



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **24TH DAY OF JANUARY, 2007** AT 9:30 A.M.

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

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

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

COMMUNICATIONS		Disposition:
65	Request of Freedom Child to address Council regarding police misconduct and Independent Police Review process (Communication)	PLACED ON FILE
TIME CERTAINS		
*66	TIME CERTAIN: 9:30 AM – Authorize contract with Open Meadow Alternative Schools to manage City Corps program which is designed to teach youth about city government and increase youth voice in the civic process (Ordinance introduced by Mayor Potter) (Y-5)	180742
67	TIME CERTAIN: 10:00 AM - Amend City Code regulations for sidewalk use in high pedestrian use areas (Previous Agenda 60; introduced by Mayor Potter; replace Code Section 14A.50.030)	REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION
68	Establish a Street Access for Everyone Oversight Committee (Resolution introduced by Mayor Potter) (Y-5)	36474
CONSENT AGENDA – NO DISCUSSION		
69	Statement of cash and investments November 16, 2006 through December 13, 2006 (Report; Treasurer) (Y-5)	PLACED ON FILE
Mayor Tom Potter Office of Management and Finance – Business Operations		

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<p>*70 Authorize acquisition of vehicles for use by City bureaus (Ordinance) (Y-5)</p>	<p align="center">180729</p>
<p align="center">Office of Management and Finance – Human Resources</p>	
<p>71 Change the title and salary range of the Nonrepresented classification of Occupational Health Program Administrator (Second Reading Agenda 50) (Y-5)</p>	<p align="center">180730</p>
<p>72 Change the salary range of the Nonrepresented classification of Technology Services Contracts Coordinator (Second Reading Agenda 51) (Y-5)</p>	<p align="center">180731</p>
<p align="center">Office of Management and Finance – Revenue Bureau</p>	
<p>*73 Amend contract with Cayenta Canada to authorize customer information system improvements in support of Clean River Rewards (Ordinance; amend Contract No. 35151) (Y-5)</p>	<p align="center">180732</p>
<p align="center">Office of Management and Finance – Technology Services</p>	
<p>*74 Extend Intergovernmental Agreement with Multnomah Educational Service District for participation in the Integrated Regional Network Enterprise (Ordinance; amend Contract No. 51717) (Y-5)</p>	<p align="center">180733</p>
<p align="center">Commissioner Sam Adams</p>	
<p align="center">Bureau of Environmental Services</p>	
<p>75 Authorize a contract with Brown & Caldwell and provide for payment for the design of the Oak B Basin Project No. 8300 (Ordinance)</p>	<p align="center">PASSED TO SECOND READING JANUARY 31, 2007 9:30 AM</p>
<p>76 Authorize a contract and provide for payment for the construction of the W. Burnside Sewer Reconstruction Project No. 5486 (Second Reading Agenda 54) (Y-5)</p>	<p align="center">180734</p>
<p>77 Authorize a contract and provide for payment for the construction of the Burlingame Sanitary Trunk Sewer Pipe Protection Project No. 8252 (Second Reading Agenda 55) (Y-5)</p>	<p align="center">180735</p>
<p align="center">Commissioner Randy Leonard</p>	
<p align="center">Water Bureau</p>	
<p>*78 Amend contract with Foley Hoag LLP for legal services to challenge the federal Long Term 2 Enhanced Surface Water Treatment Rule (Ordinance; amend Contract No. 36515) (Y-5)</p>	<p align="center">180736</p>

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Commissioner Erik Sten

Bureau of Housing and Community Development

<p>*79 Authorize subrecipient contract with Caritas Housing Initiatives LLC for \$300,524 to provide assistance in the rehabilitation of its community residence and provide for payment (Ordinance) (Y-5)</p>	<p>180737</p>
<p>*80 Authorize subrecipient contracts with Salvation Army and Northwest Pilot Project for \$760,600 for the continued provision of homeless services and provide for payment (Ordinance) (Y-5)</p>	<p>180738</p>
<p>*81 Amend contracts with Central City Concern and JOIN to add \$267,022 for the continued provision of public safety and homeless services and provide for payment (Ordinance; amend Contract Nos. 36995, 36861 and 36809) (Y-5)</p>	<p>180739</p>
<p>*82 Amend contract with Transition Projects, Inc. to add \$35,400 for the continued provision of homeless services for Safety off the Streets project and provide for payment (Ordinance; amend Contract No. 36947) (Y-5)</p>	<p>180740</p>
<p>*83 Amend contracts with three projects totaling \$212,000 for the provision of services in support of the 10-Year Plan to End Homelessness and provide for payment (Ordinance; amend Contract Nos. 37102, 36389 and 37104) (Y-5)</p>	<p>180741</p>
<p>REGULAR AGENDA</p>	
<p>84 Accept bid of Tapani Underground, Inc. for the South Airport Sanitary Sewer System Phase 3 project for \$3,894,260 (Purchasing Report – Bid No. 106564) Motion to accept the Report: moved by Commissioner Leonard and seconded by Commissioner Saltzman. (Y-5)</p>	<p>ACCEPTED</p>
<p>Commissioner Dan Saltzman</p>	
<p>Parks and Recreation</p>	
<p>85 Revise provisions relating to prohibited conduct in Parks (Second Reading Agenda 46; repeal and replace Code Chapter 20.12) (Y-5)</p>	<p>180743 AS AMENDED</p>

