in two forms. One in terms of a bill discount. They would be eligible for a total of \$66.66 each quarter or a crisis voucher during a crisis an eligible household may receive up to \$150 in additional assistance once every 12 months. Why is this expansion to multifamily important? Many, if not most, low-income residents live in multifamily or apartment complexes. In the past, because apartment complexes have not been individually metered, and the city's relationship has been with the apartment owner and not the individual, we've not had a customer relationship with most people living in apartments. Now with a change in technology, apartments are being submetered. This allows us to ensure that any discount is received by the individual renter or customer who uses the utility. I'm going to let brad tell you about why hacienda has made a great partner for the city, but I think this is -- this is an example of another great public/private partnership that could not have happened without the hacienda c.d.c. Coming forward and expressing an interest. Unfortunately their representatives are all back in Washington, d.c. I think lobbying for more money or something this week. So they were unable to be here. But brad's going to explain a little bit about the city's relationship and what hacienda's part in this program is.

Brad Blake: Good morning, mayor and council. Yes, hacienda is an excellent partner, and that's why we chose them. With the new technology and the submetering, we found a way that we feel that we can effectively pass these water/sewer discounts on to low-income renters and apartment dwellers. Hacienda has a great desire to continue to provide affordable housing for low-income renters, and they have a great desire to do their part in assistance, along with us, to help provide some of the income issues that these families face month to month. Hacienda currently owns 275 units, apartments, out in the 6800 northeast killingsworth area. There's five apartment complexes. They currently have an additional 44 units under construction right now. That will be available for renting after the first of the year. One thing that made their properties desirable is we have a good mix of age of apartments. So 133 units of all these apartments had very old, inefficient water fixtures. So the water bureau, through their conservation department, has replaced 133 low-low toilets out there. We've installed low-low aerators in their bathrooms and kitchens, studying the effects on the overall affordability issue as well. The 44 units under construction and aside from 133 units and 28 units, there are 100% submetered. The older units are what we call partial submetered. So we're getting a good mix of that. If we decide to expand this program, those are some of the issues we're going to be faced with, whether it's 100% submetered or partially. So we have a way of studying both of those effects. The residents here are very low-income. To give you an example, our current low-income program, we stay consistent with the state and federal income guidelines for energy assistance, which is 60% of statewide median income. The residents at hacienda range from 30% to 40% of area median income. So these are families, like most of our low-income families, are faced with decisions on a monthly basis, whether to pay rent, buy food, pay medical expenses, pay their utilities, or buy their children school supplies. So any assistance

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that we can provide for these will have a huge impact on their livability. Hacienda has agreed to work with us by each renter that moves in, they will be verifying the income for us. The existing renters, they will supply us with applications from all their existing renters, verifying that these folks are within our income guidelines of our existing low-income program. They will assist us in verifying that these discounts are getting to the end users through their submetering company. So this gives us a good tool of assuring that that discount is easily passed on to the low-income renter. They will supply us with quarterly reports that will show individual water usage for each apartment unit. So we can also see if our conservation workshops that we'll be holding throughout this pilot, we'll hold several per year, to educate these tenants on how to use water efficiently so they can control their bills, make them more affordable, along with our discount. And we will also be able to track how effective conservation replacement of fixtures is. Expected costs of this pilot is \$84,000 in discounts per year, or \$178,000 over the two-year period. These discounts are basically revenue reductions for water and sewer utility sales, meaning that we will -- each month, when the owner's bills calculate, we will deduct them by the number of discounts, and that will be passed on to the submetering company. What we hope to learn from this pilot is, as I mentioned, the conservation workshops, how effective are they in changing usage patterns, are we able to really effectively help customers use water more efficiently, lowering their costs. And also, what is the feasibility of expanding this program systemwide to other Multnomah county family units that are -- multifamily units that are submetered. We're getting more and more into our system every year that are turning to submetering, passing these costs on to their renters, and we want to find an effective of passing this water/sewer relief on to the renters. Thank you.

Potter: Does anybody have any questions for the two folks? Thank you very much, folks. Was there a sign-up sheet for this?

Moore: No one signed up.

Potter: Ok. Please call the vote.

Adams: Well, I love hacienda, and I love this program. So thanks for all your good work. Look forward to seeing the results of the pilot. Aye.

Leonard: Aye.

Saltzman: Well, I want to thank the office of management and finance, utility customer service division, for making this a reality. I know for many years with we've tried to figure out how to provide low-income discounts and low-income assistance to tenants when in fact it's typically a landlord that pays the bill and would receive a discount, and there's no assurance any kind of a discount would make it from the landlord to the tenant. So this now, with the submetering in place, and hacienda c.d.c. for stepping up as our guinea pig here, which i'm sure they have a good track record of success in what they're doing, i'm sure they'll make this very successful, too. I think this opens up a whole new world of opportunities for us to work with low-income tenants to reduce their water and sewer bills, which is something that, as we all know, everybody can use a little help there. So great work. Aye.

Sten: Well, I agree. This is something -- there's been a couple things that i've been wanting to see done for a long time, and it's really to your credit to pull this off. I always try and plug, whenever I can, that we have a 40% discount available to people who are low-income on water and sewer. That's critical as water and sewer prices go up. But you have to have the account in your name. Many of our most struggling families do not have that. This is a wonderful step. I know hacienda well. I think they will be a good partner. This also does have great ramifications for efficiency, once they see it tied to their own pocketbook, they'll be more careful as to how they use the water as well. It's a double win. Aye.

Potter: I'm glad that technology has finally caught up with the rest of the areas of technology. I'm particularly pleased that -- what it does is really provide low-income residents and multifamily units in Portland the opportunity to not just participate in this reduction, but also actually be provided the

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resources to use their water more wisely. And that's what our goal is for our city. I think this is a great first step. I really, really appreciate the folks of o.m.f. and revenue bureau for doing that. Aye. [gavel pounded] moving to the regular agenda, item 1257. Before we begin that --

Saltzman: I have some people coming for this that aren't here yet.

Potter: Oh, ok. Ben, I had a question, I forgot on item 1227, the appointments to the sustainability commission, that I need a motion to accept the report, and we vote on that accepting report that we just voted, and i'm not sure it was shown that that was to accept the report.

Moore: Sometimes we don't take a motion to do that on all our reports. I think we're ok.

*******:** I think we're fine.

Potter: Ok. Don't want those folks sitting out on the street. Thank you. So which item did you want to go first, then?

Saltzman: Could we do 1258 first and then -- I think there's people going to show up for 1257, and I think we're running a little earlier than people expected, so --

Potter: Ok. Karla, please read item 1258.

Item 1258.

Potter: Commissioner Saltzman.

Saltzman: I'm excited to present William June to serve as one of the three representatives on the Mount Hood regulatory commission. This appointment is particularly exciting, because he's very qualified to represent Portland's interests in this commission because he had prior experience. He chaired the former cable regulatory commission, which is now the body that ultimately evolved into the current Mount Hood commission, which includes the other cities in east county, Troutdale, Fairview, Gresham, Wood Village I believe is also represented. In addition, Bill has served on the Oregon Health Council and served on the state legislative task force on ethics. He retired from Portland General Electric in 1992 as vice president for corporate planning. And I'm pleased to be -- pleased to be appointing, with the mayor's concurrence, Mr. June to the commission for his integrity, experience, and passion for public service. Bill, welcome.

*******:** Thank you. My mother would be very pleased with that introduction.

Adams: She wrote it.

Bill June: Maybe she wrote it. Yes, I don't know. My name is Bill June for the record. I try to do this every 20 years, apparently, because I was the last -- last chair, I think, 15 years ago, of the local commission. One of the things that made that such a pleasurable experience was the high quality of the city staff. When Dan mentioned this possibility to me I went over to the county building to see who was there. And they were all there. David Olson and crew. Ben is still the lawyer for that commission. And so I look forward to serving with the current cast of commissioners, but also the excellent staff that you have.

Potter: Any questions from the commissioners? Well, thank you, Mr. June, for willing to serve on this committee again. Appreciate it very much.

June: Thank you.

Potter: We need a motion to accept the report, appointing Mr. June.

Adams: So moved.

Leonard: Second.

Potter: Karla, please call a vote.

Adams: Thanks again for your willingness. Glad to have you on board. Aye.

Leonard: Aye.

Saltzman: Well, the Mount Hood regulatory commission, in addition to regulating our cable provider, also serves as sort of a policy board for a real hornet's nest of legislation at the local level and the state level, all sorts of litigation, so they're very helpful, I think, in helping advise us, the city council, and the councils of Fairview, Gresham, Wood Village and Troutdale on many complex issues that threaten cities' abilities in many cases to collect franchise fees and things like that. So

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it's a real hornet's nest of litigation and legislation. We're glad to have their advice to us in that regard, as well as their basic function of regulating cable rates and service for the county. Aye.

Sten: Thanks for doing it. Aye.

Potter: Aye. [gavel pounded] are the folks here for 1257?

Saltzman: Yeah. They just arrived.

Potter: Karla, please read item 1257.

Item 1257.

Potter: Commissioner Saltzman.

Saltzman: Mr. Mayor, members of the council, as we all know, new columbia, which replaced the old columbia villa, is a remarkable accomplishment. A vibrant new urban community is rising where once there was a housing project cut off from the rest of the city and beset with crime, poverty and hopelessness. I'm glad we're a partner in creating new columbia. Today i'm proud to bring before the council the latest and in many ways the most impressive collaboration at new columbia. The partnership that completes the financing of the new ball elementary school at new columbia and transfers the old site to the city of Portland. This involves the city of Portland, the housing authority of Portland, Portland public schools, the boys and girls clubs, private funders, and even federal tax credits. So not only are we getting a beautiful new school and retaining the old school in public ownership, we're giving the taxpayers a very good value for their money. To tell us more we have representatives from the housing authority and Portland public schools. I see candace, the chair of the housing authority of Portland.

Candis Brewer-Nunn: Thank you for having us here today. We were expecting cochair of the Portland public schools, david wine, to be with us, and he's not yet arrived. If you'd like us to go ahead and begin, we certainly will.

Potter: Please go ahead.

Brewer-Nunn: Ok, great. I did want to say at the very outset how much all of the partners really appreciate the city's involvement, not only in the community campus that you're considering today, but clearly the significant investment the city has made in new columbia itself. There's no question that none of this would be possible without that partnership with you. We have nearly 100 families that have moved in, in both rental and sale properties since we opened the site. We expect to be completed by december of next year. So 2006. With this particular effort, half will serve as the developer on behalf of the commission of the broad coalition partners, and also using the mix of resources that commissioner Saltzman mentioned to you. This will I think enhance the existing university campus, which the community out there already considers the community campus, so this is a way of augmenting a central visiting point for families, and it will be an opportunity for the city in a combined effort to serve the needs of children and adults from dawn through nightfall, week in and week out, which I think as a very important thing to do. We're beyond being grateful that you participated in new columbia, we're certainly grateful that you've found a way to participate in the community campus funding as well. And that was initially obviously a subject of a resolution that you approved in april of this year. And in the handout that you received there are some updated illustrations, as well as a copy of that original resolution. But your participation will contribute funds to support the closing next week for the project, which is timely in order for us to be able to open the new school in september of next year, helping provide for a renovated community campus, of which the housing authority is also contributing funds to, and it will help us to continue the momentum to gain the balance of the private funds we're looking for to help support the boys and girls clubs, development of their property on the site, and the shared space. So related to the resolution with your funding, we would -- the housing authority would issue a demolition contracts and manage the removal of the structures on the site so that we would provide to the city a completely clean site upon which for you to develop the resources for community that you have intentions for. We do understand that there's an intergovernmental agreement that will address the

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precise details of all of this. That should be forthcoming. So in closing, i'd just like to ask, if possible, that you please mark your calendar for a groundbreaking on the site on halloween afternoon. It's my understanding we're in the process of trying to confirm it with the mayor's schedule, and we're very hopeful that he and all of you will be able to participate. You will be joined by over 300 students from ball school, looking forward to their new site. Thank you very much for having us here today.

Potter: Thank you.

Saltzman: Now we have the co-chair of the Portland school board, david wine.

