



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 22ND DAY OF FEBRUARY, 1995 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, Kafoury and Lindberg, 5.

OFFICERS IN ATTENDANCE: Britta Olson, Acting Clerk of the Council; Pete Kasting, Senior Deputy City Attorney; and Security Officer Michael McCarthy, Sergeant at Arms.

On a Y-5 roll call, the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

225 Cash investment balances for January 12 through February 8, 1995 (Report; Treasurer)

Disposition: Placed on File.

226 Accept bid of Copenhagen Utilities and Construction for street improvements SW 41st Avenue from Pasadena to Comus for \$54,323 (Purchasing Report - Bid C-9799)

Disposition: Accepted; prepare contract.

227 Accept bid of Copenhagen Utilities and Construction for street and sewer improvements to SW Pasadena/37th Street for \$318,113 (Purchasing Report - Bid C-9820)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

***228** Authorize General Obligation Parks Bonds, 1995 Series A and B (Ordinance)

Disposition: Ordinance No. 168531. (Y-5)

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- *229** Establish one Program Specialist position in the Police Bureau; one Building Inspector position and one Program Manager I position in the Bureau of Buildings; one Sr. Engineering Associate position in Traffic Management; two Electronic Technician Assistant positions in the Bureau of General Services; and one Community Relations Specialist position in Parks & Recreation in accordance with the Personnel Rules adopted by the City Council (Ordinance)

Disposition: Ordinance No. 168532. (Y-5)

Commissioner Earl Blumenauer

- *230** Establish the rules of procedure for administration of the City's purchasing function and other matters involving public contracts (Ordinance)

Disposition: Ordinance No. 168533. (Y-5)

Commissioner Charlie Hales

- *231** Amend City Code relating to tree cutting (Ordinance; amend Code Section 20.42.040)

Disposition: Ordinance No. 168534. (Y-5)

- 232** Accept donation of a trailer to the Bureau of Fire, Rescue and Emergency Services (Ordinance)

Disposition: Passed to Second Reading March 1, 1995 at 9:30 a.m.

- 233** Authorize addendum to the Agreement with the Maritime Fire and Safety Association (Ordinance; amend Contract No. 22884)

Disposition: Passed to Second Reading March 1, 1995 at 9:30 a.m.

- 234** Authorize Intergovernmental Agreement with the City of Oregon City to provide fire response assistance (Second Reading Agenda 184)

Disposition: Ordinance No. 168535. (Y-5)

Commissioner Gretchen Kafoury

- *235** Authorize a contract and provide for payment for the Smart Park garage awnings project (Ordinance)

Disposition: Ordinance No. 168536. (Y-5)

Commissioner Mike Lindberg

***236** Increase contract with Computer People, Inc. to provide additional programming for Customer Billings System enhancements and maintenance (Ordinance; amend Contract No. 29664)

Disposition: Ordinance No. 168537. (Y-5)

237 Amend the Wholesale Water Supply Agreement with Burlington Water District by deleting Section 8 - "Growth" (Second Reading Agenda 197; amend Agreement No. 18427)

Disposition: Ordinance No. 168538. (Y-5)

238 Amend the Wholesale Water Supply Agreement with City of Gresham by deleting Section 8 - "Growth" (Second Reading Agenda 198; amend Agreement No. 18899)

Disposition: Ordinance No. 168539. (Y-5)

239 Amend the Wholesale Water Supply Agreement with Lake Grove Water District by deleting Section 8 - "Growth" (Second Reading Agenda 199; amend Agreement No. 19289)

Disposition: Ordinance No. 168540. (Y-5)

240 Amend the Wholesale Water Supply Agreement with Lusted Water District by deleting Section 8 - "Growth" (Second Reading Agenda 200; amend Agreement No. 18682)

Disposition: Ordinance No. 168541. (Y-5)

241 Amend the Wholesale Water Supply Agreement with Palatine Hill Water District by deleting Section 8 - "Growth" (Second Reading Agenda 201; amend Agreement No. 18577)

Disposition: Ordinance No. 168542. (Y-5)

242 Amend the Wholesale Water Supply Agreement with Pleasant Home Water District by deleting Section 8 - "Growth" (Second Reading Agenda 202; amend Agreement No. 19313)

Disposition: Ordinance No. 168543. (Y-5)

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243 Amend the Wholesale Water Supply Agreement with Powell Valley Road Water District by deleting Section 8 - "Growth" (Second Reading Agenda 203; amend Agreement No. 18823)

Disposition: Ordinance No. 168544. (Y-5)

244 Amend the Wholesale Water Supply Agreement with Raleigh Water District by deleting Section 8 - "Growth" (Second Reading Agenda 204; amend Agreement No. 18458)

Disposition: Ordinance No. 168545. (Y-5)

245 Amend the Wholesale Water Supply Agreement with Rockwood Water PUD by deleting Section 8 - "Growth" (Second Reading Agenda 205; amend Agreement No. 18848)

Disposition: Ordinance No. 168546. (Y-5)

246 Amend the Wholesale Water Supply Agreement with City of Tigard-Water Department by deleting Section 8 - "Growth" (Second Reading Agenda 206; amend Agreement No. 20528)

Disposition: Ordinance No. 168547. (Y-5)

247 Amend the Wholesale Water Supply Agreement with City of Tualatin by deleting Section 8 - "Growth" (Second Reading Agenda 207; amend Agreement No. 18531)

Disposition: Ordinance No. 168548. (Y-5)

248 Amend the Wholesale Water Supply Agreement with Tualatin Valley Water District by deleting Section 8 - "Growth" (Second Reading Agenda 208)

Disposition: Ordinance No. 168549. (Y-5)

249 Amend the Wholesale Water Supply Agreement with Valley View Water District by deleting Section 8 - "Growth" (Second Reading Agenda 209; amend Agreement No. 19151)

Disposition: Ordinance No. 168550. (Y-5)

250 Amend the Wholesale Water Supply Agreement with West Slope Water District by deleting Section 8 - "Growth" (Second Reading Agenda 210; amend Agreement No. 18684)

Disposition: Ordinance No. 168551. (Y-5)

REGULAR AGENDA

223

TIME CERTAIN: 9:30 AM - Accept report and recommendations for the NE 15th Avenue Phase II Traffic Calming Test Project (Report introduced by Commissioner Blumenauer)

Discussion: Crysttal Atkins, Traffic Calming Project Manager, reported on the second and final phase of the NE 15th Avenue test project, the segment between Fremont and Prescott. The purpose of extending the test project was to further test the intersection median island slowpoint devices. A simulated textured pavement treatment on the segment was also tested. She showed slides on the Phase II segment, noting the traffic volume of about 7,500 vehicles per day, with velocity ranging between 33 mph near the signals at each end to 40 mph in the segment center. The posted speed limit is 25 mph. The street is a transit, fire response and bike route and has a designated school crossing. The data on the median island slow points showed only one to three mph reduction in traffic speeds, similar to what was found in Phase I, indicating the islands are not very effective. They are effective as pedestrian refuges and for crossing.

Ms. Atkins said they next worked with the volunteer Citizen Traffic Committee to identify problems and issues. The Committee adopted three goals for the project: 1) reduce traffic speeds; 2) increase safety for pedestrians, bicyclists and motorists; and 3) reduce noise, vibration and air pollution. The plan the Committee adopted installed 22 speed bumps in mid-block locations. On the segment that is quite steep, precluding speed bumps, they tested a simulated, textured pavement treatment. It was found that the textured pavement slowed traffic by about two mph; the combination of the pavement and speed bumps reduced it by about five mph. Without the pavement, speeds went up about one mph, so speed bumps are the primary slowing device. Residents, without exception, found the textured pavement to be unacceptably noisy.

Ms. Atkins said the recommended final design consists of five 22-foot speed bumps, two intersection median slow points and two Opticom at signals to mitigate the Fire Bureau's response time. These projects require balance--the residents' needs with the users' needs, as well as Tri Met and the Fire Bureau. Since this was a test project, the street's residents were not balloted, but there was considerable communication. The project received overwhelming support from both the residents and the neighborhood, indicating that an appropriate balance has been achieved.

Commissioner Blumenauer noted that the jog at the top of the hill has concerned the neighborhood and the reduction in speed should help.

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Mayor Katz asked if this speed reduction was about average.

Ms. Atkins, noting that there were not many 22-foot installations, said this was about average--going from approximately 40 to 30 mph.

Commissioner Blumenauer wished it could be even lower.

Hal Freitag, 4337 NE 15th Avenue, 97211, said that when he served on the Sabin Neighborhood Association Traffic Committee, 15th Avenue was one of the major concerns. He said, with the speed bumps, the average speed seems to be between 25-28 mph during the rush hour. He said the neighborhood is delighted, with the only drawback having to wait when a bus stops at a slow point. The safety spot for the school crossings is particularly good.