David Wynde: Good morning. Thank you. Mayor Potter, members of the council, the Portland school district has an agenda of providing a high-quality 21st-century education for all of the kids in our district. Every kid, every school, every neighborhood. And we have to do that against a backdrop of two persistent long-term trends. One of those is the funding situation. And I don't want to talk about that today. But I do want to acknowledge the mayor for his leadership on helping us with some of the things we're doing to try and confront that. The other persistent trend that we have to face is a declining enrollment. That declining enrollment is caused by a falling birth rate and the lack of affordable housing within the city. It's a pleasure to thank you for your overall support at new columbia, addressing that very issue, the lack of affordable housing for families in the city. I know the city has invested substantially in the overall new columbia project, but also for the specific issue in terms of the new school that will be built at new columbia. One of the things we've known we need to do, because the average age of our school buildings in this school district is about 66 years old. And ball is interesting. Ball is a fabulous school in terms of educational program. It's rated outstanding. The principal has been recognized as one of the 100 leading educators in the country by the milken foundation, but the actual physical building not good at all, and desperately in need of replacement. So this opportunity at new columbia is opportunity both for the kids who are already in that neighborhood and for the hundreds of children that are coming back into the city for new columbia. This is an innovative project. We have no capital dollars right now, so we've had to work with our partners on credit to them. This brings together public, private, and nonprofit dollars to create this campus. It's a true partnership. The cliché it takes a village to educate the kids, well, we've got the villages all gathered around holding hands on this project. We regard this as a model on how to tackle these issues in the future. Both the concept of leveraging this. We'll certainly be looking to do that, and know we have to be creative with our funding dollars. So I want to thank you for your support on this today. Financially it's very important for Portland public schools. With your commitment to purchase the ball site, our board is given additional time to forestall interest payments on the loan to build the building, the loan we've taken out to fund this. And we appreciate that. It also allows us to leave the old ball site without having to worry about clearing the site, as you've just heard the housing authority chair say that's been taken care of as part of this. So we're able to focus all our attention on getting the new school up and running for the kids in that neighborhood. And as you've also heard, the funding will help, the additional funding, will help us bring this incredibly complex transaction to a close, and we appreciate that. And so again, this is a community building exercise, and we're proud to be part of it, and we're greatly appreciative of the continued partnership that we have with the city on helping to provide that kind of quality education for the kids in Portland. Thank you very much.

Daniel Lorendo: My name is daniel lorendo, here on behalf of the boys and girls clubs in the Portland metro area. This is a unique partnership for us. We could not be more excited to see the schools, h.a.p., Portland parks and rec to come together to offer something for children, who otherwise during after-school hours, that's where they're at their greatest risk for getting involved in activities that otherwise would lead them astray. Boys and girls clubs is nationally known to offer programs that, when children are captured and brought in and involved at an early age, provide a wonderful opportunity that will offset the negative influences that otherwise they would be

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confronted with during those after-school hours when they're at greatest risk, being at home alone or out on the street, getting their leadership and influences in life from things that otherwise might be negative. There have been national studies done, studies done by the columbia university, to prove that the influence of boys and girls clubs in housing projects, low-income housing areas, actually helps to minimize drug use, increase academic achievement, and we're talking about 1400 kids. It's an opportunity that we could not be more excited about. We're about the kids. We're passionate about the kids. It's all about helping them, enabling them to become the best citizens they can be. We could not be more excited about the city's involvement, certainly on our end, raising private dollars, and as a nonprofit organization this will help us in our efforts to close this. Sharing these facilities, the ball school being a facility that will handle potentially 500 elementary schools, at 2:30, the club's open, they all come next door, we've got the programs, everything in place to train, to educate, to bring them the character and leadership development skills, everything that they could look for at \$5 a year for membership. It's a wonderful opportunity for the kids. Bottom line, we look forward to september 2006. The doors will be open. The kids are already coming. And the kids will have arrived at that time. And on behalf of the boys and girls club, sincerely from our perspective, your partnership in this means the world. And we're very confident that this is -- it provides us, honestly, leverage that we need in raising the final private dollars. So thank you.

Potter: Thank you.

Adams: Thanks for all your work.

Potter: Any questions for the group? Thank you very much.

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

Potter: Appreciate it. Are there additional people who wish to testify on this?

Moore: No one else signed up.

Potter: Please call the vote.

Adams: Well, thank you to all the stakeholders, housing authority of Portland, Portland public schools, boys and girls club. Thanks for the leadership of commissioner Saltzman and the great work of jeff cogan and everyone else involved with doing the hard lifting on this. It's great to see it happen as a resident of north Portland. Aye.

Leonard: There's no project i'm aware of in the history of the city that's redefined a community so much as this project. It's been an outstanding effort. This is a cog in the larger wheel that is very impressive in its thoughtfulness and resources that the counties and schools and others have brought to the table. I'm very appreciative of this work. Aye.

Saltzman: I want to thank everybody who's participated in getting to this point. This is an exciting agreement about a new school, but as is the whole project for new columbia, the boys and girls club, the parks and rec center, and it's just really a model for how things in the future should occur. I think that I just wanted to, you know, particularly recognize jeff cogan, my chief of staff, who really worked I think with all the members of the council, the Portland public schools and the housing authority to get us to a point where we could all agree on this agreement and make sure that we're -- that Portland is getting something in return, and that is a cleaned -- clean former ball school site that we can put to public purpose that will hopefully grow more families with children in the city. So I think there's exciting opportunities. And this is indeed a great moment. So aye.

Sten: Well, I also want to say thanks to candace and mike and tux out there for pulling new columbia off. It's startling to hear we'll have the boys and girls club up in september. It's just amazing. You know, I think of all the work that this community has done, which has been remarkable. We've still got a lot of things to do, a lot of needs to meet, but in the field of community an community development, new columbia brings it altogether the most. It's mixed income, it's families, we're going places that people didn't think could happen. Just to give a sense, in retrospect, the original application to h.u.d. To get help on this project was deemed not to be

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acceptable because we were going to keep all of the poor people there, and what the federal government wants to do is disperse low-income people. The way way we dispersed them was bringing in more people of all incomes. It's really a terrific project. I at one point said out loud, we've done so much, but you had to have the school to make this thing complete. Tuck dug in and found a way to work with david and others to do that. The project we came up will be even stronger, because we'll be able to put more good things at the old ball site. That's our intention, to provide more housing and other community amenities that will make this stronger. It really is a nice piece of work. I'll stop and just vote aye.

Potter: I'm looking forward to the opening of this new community campus for new columbia. I think it's going to provide a bright opportunity for our community in north Portland. It's going to give our children proof that we do care about them by providing them a good school, and that we're looking forward to the opening of it. I really appreciate the work of the housing authority, Portland public schools. In particular jeff cogan from commissioner Saltzman's office, the work you did in bringing this together, because in addition to the new school, it does offer the possibility for Portland to look at the former ball site and see what we can do to put programs in there that enhance what is going to be occurring at new columbia in terms of building community and taking care of our children. So this is a great opportunity, and I celebrate with our partners. I look forward to the completion. Aye. [gavel pounded] thank you folks for being here. Please read the next item.

Item 1259.

Adams: Seems like a good thing to do, as opposed to minimizing use.

Tom Feely: Good morning, mayor, members of the council. My name is tom feely. I'm with the office of management and finance. With me is the city facilities manager, given your heavy agenda i'll be brief. This ordinance creates a binding city policy that requires bureaus to utilize city-owned space prior to outside leases essentially. Its intent is to maximize the city's investment in its buildings. As you know, you've received lots of information from us on the 1900 building. We've got about 30,000 vacant square feet there that we're paying debt service on and we have no tenants for it, and at the same time we're paying for outside leases for many city bureaus. So this -- this ordinance would require, again, city bureaus to use city pace when it reasonably meets their needs when it is available. We've provided you lots of information. I think we'll just respond to questions if you have them this morning.

Potter: Questions from the commissioners? Well, I hope that's a good sign, tom.

Feely: I hope so.

Potter: Ok. Thank you folks for being here.

Feely: All right. Thank you.

Potter: Is there a -- I was going to ask, Karla, if there's a sign-up list for this.

Moore: No one signed up.

Potter: Karla, please call the vote.

Adams: The reason i'm supporting this is because it's makes business sense. Sometimes on a year-to-year basis until we actually own a building, some of our bureaus can pay higher than market rent, but after we own the building then obviously for the 100-odd years that we will own the building, I think the overall life cost is going to be a lot lower than if we continue to lease or rent space. So i've had a chance to look into this, both as the former mayor's chief of staff and now as a city commissioner, and I think this is the right way to go. Aye.

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

Potter: Aye. [gavel pounded] Karla, please read the next item.

Item 1260.

Anna Kanwit: Good morning, mayor and commissioners. The ordinance before you simply delegates to the department of human resources -- i'm the operations manager for the bureau of human resources. You'd think i'd have that done by now. And tom schneider, our administrative

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manager is with me. We enter into a number of what used to be contracts with educational institutions for primarily work study. Students and other programs in support of our training and development program. And this ordinance would delegate to the director of human resources the authority to enter into those specific intergovernmental agreements with the educational institutions.

Often the agreements simply concern a student, and it's, you know, basically inefficient and time-consuming to bring those forward to council as ordinances with the intergovernmental agreements. So the delegation is limited to those agreements in support of the educational institutions, limited in terms of the amount of money, and requires approval obviously by the city attorney's office and finance. With that, I'll leave it open to questions, given the agenda, again, today.

Potter: Questions from the commissioners?

Saltzman: What's the definition of an educational institution? Does that include --

Kanwit: It's really the public colleges and schools, because when we have the work study students from the private schools, we're not required to enter into an intergovernmental agreement. Those are private contracts signed by the purchasing agent.

Potter: Any other questions? Thank you. Was there anybody signed up to testify on this?

Moore: I didn't have a sign-up sheet.

Potter: Ok. Please call the roll.

Adams: Thanks for your work. Aye.

Sten: Aye. **Saltzman:** Aye. **Sten:** Thanks. Aye.

Potter: Aye. [gavel pounded] please read the next item, Karla.

Item 1261.

Potter: Is there staff on this?

Moore: This is a second reading.

Potter: Second reading, ok. Call the roll.

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

Potter: Aye. [gavel pounded] please read the next item.

Item 1262.

Potter: Commissioner Saltzman.

Saltzman: Thank you, Mr. Mayor. The success of Portland's skate park program is contingent on proper siting, creative design and quality construction. Following an extensive two-year siting process, Portland parks and recreation has developed tremendous support for its skate park program. The next steps will include addressing the critical issues of design and construction. By utilizing the design build alternative contracting method, Portland can take advantage of an innovative procurement method we've used before that has a proven track record for delivering high-quality, low cost sustainable skate parks. So I would turn it over to our interim purchasing director to explain the rest of it.

Jeff Baer: Thank you, Commissioner Saltzman. My name is Jeff Baer, the acting director for the bureau of purchases. Before you this morning is a request to basically exempt out of the traditional low bid process, which is required by state law for us to pursue without that process and to go through and conduct a competitive selection process using a design well concept. And this really is an ideal project for which we really need to have, as Commissioner Saltzman brought up, proper siting, a creative design, quality construction method to do this. This project estimate is around \$300,000. And it would involve and include a single contractor for both the design and the construction of the project. It's very critical to the success of the project to make sure that the skate park provide public safety, life cycle cost of the structure, an ease of maintenance, and the total skateboarding experience for those who get to enjoy the park itself and be able to use that. So with that I'll stop here. We do have some representatives from Portland parks and recreation, if there are technical questions, that I might not be able to answer, so I'll stop there.

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Leonard: I would just add, it's not related to this, but we have the ability to wave the low bid requirement.

Baer: Yeah. By state law --

Leonard: Just in general.

Baer: No. In general, what state law requires us to do in terms of a public improvement project is to do the traditional low bid process. To be able to waive that requirement by state law we have to provide basically two findings. One is that we have to identify that this alternative selection process would not encourage favoritism or diminish competition and would result in substantial cost savings. And so with those findings, we're able to waive the low bid requirement on a public improvement project.

Leonard: Thanks.

Saltzman: That's what we're being asked, to make those findings today.

Baer: That's correct.

Potter: Other questions? Thank you, jeff.

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

Potter: Is there anyone signed up to testify on this?

Moore: No one signed up.

Potter: This is a nonemergency. It moves to a second reading.

Adams: Oh, it does? Ok.

Potter: Please read the next item.

Item 1263.

Jeff Baer: Good morning again mayor Potter, members of city council. I'm jeff baer, the acting director for the bureau of purchases. And before you is a recommendation to award these price agreements to these individual uniform suppliers, blumenthal uniform, class act uniforms, law enforcement equipment distribution, and sea-western incorporated. Although this was originally put under our strategic sourcing initiative, when we went through the competitive request for proposal process, we found that we weren't -- we were unable to get any substantial cost savings as a result, but really to solidify and stabilize the price structure that we've been paying over the years for the uniforms. And with that, we did a competitive selection process. We utilized the request for proposal process. We evaluated the different responses that we had received through this. And are recommending these price agreements be established for access to Portland police bureau and Portland fire and rescue.

Potter: Any questions? I had a question, jeff. I was at a meeting last night, and someone raised the issue that often uniform providers pay below minimum wage. Is that an issue, or do we know, have information, about the companies involved in this, as to whether that's the case with them?

Baer: I think these are all regionally-based companies, subject to the minimum wage requirements by state law. I can certainly look into that and get back to you.

Potter: Would you check into that for me?

Baer: Okay.

Potter: Because this is a nonemergency, it will move to a second reading. When we return on that, I'd like the information.

Baer: I can do that.

Potter: Thank you.

Leonard: Since you brought that up, mayor, can we have in our criteria for purchasing benefit levels for the employees that work just in general for a contractor?

Baer: I don't believe we've done that in the past.

Leonard: That's not my question. My question is can we do that?

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Baer: I think we have -- i'm trying to remember if there are -- we have a couple different service areas, janitorial service, security guard services, that requires a -- I forget the terminology off hand, but it's --

Adams: Living wage.

Baer: -- living wage requirement.

Leonard: I'm asking in general, when they issue a contract, just as you've done here, is it appropriate, not appropriate, but is it ok for us under the guidelines, legal, to establish, for instance, benefits and those kinds of things?

Baer: To require them to provide that information on what they provide to their employees?

Leonard: No. To require a minimum standard.

Baer: A minimum standard in.

Leonard: Yeah.

Baer: I would have find out, talk with the city attorney's office, see if that's legally permissible.

Leonard: I would like to know that.

Potter: I would as well. Other questions? Thank you, jeff.

Baer: Thank you.

Potter: Is there anyone signed up to testify on this?

Moore: No one signed up.

Potter: Ok. This is a nonemergency. It moves to a second reading. Please read item 1264.

Item 1264.

Potter: This is a second reading. Vote only. Karla, please call the roll.

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

Potter: Aye. [gavel pounded] Karla, please read the next two items together, 1265 and 1266.

Item 1265 and 1266.

Potter: The purpose of the ordinance today is to extend the drug-free and prostitution-free designations until february 2, 2006. We're doing this, one is because the two drug-free zone designations are done on november 1, and have to be extended. And rather than extend it automatically for three years, what i've asked the city attorney, the district attorney's office to do, is to look to see how we can improve this particular ordinance. We have made some suggestions and changes. And in the next 90 days we're going to be going out into the community and meeting at different areas in northeast Portland, downtown Portland, and with different communities on how we can improve the effectiveness of this particular ordinance and assure due process and protection for individuals that are the subject of this particular ordinance. So we'll be having our first meeting at the northeast coalition of neighborhoods on november 1 in the evening. A second community meeting on november 3 with the latino community, public safety group, and we're asking the downtown public safety action committee to have a third meeting with our downtown old town/chinatown residences an businesses, and we're going to have additional meetings in addition. I encourage the affected neighborhoods to give us your thoughts and concerns on this particular issue. So to reiterate, today is to extend the current ordinance until february 2, 2006, so we'll have time to go out and seek community input on the proposed changes. So we've not asked any staff to come up and testify, but if -- if the commissioners have questions, they'll be glad -- we do have some staff here to respond. And I think that we did have a sign-up sheet, didn't we, Karla?

Moore: Yes, we did.

Potter: How many people are signed up for the sign-up?

Moore: Seven.

Potter: Seven, ok. We'll go ahead and proceed with the public testimony.

Moore: Come up three at a time.

Potter: Thank you for being here, folks. Please state your name when you testify. You each have three minutes.

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Bev Schafer: My name is bev shafer.

Potter: Turn the microphone toward you, bev.

Schafer: Ok.

Potter: Thank you.

Schafer: My voice doesn't carry. Anyhow, i'm here because of the parkrose area, or any Portland area, because of the prostitution and the drugs that follows prostitution and that. I do appreciate what has been happening. We've had some slowing up in our area. The police have been very punctual as they're called, they've come out. And that's it. Thank you.

Potter: Thank you.

Brian Walker: My name is brian walker. I live in the parkrose area also. We recently moved from basically 115th and prescott down to 112th and sandy. And I knew that there was drugs and prostitutions, but I had no idea it was as bad and heavy and thick as it is. And I believe that the reason the police are able to do a little bit more is because people are calling in to help. It made a big difference on our corner. As soon as we start calling in. My understanding is, is that the police they just -- everything's against them. They have to have evidence that they can't get. You know, the prostitute isn't going to jump up and down and say that's what they're doing, even though it's totally obvious. So I came here today to ask you to please continue this stuff. They say it's a tool they can use. I'm vice-chair of the parkrose neighborhood association. I'm sorry I missed last night. I had to work. Thank you for showing up and taking such interest. I would also like to see you extend it out to 122nd avenue on sandy boulevard. If you look at the area there, there is a lot of extremely low-income housing. They're motels, is what they have, they're dives, and they're bad. We have the choice of baling out of the neighborhood and giving up or stay and try and make a difference. Quite frankly, I think parkrose is on the rise. If you people will help the police by giving them as many tools as you possibly can, I think it will help the neighborhood be a better place. 122nd is kind of an end of those dive motels. That's kind of one of the -- where near the last one is. I hope you'll consider that.

Potter: Thank you.

Mary Walker: Hi. My name is mary walker. I come to you as a member of the parkrose neighborhood and also a board member and a mother of a small child in that area. And so, you know, as a young family, we're very concerned about the neighborhood. I also would ask that you will extend to 122nd avenue on sandy boulevard the prostitution-free zone and to support that, in that neighborhood. The businesses there are hurt because of the prostitution along sandy. The neighborhoods hurt because of -- you know, what comes with the prostitution and the drugs. It's sad. They're like a lot of other areas, but we're standing up and speaking out and hoping to be heard to make a difference in our community. We're just appealing to you to help us make it better in the neighborhood. The neighborhood wants to work with the business association to make a difference, and we'd like you to work with us, you know, to be a winning team, to make a difference. So please help give the police the tools and whatever else, help us help you work together. Thank you.

Potter: Thank you very much. Thank you folks for coming in.

Adams: Thank you.

*******:** Ladies first.

Potter: Thank you for being here, folks. Please state your name when you testify. You each have three minutes.

Andrea Meyer: Good morning, mayor Potter, members of the council. Andrea myer, legislative director for the aclu. I'm here today briefly to remind you that the aclu pf&r has had longstanding concerns and objection to these zones. I want to be clear that our concerns are not with exclusions that are issued to people who have been convicted as part of their sentence by a judge who are then excluded. Because in those cases they're found to have committed a crime. They're determined to be guilty beyond reasonable doubt. The court has made a determination of an appropriate sentence

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that might include exclusion, and in those cases they're represented by counsel when their liberty interest is taken. These are basic safeguards that have not been present in our past drug and prostitution-free zones. In the past, the officers act as the prosecutor, the judge and the jury. They are punishing people who are in many cases, never even go to trial, whose charges are dropped and are never found guilty of any criminal activity. It is those requirements that are the principal foundations and constitutional principles we talk about in terms of separation of powers, executive, judicial, legislative branches, what they do, as well as due process. I'm very pleased that the mayor and the council is moving to have a 90-day extension so that there can be a conversation with communities. We have found that when we have gone and folks who are concerned about these, have gone to some neighborhood association meetings, when they've been notified about them beforehand or discovered them, and they're able to present an alternative or concerns about these, it gives pause and concerns to neighbors in those associations. They aren't so quick to issue the letter, jumping on board. It's very important that a conversation include all viewpoints and all concerns, and the aclu and other groups are ready to help in this process. Thank you.

Potter: Thank you, andrea.

Irwin Mandel: Good morning. Irwin mandell, downtown resident, and my wife and I are both members of the aclu, and disagree with their position totally. As a matter of fact, in terms of the extension and then the renewal in february, we'd like to see these boundaries extended, not contracted. I believe at the moment in terms of the downtown and the park blocks, the boundaries stop at jefferson. There's a great need to have this extended at least as far as market, heading south. There have been, since we have our neighborhood officer, jeff myer, working with him, there have been quite a number of busts, of drug dealers, in the area from jefferson to market. I think they can probably document that with statistics. I haven't kept track of them. We also have the streetcar now that brings any number of people over with this stop at market right off the p.s.u. Campus, and brings them in from all over. We've seen known drug dealers get off and amble down the streets and do some deals there. We've called it in, of course. In addition to which in the back of the house we have a street -- back of our house -- we have a streetcar stop heading south, and we've come out more than once and taken a look at the tree that grows right near it and seen bent spoons and syringes there from overnight work with the drug dealing. There's no question that this is a valuable tool that certainly will prevent the deterioration of the quality of life through our downtown area. It must be extended. In addition to which, we were talking to a friend of ours yesterday, we met him on the south park blocks. He lives out on southeast 82nd. In the midst of our conversation, he points over to someone walking down the street, said, "hey, that guy's from my neighborhood, he's a known big-time drug dealer, and here he comes ambling along the park blocks." I don't think he was there simply to enjoy the beauty of the blocks and the general ambience. We didn't particularly see him stop for any deals, but he went north and about 20 minutes later here he comes back south, up the p.s.u. Campus. There is no question that we need, as citizens, we need the extension of this drug free and prostitution-free zone throughout this city.

Potter: Thank you.

David Rogers: Mayor Potter, council members, my name is david rogers. And this morning i'm actually wearing two hats. I'm the associate director of the western prison project, which is a regional organization based in Portland, committed to developing safe and sensible solutions to issues of public safety. I'm also a boise neighborhood resident, an as you know the boise neighborhood is actually at the heart of one of the city's exclusion zones. Actually wanted to briefly share a couple of serious concerns about the drug-free zone ordinance and the prostitution-free zone ordinance as currently written. The first is that the police actually have the ability to serve 90-day exclusions, based on suspicion alone, without any due judicial process. This is a very serious concern. I hope to at some point live in a city where people are in fact innocent until proven guilty, and have access to due judicial process before their fundamental right to move freely throughout the

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city is taken away. We strongly believe that exclusions should not be served unless there's a conviction. The second serious problem that I would like to mention is that evidence suggests that at this point the implementation of the exclusions are -- propagate racial discrimination, and the evidence that I've looked at is that 60% to 65% of people that are served exclusions are people of color. This is alarming in a city that is overwhelming white in terms of demographically speaking. It deserves serious consideration. It is due to those concerns and others that the boise neighborhood association recently submitted a letter to all of you saying that they could not support the drug-free zone ordinance, prostitution-free zone ordinance, unless these concerns were seriously dealt with, and these problems were fixed. So I encourage you to take the following three months and come up with a long-term solution to the problems that exist. You know, the Portland residents definitely -- we seriously need to deal with the problems of prostitution and drug and crime, but the Portland residents deserve law enforcement strategies that are just and fair and effective. And at this point the ordinance, as written, would suggest that that's a sharp contrast. They're not just, fair or effective. Thank you.

Potter: Thank you.

Mary Ann Schwab: Good morning, mr. Mayor, commissioners. I'm a resident of inner southeast Portland. I'm very, very concerned about this issue. It was first addressed at the buckman meeting last week by the assistant d.a. My concern is about the boundaries. You've heard people here tonight talk about 82nd. You've heard people here talk about sandy, north Portland. This is an issue everywhere. I really appreciate your working with the community, with your bicycle patrol officers. I think they are your ace to help you with community policing, identifying trespassers in a shady business. To help people out of this arena, I really appreciate commissioner erik Sten's work with housing, because I think if we get a lot of these ladies off the street into decent housing they wouldn't have to make a living in such a harmful way to themselves and their family and their children. We need more jobs for these people. We need more than minimum-wage jobs. I'm very happy that commissioner Leonard spoke briefly about having benefits of the sewers that make the police and fire uniforms. We have to stop this downward spiral. Again, thank you for bringing this to our attention, letting us work with you for the next 90 days. Thank you.

Potter: Thank you.

Lili Mandel: Hi. Lili mandel, downtown resident. I just want to contradict the man who spoke before me, that this is --

Leonard: Irving mandel?

Mandel: Oh, no, no, no. That I do in private.

Leonard: Not always. Not always.

Mandel: It was another gentleman, I think, from the boise neighborhood. Now the drug dealers are not all black on the park blocks. And I would say the majority of them are white and they -- I have seen them deal and I have called in and they have been apprehended, and this is not a racial issue at all on our blocks. It isn't. So it's -- this is not a method of going to try to get black people. And there are some, but they are not singled out. And I can attest to this, that they are not singled out by our neighborhood police officers. And I have watched them in action. I don't think this is a justified accusation. I would say in the south park blocks at all. By the way, I too am a member of aclu. I don't agree with them at all.

Potter: Thank you.

Adams: Thanks.

Potter: Is that the end of the list?

Moore: That's all who signed up.

Potter: Is there anyone here who wishes to testify on this matter?

Saltzman: I'd like to ask a couple questions.

Potter: Yes.

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Saltzman: Maybe dave and deputy district attorney j jim hayden could answer a couple questions.

Potter: Also have the police chief here.

Saltzman: And chief foxworth, if you want to come up. I understand we're entering a period on how the zones might work, but I was interested in some of the issues. I know that when we make the boundaries for these zones we have to meet clear and objective tests in terms of arrest information, maybe some other things. I was just curious, do we have the data that would support an extension of the prostitution-free zone on northeast sandy to 122nd?

Jim Hayden: I don't think that is the proposal that we're making, to 122nd. I have it, but I don't have it in front of me. I didn't plan to testify today. I think our proposal goes to --

Saltzman: 192nd?

Hayden: No. I could get it if you'd like.