Commissioner Blumenauer said, after working on engineering and surface treatment, there is a need for increased traffic enforcement, as speeds are still unacceptably high at the school crossings. He thought that surface treatment may be worth the offset in some situations, as it modifies behavior and is not very expensive.

Disposition: Accepted. (Y-5)

Mayor Vera Katz

251 Adjust FY 1994-95 Budget for Period One Adjustments (Second Reading Agenda 212)

Discussion: Commissioner Kafoury said, despite being happy with most of the budget and with some good things, she was still uncomfortable about the Fire Bureau budget because of the lack of discussion regarding the \$1,500,000 in adjustments.

Mayor Katz said they went over the adjustments as carefully as possible, reviewing the history on them. She was a little surprised about the large adjustments but, after talking with the Fire Bureau and BOEC, felt they were necessary to maintain the community's safety, even though it took away other issues that might be considered contingencies.

Disposition: Ordinance No. 168552 as amended. (Y-4; N-1, Kafoury)

252 Contract with KPMG Peat Marwick LLP for assistance in the development of the City's Comprehensive Organizational Review and Evaluation (CORE) process (Second Reading Agenda 177)

Discussion: Commissioner Blumenauer said he did not feel

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comfortable with the expenditure of \$200,000, although he appreciated what people are doing. But, in terms of the overall needs of the City and the neighborhoods, he did not feel this additional contract for an outside firm going through the CORE process is the best use of the money. He thinks there is enough horse power internally in the City and that there are compelling neighborhood needs. After reflecting on this for several weeks, he found that it was not a high priority.

Commissioner Hales said the biggest area of expenditure is ongoing operations and personnel costs. He has come to understand that there are huge, fixed costs that can only be addressed by a thorough, wipe-the-slate clean review. He thinks it will be money so well leveraged that it will give a lot more than \$200,000 value. He said they would never find out unless they tried. One layer of management has been removed from the Fire Bureau's structure and has saved money. Meanwhile, underlying problems, such as the Fire Bureau's budget, erupt in a way just seen in the contingency request. He thinks that the CORE review is an opportunity to bring real management scrutiny to the way enormous, ongoing budget costs come back year after year and that it is worth the risk.

Commissioner Kafoury said she would happily vote for this if it were alone and not one of a half dozen initiatives that have been started in the last few years. She is not satisfied that additional money needs to be spent on it.

Mayor Katz said this was an additional effort to reexamine the organizational structures, how we can do business differently and the missions of each of the bureaus to see if this is the best use of the limited resources or if there is a need for change. She said they need to get below the tip of the iceberg in order to become a high-performance organization. The CORE concept is embodied in zero-base budgeting and flags issues and opportunities. It will allow bureaus to look at the Span of Control issues identified by the Auditor's Office, as well. She thinks the \$200,000 will be recovered over a period of time.

Disposition: Ordinance No. 168553. (Y-3; N-2, Blumenauer and Kafoury)

224

TIME CERTAIN: 10:00 AM - Accept report and recommendations for the SE 76th Avenue Traffic Calming Project (Report introduced by Commissioner Blumenauer)

Discussion: Donna Green, Traffic Calming Project Manager, said the ultimate goal of this project was to improve the livability and safety for residents, motorists, pedestrians and bicyclists. This project began before the Council approved new efficiency measures last October, so

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the project was administered under the former Neighborhood Traffic Management Program processing guidelines.

Ms. Green showed slides of SE 76th and the program's boundaries, noting that Division and 60th were neighborhood collectors, Washington and Stark were district collectors, 82nd was a major traffic street and Mt. Tabor was in the middle. SE 76th is the only street that runs straight through. The project was initiated in April, 1994, but residents had requested that something be done about the high volume and speeds in the 1980s. Volume counts show a very high number for a local service street. The speeds average from 31-36 mph, but the speed limit is 25 mph, with a 20 mph limit in the school zone.

Ms. Green said the Citizens Traffic Advisory Committee helped develop the project's goals, which are: 1) reduce the percentage of speeding; 2) reduce non-local traffic, encouraging use of the major street system; and 3) improve safety for pedestrians, bicyclists and both moving and parked vehicles. Nine, 14-foot speed bumps are proposed. The residents on the project street and those within one block on the side streets were balloted, with a good return and 71 percent in favor. Opticom is also proposed, as this is a primary fire response route.