Saltzman: I'd like to explore it, perhaps the notion -- I know we'll be dealing with this over the next 90 days, so I don't need the information now, but I would like to find out whether we have the factual-based data that we need to establish a zone that would extend it from 92nd on sandy up to 122nd. Also the point about extending the drug-free zone south to market street.

Hayden: It does -- the proposal presently is at market.

Saltzman: Is it?

Hayden: Yes.

Saltzman: Ok.

Hayden: And mr. Mandel asked me that. He was unsure, and then it is to market.

Saltzman: Ok. So I would like to explore, and over the next three months -- I mean, I know we'll be exploring a lot of aspects of this, but do we have the data extending the zone to 122nd on northeast sandy.

David Worboril: We have data, and we will circulate it to council members. The code currently requires that the impact of the behaviors be significantly greater in a significant area than in others around the city before there can be a designation. There's something of a judgment call. I've talked to the statisticians. The maps are clear, when you see them, and we will circulate them to them.

Adams: Consistent with commissioner Saltzman's question, any other area of the city that gives us the factual predicate to expand as well, not just the one -- not only the ones mentioned, but any place else.

Worboril: Yes. We are seeing a change in the concentrations, the areas in which these kind of activity is concentrated. It's quite interesting.

Potter: Chief, did you have anything to add?

Derrick Foxworth: No, mayor, other than that I believe that the 90 days is important for us as a community, as well as for the Portland police bureau to go out and talk to our citizens, and that they hear all the options. So certainly we will be participating and will be there to listen.

Leonard: Well, I certainly appreciate you taking this step back, mayor, and asking some questions. These are very hard issues for me. I have worked very hard to give the police bureau the tools they need to do their job. I mean, the council made a commitment to step up to the plate and fund more jail beds. I've personally worked with officer myer on a couple of strategies to close down known drug houses and dwellings where people congregate, where the police don't have enough authority, and we brought together various bureaucracies to attack them, and we're working on one now. So I need to say that before I also say that i'm very keenly focused on the argument that these are tools that are used without the entire due process of our system being utilized. I'm very concerned about that. And i'm sympathetic obviously to any neighborhood that has to deal with drug dealing, prostitution. On the other hand i'm also, I think, on record as being very concerned that we protect individual rights. I'm not trying to say how i'm going to come down on this when it comes back, but I do think it's important too the communities to know that as they start debating this, that it can't just

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be a system where there are no checks and balances for people. And I know, chief, you're very sensitive to that as well. I don't know where the line is, and I hope you do find it, but as it is now I do have deep concerns about the policy. Thank you.

Hayden: I want to make sure the commission is aware, and certainly we'll step back and have the - in fact, i've already been out to the community on at least -- close to 10 meetings, so i'm having this conversation with the community.

Leonard: Good.

Hayden: With defense lawyers there to provide the other side.

Leonard: Good.

Hayden: I want to make sure the commission is aware that at this time, while we're happy to look at other alternatives, Multnomah county circuit court has found the drug-free zone and prostitution-free zone ordinances constitutional. So they are, as we sit here today, constitutional ordinances. The due process has been approved.

Leonard: Is there an opinion you can share with us, like a key opinion that I can read, so I can see the analysis that was done?

Hayden: Yes, there is.

Leonard: I would appreciate that. Is it on appeal?

*******:** No.

Leonard: Not on appeal, it's settled law?

Potter: You know, for the city council, it comes down to two issues. One is the constitutionality, but also the other is good public policy. And that does not necessarily have anything to do with whether the issue is constitutional or not. Or I should say the ordinances. So i'm looking at it from both perspectives, in terms of what is the best policy for the city of Portland to protect its citizens, those who are having to be subjected to these things, prostitution and drug dealing, and those who are either arrested or cited for this.

Leonard: I would appreciate not a -- not a wealth of documents to wade through, but a concise -- if there is an opinion or what you would point to as the -- as kind of like the authority on this subject, so that I can look at that. That would be very helpful.

Worboril: Sure. I'll set up a briefing.

Leonard: I'd like a document, so I can take it and study it.

Potter: I'd also like you to give to them the document you gave me in terms of breakdown by ethnicity on the citations in the three different districts. Other questions? Thank you.

*******:** I'd just like to, if I could --

Leonard: You have to come up.

Potter: Please come up and state your name again. Please be brief.

Brian Walker: Ok. Thank you. My name is brian walker. I would like you also to look -- don't just look at ethnicity, because ethnicity is a problem in a lot of areas, and poverty is one of them of these prostitutes aren't horrid people, they're people that are poor, got hooked on drugs, their lives are not good, and ways of helping them would be wonderful, but when you're looking at your ethnicity things, also take into consideration the poverty of the people that are in that area. If you've got an area that's 20% black and they constitute 80% of the poverty, that's going to be an important part of why they're out there being prostitutes, why they're doing drugs. That wasn't said. I hope it's looked at.

Potter: Thank you, sir. Was that the people who wished to testify?

Moore: We did.

Potter: Ok. Do the commissioners have any other questions? Please call the roll.

Moore: 1265.

Adams: I'm going to vote for the extension of -- as proposed in this ordinance. This is an issue that i've had familiarity with over the years, and while I think looking at it in depth in terms of making

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sure that it's enforced in an equitable manner, looking at the boundaries of existing zones, I think is very important compared to the incidents of these arrests, I think is very important to have, but I don't want to do anything unnecessarily to dull what has been a very useful tool, a very sharp tool, sometimes the only tool that some neighborhoods and police officers have. Having spent time in east Portland, along 82nd, out in the parkrose neighborhood, especially 82nd and sandy, and having talked to the officers, there's some neighborhoods in this city that are virtually overwhelmed with this kind of activity. And we have to keep at it. And so I hope that we can come to a very productive conclusion to your efforts to look at this, which I think is very healthy. I vote aye.

Leonard: And I agree, there are neighborhoods overwhelmed with these problems caused by prostitution and drug dealing. And as I said earlier, I do believe that I haven't just acknowledged that, but i've actually done proactive things to help solve those issues by creating more jail beds and working closely with the police bureau on strategies. Having said that, I feel strongly that this is one of those few issues that defines who we are as elected officials. And it's easy sometimes to do what appear to be the most expedient thing, and that is to pass laws and throw people in jail or exclude them from specific areas. It's not quite as easy to sometimes ask a question on that population's behalf that need to be asked, and those are are we applying the constitution in the way it was intended, and I think the mayor's point also is good. And I would amend my earlier concerns with his, and that is after you get to that point, is it good public policy. And that's -- those are hard questions to answer. I certainly do not take issue with anybody who comes down on either side of this, because that's a tough one. And but my inclination is to give the benefit of the doubt to the constitution. Aye.

Saltzman: Aye.

Sten: Well, i'm very glad to see mayor Potter stepping in on this. I certainly do support the extension to give us a little bit of time. I think drug-free zones and prostitution-free zones with cork and I think they've worked. I've been the only council member that has ever voted against these, because I think they're drawn too broadly. I think there's three levels you have to look at when setting public policy. First, with all due respect to the district attorney, it's not just as a constitutional. It has to be constitutional or you can't do it. So that's the first level. This has passed this muster, also been tossed various times. I'm not 100% sure we have settled law. I think we have a law that's changed a lot and the current version has stood up. But the second is, and this is anytime you're using your power, which is what we're doing to solve a problem at the cost of other people's opportunities and rights, you should do that as narrowly as possible to solve the problem. The problem, as it has been presented to me, going on for nine years, is we have repeat offenders who are in key areas, located in geographic areas, doing it over and over and over again. And for a variety of reasons it's not possible to keep them in jail. I believe that is the problem statement. My objection to this has been, and remains, that this law is so broad that it allows an officer to exclude a person from a part of town on first suspicion of an offense. You don't have to be convicted and don't have to have a past track record to be pushed out of the area. That means if you did happen to be innocent and you were back the next day, you are now guilty of trespass, a civil offense, but a problem nonetheless. Why we have to include people who have never been convicted in the breadth of the ordinance to address the problem of repeat drug offenders beyond me. So I will continue to not support this ordinance until we get that fixed, because it isn't that it's not constitutional, it's not necessary. And we should not take away rights when it's not necessary and we should err on the side of making sure that people cannot be penalized for something they didn't do. When I get told every time I talk about this, well, it's very, very rare that we would exclude somebody who did not have a past track record or we didn't push through to conviction. Well, if it's very, very rare, then it's not part of the problem and can be excluded from the ordinance. So I want to be very -- I would love to support this, and I think that too many times very well-meaning neighborhood groups who I think have a right to try to figure out tactics, particularly with the

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problem with jail beds, have been given what I think is a false choice, a false choice between a very broad interpretation of what we need to do and nothing. And I believe there's a lot of room in between those two sides. Frankly I think we could take a step toward civil rights that would have absolutely no effect on the -- what we're actually trying to take on with this. I will stop. I want to be crystal-clear, what it will take to get my support, first-time people who have no track record have to get due process before they're subject to. You show me somebody who has convictions, somebody who you'll go after on a conviction, but we can't have a society, once you're presumed guilty, the police officer decides whether or not to put the sanction in place. That is the job of the courts. Aye.

Potter: Well, as you can tell by the discussion up here the discussion in the community is going to be equally interesting. I would hope that all of you participate in those discussions. I invite our commissioners to participate in those discussions. I'm glad the aclu, the citizens crime commission and others are going to be there to express their points of view. We hope that at the end of this process that we can craft something that is balanced, not only constitutional, but adds protection and due process, and that ultimately I don't think that dealing with drugs and prostitution in our society, that this is going to actually accomplish that. All it does is press some of the symptoms that I believe that our community has to face a larger problem, as to why so many people in our society use illegal drugs and why it is that women and men go out and prostitute themselves when there are other options available. And I think it's important for us to make sure we create those options for people, to get out of the drug life and to get out of prostitution. In the end, I think that's what's going to really protect our community. I vote aye. [gavel pounded] 1266.

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

Potter: Aye. [gavel pounded] item, and it says s-1267. Is s for sam?

Item S-1267.

Potter: Oh, substitute. Ok. Commissioner Adams.

Adams: I asked this be sent back to my office for additional polishing.

Leonard: Second.

Potter: Call the vote. I guess do we have to vote on this.

Moore: Not really.

Potter: Ok, let's not do that. Let's move on. Thank you. I think this is a really important issue as to how we create transparency in city government, and I think that commissioner Adams' efforts and commissioner Leonard's efforts are worthy of further discussion, and we will be bringing back to city council, in the future, an ordinance that does address the issue of transparency and government decision making. Thank you all for doing that. Please read the next item.

Item 1268.

Patty Nelson: Good morning, mayor and council. Patty Nelson with the bureau of environmental services. I'm here with willamette c.s.o. program. Before you is an ordinance authorizing us to enter into an agreement with Oregon museum of science and industry for lease of their land for construction of our main mining site for the east side c.s.o. tunnel. If there's any questions, I can answer them.

Potter: Questions from the commissioners? Thank you.

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

Potter: Is there anybody that's signed up to testify on this?

Moore: I didn't have a sign-up sheet.

Potter: Ok. This is an emergency vote. Please call the roll.

Adams: Thank you for your good work, patty. Aye.

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

Potter: Aye. [gavel pounded] please read item 1269.

Item 1269.

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Potter: Commissioner Adams.

Adams: Please come forward. This might look like a simple ordinance to allow us to reorder -- simply reorder parking meter receipts and add the words "remove valuables from your vehicles" on those receipts, but there's also two other administrative rule changes in partnership with the mayor's office, and as you'll hear from the good folks at the police bureau to allow for sponsorship of car prowls prevention language at no cost to the taxpayers, and also to allow for selling sponsorships on pdot brochures that can allow for additional public safety and other benefits. This is a proactive project, combatting crime. It's a collaborative effort among many bureaus. Officer myer has developed some pilot projects that provide, I think, very compelling proof to the fact that this can work, and he's been working very closely, in my office, with jane ames, and in parking, operations manager, ellis mccoey. I'm very pleased to introduce this project. Jane?

Jane Ames: Thank you. Jane ames from the office of commissioner sam Adams. As sam said, in the agenda, it looks like we're reordering some parking receipts, but actually I see this as a -- as a great project that i'm very proud to be a part of. It's a real partnership between the bureaus, in this case the department of transportation and the police bureau. It's also about employees working together in partnership, especially these two folks, officer myers and ellis mccoey. And it's also volunteers, civics groups, and business leaders. Volunteers in the goose hollow neighborhood, neighborhood and business associations in the pearl district, the Portland business alliance, state farm insurance, and other business leaders. Our common goal in this -- in this case is to increase public safety by preventing car prowls, motivation and a common goal in this case have created positive actions. It's also, for me, about the expertise, dedication, and proactive efforts of a lot of our city employees. I have to say that the more I work here, the more impressed I become with our range of our city employees, and today I really want to highlight the work of a few folks. Officer jeff myers, department of transportation, ellis mccoey, who's the parking operations manager. And ruth lane, program specialist for parking operations. And also the support that we've had from the city attorney's office. So enough from me. Officer myers, please.

Jeff Meyers: Thank you, jane. And good morning, mayor, commissioners. I'm pleased to present to you a car prowls parking station campaign, if you could, please. This is a cooperative effort between the Portland police bureau, Portland department of transportation, Portland office of neighborhood involvement, and the Portland city attorney's office. As you can see by the statistics, a car prowls from 2000 to 2005 seems to be an epidemic here in the Portland area. They range from 71 a day to 91 a day in the year 2001, and we're projected to have that similar range of 71 car prowls per day here in Portland this year. Actually that doesn't take into account the holiday season coming up, which we generally see a spike in the car prowls, and it could certainly be similar to the previous years in terms of going higher. I'd like to take a moment to discuss just a little bit about what a car prowls, define a car prowls. It's someone actually breaking into a car to take items from within or to take car parts or accessories. It's really a crime of opportunity. Car prowlers are often like us in the city's downtown. They're window-shoppers. They typically take a device that reacts with the window and shatters it. They break in. It's a -- like I said, a crime of opportunity. They're in and out in less than three to five seconds. And something as innocent as 10 or 15 cents on the console, which may not necessarily be that valuable to us is valuable to one of the three types of car prowlers, and they'll do \$500 damage to your car for that 15 cents. [change of captioners] And I might mention as well that 1% return, we are sending an officer out for every -- every reported car prowls and inordinate amount of manhours are being spent for what appears to be a 1% return. Now, there are three types of car prowlers, essentially. Indigent alcoholics will go into a car, break that window, do \$500 worth of damage for the 15 cents that may put them close to a \$1 bottle of wine. Second are youth gangs that take item off specific cars, honda civics, that they share amongst their peers that have similar cars or items from the cars that they share with their peers. And the third type which are the worst and most egregious are those that break into the car for

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anything of value, but their intent is also to steal identities as well. And facilitate their drug habits. And as you know, the identity thefts are huge thing not only in Portland but nationwide. To go on, back in 19 -- correction -- 2001, the police bureau launched very ambitious car prowling campaign in central precinct. And we started the pilot program in the goose hollow area. It's very interesting there because the demographics of goose hollow. You see the areas that are on the screen. Area one is a business district. Area 2 is the Multnomah athletic club. Area three is pretty much medium low-income housing. Area four embraces a number of college students and apartments that cater to college students. And then area 5 is upper-priced homes. So it's a dichotomy in this particular neighborhood. Now, to begin, it was a very ambitious crime prevention program. And I began by giving presentations, grass roots, if you could end up speaking to one or more people, the message was very succinct. Keep your car show room clean from front to back because it is a crime of opportunity, and if we eliminate the opportunity, the message is, hey, I am not going to be victimized. Go on to the next car and hopefully the next car has heard the next message and we move people on out of the neighborhood. Next part beyond the presentations, as you seat card here, I actually went out and throughout goose hollow I looked in 2,000 cars to develop a baseline. Out of those 2,000 cars I found 500 or 25% that were at high risk. High risk would be the change or paper money on the console, purses, wallets, anything of value to a car prowler that we have identified. Actually filled this form out and would indicate the specifically what items made them at high risk, the time, late date, location and the license number. Went back to the bureau and ran those licenses. Developed a form letter to return to the registered owner to indicate they were at high risk. The form specifying why they were particularly at high risk and finally a brochure that was case specific with the message oy don't be a car prowling victim. Remove valuables from the vehicle. Keep your car show room clean. "it's next thing we did -- the reason on one out of every four cars that I didn't leave that card on the car and that we mailed because essentially we would be marking the cars for the car prowlers instead of having to look in all four cars they would just pick the ones where we put the cards. So we mailed those and then the next step was we developed a flyer with that same message and actually the piece blot high car break in area that defines what items constitute high risk for car prowls in terms of what car prowlers are looking for. And then I would go out and in goose hollow originally put a flyer on every single car in the neighborhood. So that was 3500 cars there. And replicating the program in pearl district that was 4,000 cars. As you see, that was in june, july, and august of 2001. The next slide shows an area and the colors are green, blue, and yellow that show during that period of time, as we were developing this program, we typically had car prowls throughout the whole area of goose hollow. Pretty consistently all through. Now, in june, july, and august, during the time that I completed this trilogy of crime prevention efforts, the presentations, the -- the surveys and finally the flyers, the next month is very telling. You look at the photo, the dots in the middle represent the previous months. And now, september, there are no car prowls in the center of goose hollow. None. They just extend long 405 and burnside. We were able to find that through this program as we continue it, continued it, we were immediately able to reduce car prowls 40 to 50% and sustain those reductions. And in the southwest when they replicated this program they had a 70% reduction in their first month. What is also interesting there is an ancillary benefit to this, so to speak. I am sure many of you have heard of a theory called broken windows. It's a theory that's evolved over the last quarter century and that is been embraced by law enforcement throughout the nation. In a nutshell, the theory is that if off broken window in a community, and you leave that window, you are sending a message to the community that there's no consequence. So naturally what proceeds is all the windows in the area are broken. Now, the opposite of that in terms of law enforcement, the theory is developed that if you take care of the lowest denominator of crime in a particular neighborhood, by sending a message that there is a consequence and there is zero tolerance that you consequently and exponentially drastically reduce, your high level, violent crimes in that neighborhood. What's

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interesting is we found in this crime prevention program. You see in July, like we tracked those other crimes. We went on in the months. The balloon areas shows areas before there was no reported crime including violent crime and aggravated assault, not just car prowls and we maintained that through the following months. In your brochures you will see that along 405 and Burnside we tried some other strategies in terms of crime prevention through environmental design and had similar results to the broken window theory-type results in your pamphlets. We augmented along 405 some campaigns where I solicited funds from State Farm and BMW to do some bus advertising. Triple A Insurance offered some money and I did some billboards in those neighborhoods. And they seemed to be very productive. We were able to sustain those results. Now, the natural nexus appeared to be, as we saw these parking stations that have sprung up throughout the downtown and in the core of the 405, was that this would be a particular opportunity to take that message a bit further. And I have mocked up -- these don't exist, certainly. But I have mocked up some computer-generated pictures that would show that if we put this message on the, in terms of a sign, in terms of stickers, on the sides of the meter stations, on the front, that we could take this message further in terms of an area that people are designed to come and deal with parking issues, where certainly it lies with the cars that are parked throughout our neighborhood. And the next step is to actually put that same message on the stickers. The last thing I would like to mention before we actually speak to P-dot about this and some of the members of the community, the community so embraced this. What took me 14 hours to go out and do this survey one shot myself or 10 to 14 hours to do the flyers, we brought the community in and actually it would -- community members embraced this. They became involved through their livability committees. They came out with me and then the 14 hours that I would normally spend we did in two hours with the community actually participating and they actually funded the flyers as well. So it's been a very well received and very productive program. And I look forward to working on this as well.

Adams: Thank you. I just want to underscore how great it's been for us to work with you and all the work that you did before I took office, and the work and the partnership with the mayor's office since he and I have both been on the council. I really appreciate it. You will hear from Ellis and others a real opportunity for us to reduce crime in an environment of very constrained resources.

Ellis McCoy: Good morning, Mayor and Council. I am Ellis McCoy, I am the parking operations manager in transportation. And it's my group that will be responsible for implementing this program. From a person perspective I think the thrust of this program is all about education. Hence we are trying to brand this concept of smart park or parking smart or park smart as a brand identity.

As Jeff indicated, we are going to deliver the message in two ways. He showed you signage that potentially will have on both sides of a meter or above the meter as our customers are approaching the parking meter, and secondarily, we will have the information on the receipt themselves to reinforce that message as they take the receipt and go back to their cars to display it. We plan to implement this program throughout the central business district so it's actually going to be quite a big effort to roll it out. And we plan to be, to begin in January. Soon as we can get the parking receipts here. Which brings me to the point to define what the ordinance is all about because it might seem a little bit confusing but it's actually about several things. It accomplishes, first of all, it provides us with the authority to purchase the receipts. We are currently in actually a new procurement process for a receipt provider. That process has not been completed so we have to rely on the old purchase order to proceed -- to purchase the receipts that we need now. So that's why we are coming to you for the authority. Because the existing authority is exhausted on the old purchase order. It's an emergency ordinance because we need about four months lead time to actually get the receipts here. So we need to get that going as soon as possible. Secondly, as we don't have the budget for this program, the ordinance approves an administrative rule that allows for private companies to sponsor this anti-prowl campaign. And for other campaigns of this nature that we might have in the future. So near the bottom of the sticker or the sign, the company's name or logo

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would appear along with the language, sponsored by." so hopefully we plan to release an r.f.p. for this hopefully we will be successful in getting all the capital and operating funds to support this program as it's not budgeted. Thirdly, there's the ordinance approves another administrative rule that allows for advertising on parking publications. Back of our receipts in particular. And the back of our smart cards. This is an effort to reduce our overall operating costs for the procurement of receipts. We have had some companies, a number of companies in the past that have inquired about the opportunity to do that. And we worked with the attorney's office on putting that ordinance -- that administrative rule together to provide for that opportunity to reduce our overall costs. What was just passed out to you are actually some graphics that are we are working through as alternatives for the language and the images that we might use in the campaign. We have not made any final decisions at this point in time as to what we will be displaying as part of the campaign effort but we will be making those decisions shortly, within a week or so.

Adams: Thank you for all your good work. I mean, when we first took over transportation, this issue was somewhat new to you. And you took it on and moved it forward in a very expeditious manner and I really appreciate that.

McCoy: Ok. I would like to actually introduce cathy mccaig, too, who is the consultant working with us and she can speak briefly about some of the concepts.

Kathy McKagen: My name is kathy mckagen and I am from enviroissues. I want to take you some the slides of the draft signage. The first two slides provide you with a background of where envy row issues and p-dot started with the issues. P-dot provided initial concepts and suggestions that would encourage individuals who use smart meter parking aware of the valuables they left behind in their car. The design was to include an i-conic image as well as a slow can. From this our graph designer designed draft signage designs which will be placed on the smart reader parking down in the downtown area. The second slide shows how we used Portland park smart. The park smart slogan was used to convey the person was proactive in securing their valuables in their car or taking them with them. The next three slides are the ones that were developed after initial input was received from p-dot. The signage was designed to be recognizable to the public as a reminder to protect one's vehicle -- valuables and protective approach in deterring car prowlers. Additionally the signs were designed to have positive images and slogans to support a safe downtown environment.

Saltzman: Are these signs that would be on the parking meters?

McKagen: Correct. Correct. This slide and the next one uses a hand to display again the individual being proactive in their response to taking their valuables out of the car. And those were the initial designs that we were reviewing with p-dot at this time.

Adams: Thank you very much.

McCoy: I think we are done and we would ask council approve the ordinance.

Adams: We are going to have a few more people talk or no?

Potter: Jeff, thank you for your efforts. It doesn't go unnoticed here at city hall and we appreciate your efforts.

Adams: Mike, david, and allison. Is that right? Thanks for being here.

David August: I guess I will have to say good afternoon now to the mayor and the commissioners. My name is david august and I am the immediate past president, as of 10 days ago, the pearl district neighborhood association. And first of all, I want to say some thank yous to officer jeff myers who as you know has done a huge amount of work on this program and serves as our neighborhood in other words officer. Officer kevin hogan, craig crawford who is the past chair of the livability committee and was the one who really gathered our forces to place, to do the car surveys and place the flyers on the cars throughout the neighborhood and it was a major job trying to round up volunteers to do this. And most especially, I really want to thank jane ames from commissioner Adams' office who sort of had this project dumped on her early on in july. I was

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pretty much discouraged because we have been working on this for two and a half years and I really thought we had reached a dead-end and I don't think we would be here today without Jane's efforts to learn quickly what the issues were and to move this process forward and get us to where we are today so I am especially grateful to Jane for all of her work. I just want to make a couple observations and then a couple conclusions. First of all, without suing this firsthand it was absolutely hard to believe what people would leave in their cars out in plain sight to present their cars as targets for car prowlers. And I see everything from Nikon cameras to driver's licenses to checks to all kinds of identity information that was just mind boggling and I saw this so many times it was just unbelievable. And the other thing, my other observation was that doing this on, with gathering volunteers and going through this whole process, of doing the car surveys and placing the flyers was very, very labor intensive. It was very inefficient and unfortunately it only had a short-term effect because there was no ongoing, everyday follow-up so that we had a lot of great results in the first few weeks or maybe the first couple of months and then it would fall off again until we repeated that campaign. That just seemed to happen on a regular cycle. So with that in mind, the conclusions I came to was that perhaps with the exception of criminals this was an incredible, rare win-win opportunity for everybody concerned. That is for people who come downtown to shop and want to feel that they can safely leave their cars parked downtown without having to worry about break-ins; that those individuals who would heed the message that will be kind of printed on the -- on the receipts and on the meter stations, that they heed this advice they are not going to have their cars broken into. In effect that will help keep their insurance premiums lower. And secondarily, another win for everybody is that this program is not going to be done at taxpayers' expense. And third and most important in my mind is that there will be a definite decreased need as Officer Myers pointed out for police to have to respond to calls for car break-ins for having the write-up reports so people can report it to the insurance company with the odds of that crime being solved almost at zero and the police can better use their resources in other areas that are far more important than this. In May, I, as president of the Pearl District Neighborhood, sent a letter to Mayor Potter, encouraging city council and he to support the implementation of this program. Sue Miller, president of the Pearl District Business Association, sent a similar letter. And we were really, really hopeful that city council will see the merit in this and will, without any question, endorse the implementation of this excellent program. Thank you.