Commissioner Hales recalled reading the original traffic calming manual from Australia many years ago and that one of the principles the manual stressed was that a street's visual environment has an effect on driver behavior. Simply put, if the street looks like a freeway, people will drive as if it were one. He said one of the problems in the older neighborhoods, one Urban Forestry has talked about, is that the street trees are gone. One reason for street trees is that their feeling of enclosure promotes slower traffic. In the traffic calming projects, he said we may be missing the opportunity to replant street trees while working in the neighborhood, which eventually will have a subtle, non-engineering effect on driver behavior, along with other benefits.

Commissioner Blumenauer said it would be relatively simple, while doing the traffic counts, to make note whether or not there were street trees. Over time, such an inventory would give a feel for their effect.

Commissioner Hales said these projects had enough lead time so that they could get into the Friends of Trees annual cycle.

Ms. Green said projects such as curb extensions and median islands have been planted and it does make a difference.

Joanne Sappenfield, 7515 SE Mill Street, 97232, said because of speeding cars, trying to get out on 76th in either direction was very dangerous and a child was hit in that area last year. She said the

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school zone 20 mph limit is not observed and that since the street was paved it has become a thoroughfare.

Joel Sappenfield, 7515 SE Mill Street, 97232, added that there have also been more accidents since the street was paved. He would rather not deal with traffic bumps, but said there is a need for them.

Kathryn Conway, 1436 SE 76th Avenue, 97215, said that because of the danger of the speeding traffic, she would not park in front of her house for even a few minutes and that even when mowing or weeding the parking strip she has had a few near misses.

Albert Rouse, 7717 SE Lincoln Street, 97215, said this project will help volume and speed, without being too restrictive. He questioned the street trees, as they would hamper visibility and the safety of children running out from behind them. He also noted that curbs and sidewalks would need to be repaired in the future and asked who would pay for that.

Connie Ross, 1725 SE 76th Avenue, 97215, said she grew up running safely back and forth on this street in the 50s and 60s and, in coming back, finds the livability of the street diminished. Traffic committee meetings identified safety as the main priority. Speed bumps will help the safety and not be too costly for taxpayers. Her neighbor's car has been hit three times in the past year and a neighbor boy was hit in the street.

Mayor Katz said there is now a method, through neighborhood associations or through groups, to identify streets that are heavily impacted by speeders. That information is given to the Police Bureau which, within its ability, dispatches traffic officers on these key streets. She said there may be a problem in communicating through the neighborhood associations which streets need to be targeted and she and Commissioners Blumenauer and Hales will get some kind of system going through the associations to pass the information on to the Police.

Anne Meadows, 7626 SE Alder Street, 97215, said she liked the idea of street trees as well as curb extenders. She noted that this neighborhood is essentially boxed in by surrounding busy streets.

David Sullivan, 1725 SE 76th Avenue, 97215, said there is quite a bit of foot traffic from school children, people going to the field and elderly residential care. He has known three children that were hit in the five years he has lived there. He pled guilty to having driven too fast himself, as it was a seductive street to go faster on, but has consciously tried to slow down. He said the hill caused poor visibility.

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Commissioner Blumenauer said he appreciated people's patience and participation.

Commissioner Hales said this project was badly needed and it has been a constructive process between the bureau and the neighborhood. He said he would ask the City Forester to get in touch with the project staff to see if there is a neighborhood interest in trees and how the Friends of Trees might help. He noted that when a new home is built the owner is required to plant street trees but that is not required in established neighborhoods. If the neighborhood plants trees, however, it does have an effect. In response to Mr. Rouse's comments about who would pay for sidewalk repair, Commissioner Hales said it was the property owner's responsibility but in using the Forester's list of recommended trees for planter strips, it would be very many years before repairs would be needed.

Commissioner Lindberg said this will make a real difference in the neighborhood's quality of life. He said safety issues not only have to do with crime, but with speeding cars as well.

Disposition: Accepted. (Y-5)

Commissioner Charlie Hales

***253** Designate nine Heritage Trees in the City of Portland (Ordinance)

Jane Glazer, member of the Urban Forestry Commission, showed slides of the nominated trees. She said that, with these additions, the protected Heritage trees in Portland will number 45.

Commissioner Hales thanked Ms. Glazer for being a conscientious advocate for something that otherwise might be taken for granted.