Adams: Thank you very much. Hi.

Allison Reed: Hello. Mayor Potter and council members, my name is Allison Reed. I am the general manager of Pioneer Place. And in addition, I am currently the chair of the marketing committee for the Portland Business Alliance. And I am here on behalf of the downtown community to express our support for the passage of this ordinance. We think it's a terrific opportunity to prevent a crime and to be proactive as opposed to react active. Car prowls unfortunately have become a significant issue in downtown and Portland is increasingly competitive marketplace. And to compound safety issues, in addition to competitive environments, is not a place where downtown needs or wants to be. There are times when the retail environment can be perceived as quite fragile. And adding concerns of safety to that is not a way to ensure a repeat visit to downtown. The tenants in our building as well as the customers who shop at Pioneer Place and other downtown stores have experienced this themselves, often firsthand. And it's not the type of experience that we wanted our customers to have and therefore make another decision about where they would like to spend their time. It's imperative that downtown Portland remain top of mind for everyone who comes downtown, whether it's to shop, to visit, to work, or to otherwise do business. This is a great opportunity because it's collaborative, it's proactive, and it seems clearly like a win-win for us to generate awareness to prevent a crime. And this is a particularly important time of year, in our business. The fourth quarter, the holiday season and it's really a terrific time for us to be thinking about getting a program like this implemented. And especially when there is a track record that

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indicates it can be successful and it has been successful. We would be thrilled to see this program implemented and to participate nit as a downtown community business and a citizen. Thank you.

Adams: Thank you.

Mike Kuykendall: Thank you, mayor and council, I am mike kuykendall. The I am vice president of Portland business alliance and president of the business improvement district here in downtown. A little bit about my backgrounds I was a prosecute here for 11 years including three years as a neighborhood base prosecutor up in north and northeast Portland so I worked with council very closely on issues over the years. And I spent the last five yours actually in Washington, d.c. I was director of a program that president clinton pushed through called the national center for community-based prosecution. It was a \$40 million program and I trained thousands of prosecutors and police and city leaders on crime prevention techniques. And one of the fortunate things I got to do was travel around the country and learn about the exciting things going on but also to talk about the great things going on around Portland and I am here to tell you because it's the first time I have spoken at council since my return this summer that Portland has a unique reputation around the united states for crime prevention, for public safety, for being innovative, and actually this reputation spreads around the world as well. I have been fortunate enough to speak to tokyo and stockholm as well about what's going on in Portland. It's amazing what the council has done over the years and is continuing to do with this type of ordinance. The thing that I want to point out is that it is so incredibly important we use existing resources that we have. We all know about the budgetary problems you both here and around the country. We know about the police shortages so any we can work effectively with the resources we have I think is critical. This is one such opportunity. And I think that this type of program will actually be lauded around the country as well. We are taking resources that exist right now. We are not adding police. We are not adding money to the general fund necessarily. I think that this actually has a potential to be a revenue generator if we put this out for r.f.p. And ask for companies to participate not only in terms of sponsoring the placement of the information on the meters but also perhaps even to pay a fee. That's exciting to think about. And lastly I want to point out that the smart park garages are kind of our spotted owl for downtown. The last six months starting to february we have seen actually a great reduction in car prowls. But in the last two months we have seen the car prowls go up significantly. And so I think this is really timely. And I really appreciate the fact that council is moving on this in an emergency fashion because we are moving into the season, as allison said, in terms of car prowls so to move Portland today would be incredibly wise and incredibly fortuitous for the city and there particular for downtown. Thank you for your attention to this and it's great to be back working with you and I look forward to working with you on many creative projects in the future for crime prevention.

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

Potter: Thank you.

Adams: Welcome back.

Adams: And then the very active, very creative and very effective greg crawford.

Greg Crawford: Thank you I my name is greg crawford and I am a pleasure to be here today as I usually, it is a pleasure to be here. Thank you for supporting this, I hope, and this is a great project. I worked with jeff myers as much as anyone in this city and if he was in our company, he would be probably become a full-fledged partner. He is that great and innovative. I want to thank commander benson also for supporting this. I personally have placed over 10,000 of these flyers on cars. I have done over 2,000 surveys. There's one comment that has not been made and I hope this make you smile. This is community policing at its best as well. And so I urge to you support this. This is great. And I also am glad to see where there was a lot of this between the bureaus at the start of this, now there's a lot of this. And I think that's also key. Thank you.

Adams: Thanks, greg. [laughter]

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Adams: He's our coach.

Saltzman: I had a question maybe, ellis. Can you come on up? Are we going to be putting signage in our smart park garages?

McCoy: I will certainly be coordinating with k.c. On that. Actually we were discussing that yesterday. So, yeah e. We are going to be working with them and try to build a program so that it works in tandem with what we are doing on street.

Adams: The other potential expansion we will be look at after the first phase is also into the business districts outside the central city. But we are going to start here.

Saltzman: We are hoping to have signage in the smart park garages in time for the holiday season?

McCoy: I am not certain with that we are going to be able to make it in time for the holiday season if we are going to be going out for an r.f.p. and completing that election process. Certainly the receipts won't be here by then.

Saltzman: I was thinking more of the signs attaching to meters. We are moving ahead on those?

McCoy: We are going to go as fast as we can with the r.f.p. If we get someone on board quickly we could move ahead with the signage.

Potter: Commissioner Leonard has a printer in his basement. He would be willing to work overtime.

Adams: Commissioner Saltzman the trick is because we are putting sponsorships on public right of way that we have to follow an r.f.p. Process very rigorously. So we have pushed this very fast but we have now got to follow the process. I am hopeful that we can get it up in the public right of way. I am not -- our department doesn't run the garages. So we are in conversations with smart park garages. And they expressed some initial interest, and because we have done sort of leg work, we are hopeful they can get something up even potentially quick are quicker than we can get it in the right of way because they are privately own bud we can't guarantee it.

Potter: Anything we can do to expedite that would certainly be appreciated. As the officer indicated that it tends to spike over the holidays. The car prowls. So it sure would be nice to at least get some temporary signage up there to indicate to people coming in to take their valuables with them.

McCoy: Ok. We will develop a plan for that, to expedite that.

Saltzman: Thanks.

Potter: Any other? Do we have any signup lists for this?

Moore: I didn't have a signup sheet.

Potter: There is anyone here who wishes to testify on this matter?

Adams: Miranda. Randy?

Potter: We will limit testimony, mary ann, so please try to-one minute is the first.

Mary Ann Schwab: I love to go downtown to shop. Why can't they, if we can't get the signs up quick enough can we ask that private can to hire security on thinks property to protect our valuables?

Adams: Can you say that again, please?

Schwab: Can we have this private company take a little bit lead in this and helping with community policing by hiring campus security on his park, in his parking garages?

Adams: You are talking about -- are you talking about --

Schwab: The smart parks. Wherever those parking garages are regardless. I don't want to split hairs as to which is the one owned by the city and which is owned by a private enterprise. I think for public safety and community policing, we might consider putting security people.

Adams: There are -- there is security that the city pays for as part of the contract and managing the smart parks.

Schwab: See them twirling around on their bike.

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Adams: I know we pay for it because it's in the budget. We can talk to the private parking venders but we will to v-to look to where we can compel them. We are starting somewhere.

Schwab: I think it's great. I think it's great.

Adams: We will look at these other options after we get up this.

Schwab: All the holidays right behind us. I wish select in selecting the right r.f.p. vendor.

Potter: Thank you. This is an emergency vote. Karla, please call the roll.

Adams: Again, I want to underscore my thanks to officer myers and jane ames and ellis and everyone else who spoke today. Really appreciate it. It's based on experience. Pilot work. It's entrepreneurial and it's I think definitely in the spirit of community policing. Aye.

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

Sten: Well, I appreciate commissioner Adams and everyone's work. This is really community policing, officer, greatly appreciate it. Aye.

Potter: Thank you, jane. I know that within city hall you were sort of the guiding force for this. And thank you, jeff, for being who you are and bringing this to our attention and showing us that there's more than one way to take care of a problem. So thank you very much. I vote aye. [gavel pounded] please read the next.

Item 1270.

Potter: This is a second reading vote only. Please call the roll.

Adams: Aye. **Leonard:** Aye.

Saltzman: Well, not to belabor a point but I still have strong misgivings about removing erosion control hotline signage from site that is are 500 square feet or less. But I will vote to support this ordinance. I think it's a mistake, though. Aye.

Sten: Aye.

Potter: Aye. [gavel pounded] please read the next item, Karla.

Item 1271.

Saltzman: Mr. Mayor, members of the council, we are asking authorization to begin to seek to negotiate a new franchise with pacific power and franchise, this resolution allows the office of sustainable development to take the lead in negotiating sustainability issues while the office of cable and franchise management would handle street use aspects of the agreement. It does -- it has many good elements in it. The discussions to date have brought some really good steps forward I think in terms of supporting small businesses and their efforts to do things in a sustainable nature. And we are already working with them to design a program which would provide a menu of resource conservation activities for Portland small businesses that will include energy efficiency, waste reduction, recycling, water conservation and storm water management. And through this efforts small businesses would find easy access to financial incentives and assistance to help in their conservation efforts and I look forward to seeing all this come to fruition as part of a new comprehensive franchise agreement with pacific power and we have kevin lynch from pacific power, david olson and michael armstrong from the city. Sue holton is being shy and retiring back there.

*******:** Not at all: [laughter]

Kevin Lynch: For a change, sheila is being shy and retiring. Good afternoon, mayor and commissioners many I am kevin lynch. I am a northeast Portland resident and I am the vice president of regional affairs for pacific power. It's a pleasure to be here to ask your support for a resolution to extend our service and use of rights of way in the city of Portland for another 20 years. Given the time of day, and the weighty agenda you have had I will try to keep it brief. As you know we have been here about a hundred years and we would like to be here a hundred years more but we will take it 20 years at a time. We serve about 25% of the city's electric consumers. I think - I hope we do it well. I hope you agree with us. Our rates are among the lowest in the nation. Not just the lowest in the state or the region. Which wasn't all that significant an issue in the past but

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with rising rapidly rising energy costs, low and stable and predictable rates are very important for both residents and businesses. We have worked with the city and looked forward to continuing to work with the city in using rights of way in a manner that optimizes our service to customers and minimizes disruption to the flow of commerce in the city. We hope we can continue to do that well.

We have a substantial corporate presence, of course, here in the city of Portland. Interesting set of facts is that we have 4% of pacific corp's customers here in the city but we have about 30% of the company's employees here, including people like me, who work in the corporate headquarters and we not just, we don't just live and work here but we are very active in the community as well. And the last thing I guess I would mention is that we have a very good, positive national reputation for being an environmentally sensitive and aware and progressive utility. We have one of the largest renewable energy projects in development portfolios in the country. And we are looking forward to continuing to do that. A number of you have recently spent some time with our current and hopefully new leadership in our company. Judy johannsen and greg able from mid american energy who have, are buy verse made similar commitments to continue and extend our commitment to renewable energy and to energy efficient see. I will leave it at that. Appreciate your support. And look forward to working with the agencies of the city to hammer out this franchise agreement. Thank you.

David Olson: Thanks. Mayor, commissioners, david olson from cable and franchise management.

Other issues out there in the public sector should not obscure the fact we have an excellent operating relationship with pacificorp, p.p.l. We had negotiated a franchise 20 years ago, we look forward to working with michael armstrong, susan anderson, o.s.d., in the negotiates, the team negotiates to get this franchise updated and ready for this century. And we have good experience doing that. And basically, we look forward to these negotiations and bringing back to you the franchise that works for everyone, a win o-win for all concerned.

Adams: If I could ask a question.

Potter: Please.

Adams: Is there any interest or ability of the -- of pacificorp to, we saw in the "new york times" the other day -- of providing internet over power cables capacity that I guess is common in the united kingdom?

Lynch: Commissioner, it's an issue that some utilities are looking at. It's a little bit speculative for our blood right now. But there are may be a time when that becomes more appropriate.

Michael Armstrong: Michael armstrong with the office of sustainable development. That the point just happy to answer questions about our role that's helpful.

Potter: Questions from the commissioners? Thank you, folks. We will take a vote on this resolution. Are there people who are signed up to testify?

Moore: No one signed up.

Potter: Please call the vote.

Adams: I just want to, as I have said to both bernie and sheila and also to judy, how much we appreciate the fact that pacificorp is headquartered here, how interested we are in keeping the jobs of the corporate headquarters here. And we understand that you have issues to work out with salt lake in terms of their feeling like they have a local go-to person. But anything that we can do, including the way that this franchise is renegotiated that can help maintain your presence here, your corporate headquarters here, I am certainly committed to doing. And I do want to also, I know everyone on council probably feels the same way, really appreciate the level of involvement that your employees are involved in civically and also corporate involvement in the community. Aye.

Leonard: Aye.

Saltzman: I want to thank all the parties and wish them luck as they negotiate. I am confident we will get to a good franchise agreement. And I also want to update the council because I know this started I think with commissioner Sten and with the commissioner Leonard but we are also hoping

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to wrap up negotiates with Portland general electric for a franchise by the end of this calendar year. Aye.

Sten: Well, I am glad he's bringing this forward. We have always had good luck with pacific to get this done. I think there's some negotiate issues that are relatively straight forward. I do think that in particularly with, we have had good conversations with the proposed buyer, there's a lot of issues there. But as it becomes increasingly clear that utilities are going to be owned by outside interest, these franchise agreements that clearly set both sides' expectations into a contract become all the more important. Because, you know, frankly we don't know how many times this will be sold in the future. At this point it looks like mid america will hold it for a long time. Looked that way with some other things, too. I am not saying it won't. But I think it's very critical, we collectively, we see you doing and I greatly appreciate it, figure out that we can say, in this community, this is what's expected from both sides and we don't have a crystal ball but I think 20 years, we can take a look at what's going to happen and that way, we have certainty if things change throughout this franchise agreement. I think it's terrific. Aye.

Potter: Well, I echo commissioner Adams's sent mountain making sure we work well with our partners at pacificorp. And ensure that we achieve a franchise that's equitable to the citizens and to the company, and to insure that the company is going to be here, I heard 20 years, but I like the word hundred years even more. So that they are here into the future and that we work well together and I appreciate their efforts at, in our discussions, both with judy johannsen and the potential buyer that I recognize that they have a vested interest ensuring the continuity of this organization and we look forward to the franchise. Aye. [gavel pounded] please read the next item.

Item 1272.

Saltzman: Mr. Mayor, members of the council, it's a pleasure to bring this item forward to get to the preparers of the buckman pool. And we believe this repair package should provide another 40 to 50 years of life to the pool. And we believe it will not cost more than, well, we are going to make sure it won't cost more than \$400,000. So I would like to bring forward janet bebb, manager for Portland parks. She will provide us a brief synopsis how we got to opinion, and doug caps with the school district also. But before we get to that I just want to thank the numerous partners that have brought us to this point the most important being the buckman heroes and neighbors of inner southeast Portland that made the needs of buckman pool to the council, the buckman association for taking time in the meeting for six months to move this process forward and Portland public schools for working with us in a patient manner as we grapple with the ongoing challenges of repairing and maintaining an 80-year-old pool. Janet, take it away.

Janet Bebb: I am janet bebb, strategic manager, Portland parks and recreation. Thank you for that great introduction. Dan. You will recall, we were before you in august together Portland parks and recreation, Portland public schools and the community, bringing your attention to the repairs needed for buckman pool. At that time we laid out a process for you which you approved \$25,000 for preliminary demolition so that we would remove from the pool the tile and cement layers so that we could then analyze carefully the final repair. And we indicated in august that we would be back before you here in october with a final solution for your consideration. We are ready for that today.

We have looked at the pool, revealing the inner structure, analyzed that, come up with the preliminary design and the associated cost estimate. We are now ready to proceed into construction documents and a competitive bid process and that we believe the total project cost for repair will be up to \$400,000. We are asking for your authorization for those expenditures today. In order to proceed with this, our schedule would be to do the construction documents in november, december; competitively bid in january, do the construction repair work and we would be able to open the pool again may, june, if all proceeds according to schedule. In summary, for \$425,000 allocation, we would be able to bring this facility back online for the community. For the foreseeable future. The repair would be one that would add longevity to the pool. We are hoping to provide a full service

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community center, as with you know, the at Washington monroe site. The community and Portland parks continues to keep that vision. In the meantime the repairs to buckman pool will provide basically the only, and the key community building resource in recreation for this neighborhood, which is lacking in other resources. So we feel that for the price, this repair is a reasonable and prudent goal for us to achieve. We continue to work effectively with Portland public schools. And I want to especially thank pam brown, doug capps and justin who is here the, the construction manager who suck successfully completed that demolition project with time constraints with the impending opening of the school. And that effort has made it possible for us to keep on track and come before you today. Doug.

Doug Capps: Thank you. I'm doug capps, representing Portland public schools today on facilities development and janet mentioned that justin devers, our assistant director of facilities is in the audience and can answer any specific questions. But I do want to say this has been quite a day for partnerships between the city and Portland public schools, earlier you supported a new school to be built in north Portland at new columbia. And the development of a community campus including a new gym. So now we are talking about an older school in southeast, buckman, and the repair of a pool. We have had a long standing relationship on joint use at buckman, and as you all know at many other schools. And it's a reminder that schools and parks together have been community builders in our neighborhoods. So with this ordinance, here's another example of how we continue to work together for the benefit of kids and families. Just as with new columbia was our board chair said earlier about an hour and a half ago I guess it was, our mutual goal is to keep and attract families in this city. Buckman, as a school, and buckman as a pool has been a focal point that helps support families in this part of Portland. And this action will help us then to continue to achieve that goal to get that pool operating again and we are anxious that this begin and we urge your support. Thank you very much.

Potter: Thank you. Any questions from the commissioners? I had a question. You were referring to the Washington-monroe site and the community center that we have talked about for that. Is the parks plan to include an additional swimming pool there?

Bebb: Yes. That would be part of the program there. Our time frame for that, it certainly is solidly in our sites. I would estimate that we are, we are certainly five years out from our first effort to raise the magnitude of money needed for a full service community center.

Potter: So in effect there will be two swimming pools in a few blocks of each other supported by the city of Portland?

Bebb: That's correct. At that time, when we are certain that we are successful -- let me just say that I don't want to be pessimistic about our pulling off of a full service urban community center in this location. But it has a certain element of risk. In order for that to happen, we need to conclude purchase of the property. We then need to raise the capital funds, which are probably in the \$20 million range. And whereas we are confident that we have stills skills to do that it remains speculative until we are there. Until that time that we are there, we would -- we would like to provide this as a resource for the community. When that -- when we are able to -- a new pool, for example, the capital costs of a new pool is \$6 million to \$7 million. To bring buckman back online, we are at \$425,000. And that is a repair that will last, you know, 20, 30, 40 years. So it's a judgment call on our part. At the time, when, if we are successful with a new pool at Washington-monroe and buck mall is still functioning as a viable full we can make a service delivery decision on how to make them complimentary in their programming and it is possible we would adjust the cost at Washington-monroe based on the press science of buckman. But that I think is in the future.

Adams: Is it a possibility -- I am not pushing it. I just thought of it as a result of the mayor's question. The community center could be built on the school site and cheaper to build a new school on the Washington-monroe site?

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Bebb: That's something we could look at.

Adams: In bushman, I am not pushing that. Just asking the question.

Bebb: I would also draw your attention to the different uses of pools. The buckman pool is, obviously, 1920's pool. The pools that we are building today have one component which is like buckman, which fosters swim lessons and a lap swim. You know that. Ok. And then --

Adams: We have been there.

*******:** Ok.

Potter: I guess it brings up the other issue, in terms of how we are going to pay for the Washington-monroe site and mr. Capps, we want to come back to you folks and make sure we partnership on how we pay for the Washington-monroe site and finance the things that have to be done in terms of building a community center that's appropriate for our citizens.

Capps: Thank you for that reminder.

Potter: Other questions?

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

Potter: Bev additional people to testify? People signed up to testify?

Moore: We have four people who signed up.

Potter: Ok.

Moore: Come up three at a time. We have mary ann schwab, christine and joe meyer.

Joe Myer: My name is joe meyer. And I was happy to hear at our community association meeting that it's likely to pass and I am very happy to hear that. Happy to be swimming again. I am happy to have met many of you in and your aides. Those interactions were very positive and occasionally inspirational. [laughter] I was talking to a friend and fellow parent at buckman yesterday. And told him the good news. And he responded that in such times maybe we should close swimming pools and help the homeless moore. And I wonder if that's something I have to think about or if that's another false choice. It seems like swimming pools are the fabric of society that's maybe torn, which is maybe a cause of homelessness. So let's keep our pools and all our neighborhoods, keep the fabric of our society strong. If anybody sees \$100 million a year lying in the street, maybe bend down and pick that up. Thank you.

Christine Yun: My name is christine yun . Here once again on behalf of buckman pool. And we have got to stop meeting like this. I want to say, first of all -- what's that?

Adams: Yes. It keeps costing us more money every time we get together.

Yun: I know. Your money and my money. So I want to say big thank you to janet bebb and richard bausch of parks for guiding this process and I want to say a big thank you to Portland public schools for cooperating with us and really bending over backwards to do that demolition at a cost which is well below standard labor wages. I wanted to say thank you to all of you for taking the right direction and maintaining services to the public in a city which is just getting bigger and bigger. You can't cut services when a city is growing. I also want to say thank you that you are taking the right direction for proper management of the city's resources. And by this, I also include, you know, programming, making sure that the pool is fully optimally used. That means programming on weekends, whatever it takes just to make sure that correct signage, you know, a lot of people in the buckman neighborhood walk by and, you know, I tell them about the pool and they're like, oh, I thought that was a school pool. They don't realize that it's part of the Portland parks program. So I mean, just a few things in that direction will really make sure that that pool is heavily used and appreciated by a large portion of the population there. I also want to say that you are taking the right direction by showing your commitment to future community center in southeast Portland. Southeast, inner southeast Portland as we all know, I have talked about this a lot, it's dense, it's urban. We are trying to keep the families there. It has a lot of existing infrastructure already. Lots of great public transportation. People who are keen on walking and biking. And so this is the perfect location for community center that's going to keep people healthy and cut down

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on traffic. Car traffic. I also want to just say thank you and I hope I don't have to come back here and talk again.

Mary Ann Schwab: Hello. High name is mary ann schwab and I have been working for pools in inner southeast for 30 years. We were people for pools in 1988. In fact, the people for pools really pushed for park futures. But your chairs keep changing. The rules keep changing. We have been on hold now for much too long. There was a handshake with your former commissioner jim francesconi and our former executive director, don matarozzi with the Portland development commission that we would have \$1.5 million toward the purchase of those 4.5 acres. And my mantra with jim francesconi over and over is, 4.5 acres and not an inch less. We are trying to replicate the same pattern as we have out at mt. Scott. We have continue to support parks, schools, libraries, colleges with the inner southeast. In fact, your Multnomah county income tax was carried by most of the people who live west of 39th avenue. And that's a known fact to all of you. I really strongly support the buckman pool repair. In fact, last may I brought each one of you a piece of tile to use as a paper weight until we got it repaired. Randy Leonard was going to help me seal up the cracks because we really believed the children and the little drivers that came in last august to tell you they had a rap for you. I wish they were back. Because that's what this is about. The school structure was there. They had the foresight to put a pool there. 80 yours ago we had a foresight to put one at the old lincoln school, Portland state university. The four seat to put a pool at couch. We were path finders many people from nationally came out to look at our aquatics program. There was a very comprehensive aquatics study done that 1988 and that's the baseline for making decisions today. I am very pleased with the caliber of staff that is working with parks. We couldn't get this far without the expertise of deb and richard and the school district all working together. So we need you not to drop the reins at this point. \$400,000 is a microscopic amount of money when you look at your total budget structure. And at the same token, I am not going to push to repair a tiny pool that my own children swam in nine years, competition, with the christian youth organization, c.y.o. Swim one week at buckman, the next at couch when the school district didn't have money to put heat in the building. The kids lips were blue. They were up to their necks in hot water. I am going to keep you guys in hot water until we get our pool finished and the last one in, at the Washington monroe recreation center. Thank you.

Yun: I just want to say, building a school at the Washington-monroe site was not considered as part of the -- I mean the preplanning process. So I don't know if that's -- I don't think it's viable at this point. It's already being sold off to developers. Ok.

Schwab: 2.66 acres. I am watching those inches, too. Thanks.

Moore: We have daniel donahue. And that's all who have signed up.

Potter: Ok.