Disposition: Ordinance No. 168554. (Y-5)

Commissioner Lindberg moved that the Four Fifths Agenda be considered. Mayor Katz, hearing no objections, so moved.

FOUR FIFTHS AGENDA

253-2 Initiate Extraordinary Rate Review under the City's Solid Waste and Recycling franchises (Resolution introduced by Commissioner Lindberg)

Discussion: Susan Keil, Bureau of Environmental Services, said that according to the franchise agreement they need to cite the reason for calling for the extraordinary rate review. There are two reasons -- decreasing weight in the cans as demonstrated by the quarterly weight

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sampling and increased revenue in the sale of recyclables. She cited figures indicating the small percent of the total cost for residential recycling that is covered by the sale of recyclables, which means the rest of the cost is not covered and must be covered through the garbage rate. Roughly 81 percent of the tonnage picked up in recycling is in paper fibers.

Tod Burton, Solid Waste Economist, said the amount of competition for the recyclable material is bringing up the price. A nice surprise was that the scrap paper program has a market price.

Ms. Keil said that the magazines, milk jugs and scrap paper are items that the Bureau of Environmental Services has added but they are not on the list of principal recyclables that the State says must be picked up.

Commissioner Lindberg said that with the increased revenues there are a couple of different opportunities: 1) rate stabilization -- either keep them the same or reduce them somewhat and 2) program improvement - - citizen surveys show the major item not now recycled that people want to recycle is plastics. Once they get the final financial results, he said they would like input from Council.

Disposition: Resolution No. 35365. (Y-5)

Commissioner Lindberg moved to consider the next item, Commissioner Blumenauer seconded and the motion carried.

***253-1** Apply for a grant of \$200,000 from the U.S. Environmental Protection Agency (EPA) for improving redevelopment of contaminated property within and adjacent to the Portland Waterfront (Ordinance introduced by Mayor Katz)

Discussion: Doug MacCourt, Environmental Manager, Office of Transportation, said this grant would provide incentives to redevelop potentially contaminated properties, which EPA determines as brownfields.

Steve Sanders, Portland Development Commission, elaborated that brownfields are opposed to greenfields, areas which have never before been developed.

Mr. MacCourt said EPA wants to provide money to remove regulatory barriers to redevelopment of contaminated properties and to get local and state governments together, including DEQ, with the lenders, developers, the environmental community and the neighborhood groups to try to come up with an improved process and improved access to

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information to allow redevelopment to occur in a more efficient and speedy manner. This is really the goal of the grant program--EPA has raised the number of grants from five to 50 recently. DEQ believes the concept, which essentially has three components, is a good one. The first is to create a "waterfront online" computerized data base which will allow access to a combination of information relating to redevelopment of contaminated properties which currently does not exist in any one particular location. The data base will include location of available properties, some degree of environmental information and contacts at all government, community and activist levels to learn the hoops to go through. The second is to put together a brownfields round table to identify the problems and players involved using the Portland Waterfront as an initial focus area. And then to talk with EPA and DEQ to reach agreements similar to those reached by Tri-Met and DEQ to move environmental issues through for the Westside Light Rail project. The third is to have some type of regional conference on brownfields redevelopment within this area as a focus, but involving other regions as well.

Mr. Sanders said it was not the intent of the grant to reduce public or environmental safety and health. It is the intent to remove arbitrary, bureaucratic processes to make it easier to do what we all need to do.

Mayor Katz said this was what the Oregon Option is about--where the federal government wants to encourage this to happen and in this case we are getting money to make it happen.

Disposition: Ordinance No. 168555. (Y-5)

At 11:10 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 22ND DAY OF FEBRUARY, 1995 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, Kafoury and Lindberg, 5.

OFFICERS IN ATTENDANCE: Britta Olson, Acting Clerk of the Council; Ruth Spetter, Senior Deputy City Attorney; and Security Officer Michael McCarthy, Sergeant at Arms.

REGULAR AGENDA

254

TIME CERTAIN: 2:00 PM - Accept Citizens Advisors monitoring subcommittee fourth quarter 1994 report to Council, acting as the Police Internal Investigations Auditing Committee (Report introduced by Mayor Katz)

Discussion: Sue Porter, Past Monitoring Subcommittee Chair for the Police Internal Investigations Auditing Committee (PIIAC), said that this report reflects the dialogue set up between Chief Moose and the Committee, as the reports are now being consistently produced. The follow-up to the last report shows that Chief Moose is giving serious attention to the items raised there and implementing action on the basis of the Committee's recommendations.

Ms. Porter cited the first substantive issue on the basis of their monitoring, once again; the timeliness and thoroughness of investigation. There was improvement overall in the timeliness, with the 45-day turnaround working well. The investigation thoroughness continues to be a problem. As there has been a lot of turnover in the Internal Investigations Department (IID), it could be a staffing issue. In the fourth quarter, seven out of 11 cases went back for further investigation. PIIAC may find that a case looks unsubstantiated or exonerated, but that is without the investigator interviewing the witnesses.

Another issue, Ms. Porter noted, is categorization of findings. The category of unsubstantiated is relatively new and was created to deal with the "traffic ticket" callers. Tying in with the thoroughness issue, this category is overused, without interviews and other investigation taking place. In addition to thorough investigation, the IID detective, when selecting the unsubstantiated category, should provide a written rationale for such a choice. Without that, it is impossible for those reviewing the cases to understand. The committee also recommends that the unsubstantiated category never be used in an excessive use of

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force complaint. If it turns out the force was justified then that category would be exonerated, not unsubstantiated. Officer training and supervision would help these issues.

Ms. Porter said there is an inconsistent use of categories. This also seems to be a training and supervision issue. The IID supervisor should review the cases to ensure the categories are used consistently--for data purposes and especially for command review.

A real concern is the increasing police contact with people with mental problems, Ms. Porter said. A lack of sensitivity has been found in the way the complaints have been dealt with in terms of categorizing the individual, name calling and so forth. They urge that IID detectives describe specific behaviors, traits and observations to support, perhaps, the complainant's lack of credibility.

Ms. Porter cited the Letters of Disposition. The lecturing tone has been softened in the letter addressed to the appellant but further explanations about the IID conclusions need to be provided so the complainant would not be confused when the letter simply states "unsubstantiated."

Lisa Botsko, PIIAC Examiner, said they reviewed some specific cases just for monitoring purposes which revealed some overall bureau policy concerns. In one unit, members earned overtime and, rather than requesting compensation, took time off early without signing out on the logbook. The General Order is very specific about overtime and comp time accountability and holds the supervisors ultimately responsible for accurate records. Changes have been made in that unit, but PIIAC is asking that the bureau have all the units assess the current time-keeping practices to ensure they are in compliance. This overtime case did go to the review-level committee, the bureau committee that makes final determination to sustain the complaint or not. In this case, there was no finding to the IID investigative file and no explanation of the rationale. Ms. Botsko said there should be consistency to document the file throughout the case to its conclusion. This also would be helpful feedback for IID, if the review-level committee overturns an earlier finding.

Ms. Botsko, noting another case selected for monitoring, said IID investigated a potential criminal action by one of its members. The General Order specifically says that possible criminal acts will be assigned to the detective division or another division, not IID. The incident in this case occurred in a different jurisdiction and the District Attorney made the decision not to prosecute. Ms. Botsko was told that this was the reason IID investigated. She suggested that the next time the General Order is revised, the fact there are some circumstances

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where IID can look at potential criminal actions should be addressed. Another policy concern that resulted from an appeal came from a domestic disturbance call, where an individual got into a physical altercation with an officer. Officers had gone to the address many times before. However, as no one was ever arrested, there were no incident reports. The committee is asking the bureau if there is something the violence-reduction unit or the neighborhood response teams could do to flag a problem address to help before arrests are made or people get hurt.

Mayor Katz said those were recorded in the 911 calls.

Ms. Botsko said they were not flagged but the lead officer knew the address from past experience.

Mayor Katz asked if the BOEC data had been checked.

Ms. Botsko said they checked the Portland Police Data System (PPDS) and found no history on that address, which raised the question of doing something more, such as a mini-report to make sure it does get into PPDS.

Mayor Katz said that was important, to work more in the prevention mode for potential serious domestic violence and child abuse cases to make the connections and link the people up to social services before needing to write a report of aggravated assault.

Ms. Botsko said this case was sent back for further investigation because the concern was that the complainant said he specifically asked the officer what he could do to get some help and that the officer made a snide remark. If this did take place, it is a concern and could have been handled differently.

Ms. Porter said the issues they have raised may indicate more staff is needed to help with investigations and that perhaps interns in the criminal justice area could be used. She also noted strong cooperation from IID personnel, Captain Ed Davis in particular.