Daniel Condo: Good afternoon, gentlemen. My name is daniel condo. I have live in buckman community. I am here today to, one, say thank you to all the people that came together to make this vote a possibility. Janet and richard, justin and pam over at the school, all the people on the community, buckman heroes and the buckman community association. And many of you on the council here who put effort in and that, I would like to thank as well. It was quite an experience to come together and see what could be done when things are done this way. Back had the pool was closed and decisions were being made behind closed doors it was pretty scary. Once those doors were either forced open or opened to us, it became a process that I think we can all pat ourselves on the back about. I do want to remind you gentlemen, I might be preaching to the choir here, what this volt would mean. A yes vote. It's a vote for a community. And I think mayor Potter, last time I was here you called two young people forward because you valued the youth of this community, of this city, of all the communities, and you asked them how the city was doing. One of my children -- I have four -- it was one of the rappers that was here. And if he had come forward and you had asked him how it was doing, compared to the year before, whatever, he would have told

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you he wasn't doing as well because he had spent another summer, three out of I think the last five, without the ability to swim in a pool. There is no other place, no better place for a kid during the summer to develop, to grow, to experience his city than at a pool. And the commitment that you make by voting yes to this is not just to buckman or to this pool. It is a yes to the whole program of swimming that goes throughout the city. Portland, as you know, put a big commitment into this a long time ago. I don't know if any of you are swimmers, have been around these programs. I have been around many programs -- baseball, softball, chess, after school. There's not one program that I have seen take in children at one point in the beginning of a summer, discipline them, encourage them, give them fun, help them grow, and at the end of the summer they walk around strutting their stuff with their medals and their ribbons. There is no better program. So with this vote of yes, I hope you also are voting to say yes to the broader yes to this community about the Portland parks program. The swimming program in particular because it is the program during the summertime when the children have that opportunity to go and do that. So, a yes to the community center. May I have a little extra time?

Potter: You have 20 seconds left.

Condo: 20 seconds. The community that you are saying yes to in buckman, if you would take a walk with me some day I will show you what this city, what this community does for the city. There are so many social services, housed in this city, and that is our safety net. That takes in the people struggling with alcohol and drugs and with homelessness and it's done in the community that's vibrant, that's filled with families. That's just filled with light. And we don't push these people away. We don't say no to these people and those services, in total, are so vital to this city and this vote for today when you say yes to buckman pool, it's just the first part of saying yes to this community for the services for what it provides to do city and thank you for your time.

Potter: Thank you. Is that it?

Moore: That's all.

Potter: Ok. This is an emergency vote. Please call the roll.

Adams: Well, I am very committed to the vision of the community center at the Washington-monroe site or some combination. I think we do need to be honest that it's spending \$400,000 now on 20-year pool that will be duplicative potentially in five years if our vision moves forward is something that we have to struggle with and I don't think we should -- I think the onus is on us as we look at the Washington-monroe site to make sense of that. So that the public is assured that this is money well spent on the total scheme of things. And I heard that in your presentation and that gives me comfort in terms of parks, willingness to look at that. I also think that this neighborhood, having spent a lot of time and time at many neighborhood meetings there, is a great neighborhood for families, and it does take its share of city wide social services. So I think it's very deserving of many amenities including this one. Thank you. Aye.

Leonard: Recognize matt. You did good work and commissioner Saltzman from picking this up and making it happen. Aye.

Saltzman: Well, I too want to thank matt from my office. He did a lot of work here long with janet and the buckman heroes and the buckman neighborhood to make the repairs a reality sooner than later. If all goes as planned we should have the pool up and running by next spring. Aye.

Sten: I think shakespeare said all's well that ends well. Aye.

Potter: When I talked about commissioner Saltzman good this, I expressed my concern and I will express it to the buckman here bell be putting in two pools within five blocks of each other. I have serious concern about that. I want you to know that now so I will plain what my yes vote means today. I am voting buckman pool so we can reopen it so our children can use the pool. However, when it comes to the community center, an understanding the lack of swimming pools in the city of Portland as a whole, I am going to tell you that I am going to have to be convinced to support the construction of another pool five blocks away. So I am having said that, I am pleased that we are

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doing this today. It's a much larger amount than we originally anticipated. And if this will give us a pool that will last 40 years, I am grateful for that. I also want to make sure, because I remember in the original testimony as to some of the reasons why this particular pool started to decay so fast is that the maintenance had not been continued on this pool. I hope with this investment, we continue the maintenance on this pool so that it does have a good, long, healthy life. [applause] sir, you can go like this but we don't make any sounds. As a kid who used to swim at buckman pool and my mother took me there, I really value the pool. And I can see what it's going to do for our community. As we move forward in our discussions you will have month stronger supporter for a community center at the wa-mo site than myself. I think when it comes to putting in two pools we are going to have a really serious discussion about the effects of that on other parts of our city, which we cannot ignore either. So congratulations, buckman. I think you did a great job. Congratulations to the city council and commissioner Saltzman's office for really making this happen. I vote aye. [gavel pounded] please read the next item.

Item 1273.

Potter: This is the second reading and a vote only. Please call the roll.

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

Potter: Aye. [gavel pounded] please read the next item.

Item 1274.

Saltzman: Mr. Mayor, members of the council, we will be real brief. I don't think we need a presentation unless you have questions. But this is one of the many competitive grants that are part of the green investment fund which focuses on projects that promote energy and water conservation, sustainable storm water management and recycling practices. This project will incorporate many green building features including the construction of an ecoroof, low flow toilets and showers, energy efficient water heaters and cooling systems, and low toxicity and recycled building materials and the project will most importantly or one of the most significant aspects will include daylighting and providing restoration of a portion of the stream that feeds into tryon creek and this will be a landmark development that will add to Portland's reputation as a leader of sustainable development.

Potter: Questions?

Sten: The only thing I would say, the executive director of northwest housing alternatives has been here for four hours.

Saltzman: Ok. I'm sorry.

Sten: We will give here five plugs for what her organization is doing.

Saltzman: I thought that was the next item.

Sten: No longer with the city of Portland, out doing the real change.

Saltzman: Sorry about that

Martha McClennan:: Thank you. You know, martha mcclennan, executive director of northwest housing alternatives. I miss the city a bit.

Sten: Not after sitting here all morning.

McClennan: We do want to thank you for this grant. It really is helping us to add these features to an affordable housing project, the village at the headwaters will provide 56 units for housing for seniors, 25% have project based section 8 from the housing authority this will ensure they are affordable at a very low low-income and five those will be set aside for people who have histories of chronic homelessness so we are trying accomplish a variety of city objectives in one project. The office of sustainable development grant will help us with that development and will add some of these features that commissioner Saltzman has expressed. We are going to be breaking ground on it benefit a few short weeks and we will invite you all next summer to come see the results. So we can answer any questions if you have them.

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Potter: Is there anybody else who wishes to testify on this matter? Thank you. Any other questions from the commissioners? This is a nonemergency. It moves to a second reading.

Adams: All that waiting, we don't even get the satisfaction of a vote? Sorry.

Potter: Please read the next item.

Item 1275.

Sten: I think this has been well discussed.

Adams: I move a vote.

Potter: We have people to testify.

Adams: That's true.

Sten: I won't make a presentation.

Potter: Is there anybody signed up to testify?

Moore: Mary ann schwab.

Adams: We haven't heard enough from you today. Can you please tell us more.

Mary Ann Schwab: I will. I just feel like I won a bonanza. All on the same parking pass. Today in the paper it says Portland may hold off on tax breaks for developers. Again, this goes back to what happens when developers need to be able to counts on the process. If foul the rules and you don't get your reward. I will really glad that you are extending this out. What I have done here to show you what league of women voters have been working on, it says that when we have these local taxing jurisdictions forego their share of the property tax revenues over the life of the district, for an additional debt, repayment period, what happens those foregone revenues otherwise would have been used to provide essential services such as police, fire, protection, indigent mental health and education. Our kids are getting lost in the shuffle. What I have given you is a copy of my property taxes here. So that we talk in millions of dollars on these issues that sometimes we get lost in the figures. This is on a family budget. And believe me, I am not one of your quoted \$54,300 family of four income. I don't even qualify in this because I am microscopic. Many people of Portland are living on fixed incomes, so security and nickels and dimes and minimum wages without benefits and I am really glad again, commissioner Leonard has talked about having jobs with those livable, sustainable salaries. So if you look at this and kind of give it a rundown, what goes to education, the general government taxes, and then the bond, I call these christmas trees but we really need them when we are talking about metro bonds, Multnomah county bonds, tri-met transportation bonds, Portland community college bonds, they add up. So my limited income I am taking \$2,5 hundred 46.49. 'When you look at my land, my land this year is valued at \$78,000. And my structure at \$135,480. Look at that percentage. How much you are not getting towards the police, fire, protection, indigent, mental health care and education. So when we go talk about these things, try to keep these figures in mind over the next 90 days of what it's really costing Portlanders when the developers come out. It's not trick or treat anymore. The taxpayers have been tricked way too many times and maybe if they start paying their fair share, mayor Potter, we wouldn't have to think twice about working really hard to get Washington-monroe high school financed and we will talk about this again. And I disagree. I think an overgrown bathtub does not equate a swim go pool for that number.

Potter: You didn't call it an overgrown bathtub when we discussed it. Don't change our rhetoric.

Schwab: I said we need both.

Potter: Thank you. Ok. Is that the only personal?

Moore: That's all that signed up.

Potter: Emergency vote. Please call the roll.

Adams: I was going to support -- no. Aye.

Leonard: I appreciate commissioner Sten bringing this. This is the right thing to do. I do, you know, agree that abatements and I have supported a number of them, are a powerful economic tool to that can cause a lot of good. But I think that at a time when we are struggling as we have been to

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fund certain basic services -- pools, housing for the homeless, provide basic public safety, keep our jails open -- we have to ask tough questions when we are awarding abatements. And those have to include, would that project occur without the abatement? And I am not sure the p.d.c. has been as tough as they need to be in negotiating these deals. When I see, sense arriving here in november of 2002, every abatement comment 100% for the maximum amount of time, and never see a 70% abatement for seven years or 90% for eight years, and they are all 10 years at 100%, I question if we have been doing the due diligence. And I appreciate commissioner Sten recognizing that we need to talk about this. And have, if we are going to have the program, have it meet some very, very strict criteria that passes the sniff test. Aye.

Saltzman: Well, i, too, am going to support this moratorium. And as I have said when I voted against the trammell crow abatement I didn't think there was enough public benefit in the terms of family friendly housing stock provided by that particular application. So I hope that if we do bring back this ordinance, and I would intend to want to make sure that such an amendment is incorporated that future affordable requirements must have larger units as part of that affordability test in order to provide part of public benefits of receiving a tax abatement under this program. But nevertheless I think it's good that there's a lot of discussion and thought provoking things. I think the council needs to engage in about the future of this tax abatement and the future of other tax abatements as well. So I support this particular moratorium. Aye.

Sten: It's clearly time to pull this off the table because it's not working and there's some sense as to whether or not it should be on the table at all. I really actually as the housing commissioner have an open mind to both tightening up these requirements, making them tougher from where they were because clearly they are not acceptable at this point to the council and possibly for the foreseeable future not offering this abatement. This is to incent simply middle income housing rentals into the central city. I won't go on for a long time but you won't see kind of mid price rentals being built. For if you reasons the form is very expensive to build tall buildings and developers make more money doing condos and so it really becomes a question. I don't think there's any doubt among anybody who sort of working at this from a what's a perfect city standpoint that you ought to have middle priced rentals in the core of the city. It's who like how much do you want to pay? It's things you would like to have in the world and it's been a very costly program. I think if you go back in time I don't think we would have much of the development under way without this program. But that was a different day. The central city is going to develop and it will be a really interesting thought provoking exercise, p.d.c. Breakfast in a couple of weeks we are going to take a relook at the south waterfront tax increment projections. The reason is it looks like the projections coming in much higher than what's expected and I think it's important the council decide what the policy is for directing that money. Well, the election itself was projected not to pay taxes. If you project that that site is going to pay taxes that's another \$13 million or so that go into the budget. And that may just be too high a price to pay in this day and age for what is arguably a good thing but not an absolute necessary thing which is the middle income housing. So I don't know. I don't come into this with a presupposed sense but I will work with the council to set up a discussion so we can make a decision jointly and then move forward. But I think for the next six months we will talk about it and see where we end up. Aye.

Potter: And last month, our last month -- last year in Multnomah county, there were a total of 274 million dollars in property tax abatements. Some of those we have no control over. When you are on the national historic registry, you get the deduction. But there's other times where you could have a choice. And I think it's important to remember that when we give tax abatements, for every dollar Portland gives up, Multnomah county and our school districts give up \$2. So those are very important issues. And I am glad we are having this discussion because it's time we stepped back and looked to see how we use property tax abatement to further the common good. And looking perhaps at the choices we could use the money to spend on, if we are going to be spending it on

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things that really could perhaps have a greater impact in terms of affordable housing, meeting our school needs, and making sure that we have adequate jail system to handle the people who need that. So I think that this is a good discussion. I am looking forward to the next six months. I appreciate commissioner Sten's leadership on this. And I vote aye. [gavel pounded] that's the last item of the day. We are adjourned until next week.

At 1:18 p.m., Council adjourned.