Commissioner Lindberg noted the report states that the IID investigative file contains no indication that an officer's complaint history was checked, as the General Order requires. The Chief's response is that this was not the correct place to resolve this concern and that the police officers' behavior in a specific case should be reviewed without the bias of other cases. Commissioner Lindberg had the impression that both IID and the Command Review checked an individual officer's complaint history to see if there were a pattern.

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Ms. Botsko responded that the complaint histories are checked after the disposition of the case.

Mayor Katz observed that this method would not prejudice the team.

Ms. Porter said the histories are technically available.

Commissioner Lindberg asked if the monitoring committee was still getting an annual report regarding the number and type of complaints against officers.

Ms. Porter said they just became aware that they had access to the information and it is a monitoring area that needs more work.

Commissioner Lindberg said a lot of factors go into the complaints and access needed to be used responsibly. He asked if PIIAC would be monitoring this in the future.

Ms. Botsko said she is working with the Auditor's Office to come up with a good way to audit the Command Review files to make sure that Command Reviews are being initiated and documented.

Mayor Katz asked if that information was now computerized and Ms. Botsko said, yes.

Commissioner Lindberg asked if, whenever someone files a complaint, their arrest history, legal trouble record or past complaints is looked up.

Ms. Porter said they were told those reports were necessary in order for the investigator to find the person.

Commissioner Lindberg thought it was odd that the officer's history might bias, but that there is a total history on the citizen.

Ms. Porter said PIIAC was told this was not used as a history, but was the most efficient way to find the person.

Commissioner Lindberg asked if the complainant filled out an address and telephone number.

Ms. Botsko answered that they do but, sometimes, it is hard to find the incident itself as the person may not remember the exact date or exact incident location. An investigator may prematurely close a case because of this.

Mayor Katz noted that this was Sue Porter's "swan song" and wanted to honor her thoroughness and sensitivity. She was given a certificate of

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appreciation for her service to the community and PIIAC.

Ms. Porter, invited to say a few parting words, said her main observation was that the committee was now in the best condition she had seen during her tenure and that Ms. Botsko was a very able staff person. She said the committee as a whole now has solid participation.

Jeff Barker, President of the Portland Police Association, said, regarding addresses, when he was at North Precinct it was concluded that 60 percent of the calls did not have reports written. The fact was that the address a caller gave for an incident would be incorrect and the report reflects the correct, not the given, address.

Commissioner Lindberg asked for an assessment of the attitude of police personnel toward PIIAC and about the pilot project on mediation.

Mr. Barker said things seem to be moving smoothly and they are satisfied that it is doing the job the voters intended. The Union's position has been to encourage officers to take part in it. Two officers who took part told him they were very pleased with the outcome and he understood the citizens were, too.

Mayor Katz said that it was not moving as fast as they wanted and it will be the task of the Union as well as the precincts to encourage the officers where appropriate.

Dan Handelman, People Overseeing Police Citizen Group, 2600 NE MLK Blvd., No. 106, 97212, said PIIAC's report was excellent and it is good that the problems found in the IID files are being addressed. He stated some concern about the limitation to the IID files. For instance, there are times when the file is not released to PIIAC for months or more than a year. He appreciated the point made about the histories of the officer as opposed to the citizen. The report's specific policy changes recommendations are also very good. He thought it is important that the policies for the street officers be addressed. The mediation policy is going slowly--only three cases in one and a half years. His group pushed very hard for that and hopes the neighborhood associations mention it. He said the only problem with the report is its technical and legal language. He hopes reports like this keep coming out of PIIAC. He asked, referring to last year's Council statement that they would review the changes at some point, if a date had been set.

Mayor Katz said she would check with Ms. Botsko on that soon. She asked Ms. Botsko if, although the officer's history is not directly in the IID file, PIIAC automatically went into the officer's history file.

Ms. Botsko said they do on appeals.

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Mayor Katz said then the issue is why it is not in the file.

Ms. Botsko said there is a check list.

Commissioner Kafoury said she was glad to see PIIAC these days which is a switch from the first couple of years she was here.

Commissioner Lindberg agreed that the thoroughness of checking complaints and relations with Police Bureau management and Union is better than ever before.

Mayor Katz agreed and pointed out that PIIAC members come from the community so the past criticism that it is an elite group no longer holds.

Disposition: Accepted.

At 2:40 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Britta Olson

By Britta Olson
Acting Council Clerk