At 10:58 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **24TH DAY OF JANUARY, 2007** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees,
Deputy City Attorney; and Gary Crane, Sergeant at Arms.

<p>86 TIME CERTAIN: 2:00 PM – Accept the 2006 report on Officer-involved Shootings from the Independent Police Review Division (Previous Agenda 34; introduced by Auditor Blackmer) (Y-5)</p>	<p>Disposition: ACCEPTED</p>
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At 3:18 p.m., Council recessed.

January 25, 2007

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS 25TH DAY OF JANUARY, 2007 AT 2:00 P.M.

THOSE PRESENT AT 3:00 WERE: Mayor Potter, Presiding; Commissioners Adams,
Saltzman and Sten, 4


Commissioner Adams arrived at 3:20 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn
Beaumont, Senior Deputy City Attorney; and Ron Willis, Sergeant at Arms.

		Disposition:
87	TIME CERTAIN: 2:00 PM – Safety Recognition Day Awards (Presentation introduced by Mayor Potter)	PLACED ON FILE
88	TIME CERTAIN: 3:00 PM – Proclaim January 2007 to be Mentoring Month in Portland (Proclamation introduced by Mayor Potter)	PLACED ON FILE

At 3:28 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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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.

[The following text is the byproduct of the closed captioning of this broadcast. The text has not been proofread, and should not be considered a final transcript] * * *

JANUARY 24, 2007 9:30 AM

Potter: Before we begin we ask, how are the children? In many parts of the world when people greet each other, they ask, "how are the children?" today we have some young people coming to speak with us about some of the issues they think are important. Each wednesday we begin our city council meeting with that. I'd like to turn it over to commissioner Saltzman.

Saltzman: Thank you, mr. Mayor. Today we're honored to have three youth with us today. Eric and amy and shantelle. Why don't you come up to the table. They are children that -- I should say young adults who have been in foster care. And eric is 17 years old, attends the center for advanced learning, and after graduation he plans to go to mount hood community college to study computer information systems. Amy is now married and goes to a christian academy and has a wonderful job. And shantelle has a g.p.a. Of 3.57, is taking spanish for her second year, and -- at delasalle catholic high school. And we'd like to have them talk to us about anything they'd like to. Particularly their experiences being in foster care.

Eric: My name is eric, and I also attend sam barlow high school along with the center for advanced learning. I've been in foster care for four years. I've had one foster home and i'm currently living with the same foster mother and father. I've had the same caseworker, and I feel very blessed to have that. My experiences in foster care have been that i've been given many opportunities that I normally wouldn't have had if i'd not been in foster care. I consider my life better because of foster care. I have opportunities available to me that will allow me to make something of myself and become a productive member of the community. I also feel a lot of the stability i've had from foster care coming from a life that was very chaotic and other things, I feel that that's made me a stronger person. I feel that if the system could do what i've had, a lot of foster kids would be seen as productive people and not be labeled as these misfits of society. I also think that if given the opportunity that a lot of foster kids would jump on any opportunities given to them by anyone, whether it be the state of Oregon, the city of Portland, schools, things like that, we're people too, you know, and we feel that -- I feel that given more availability to programs and things like that, that we would become more well-rounded and better people. And the current situation with the state of Oregon and d.h.s -- I do read these things, I read the paper, I watch the news, I feel that if any way possible to help that, that would be the greatest thing in the world, because as you know, there are a lack of foster parents and foster homes. It takes, you know, a lot of crossing the t's and dotting the i's to make sure you have good foster parents and good foster homes. And I just feel that if you could help in any way, that would be highly appreciated. I feel that what i've been given is more than anything I could have ever wanted in my life, and I thank you for allowing me to speak to you today. Thank you.

Amy: My name is amy, and I went to cape romano about 10 years ago. I went -- I have two other sisters that went there as well. My first home was with my biological aunts and then I went to a children's home for a very long time. I was placed into many counts, I really can't count. I ended up with a family for about six years and stayed with them until I was 18, and now i'm married and I

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go to christian academy and I have a wonderful job. I felt like being in care, because nothing was really ever explained to me and why things were happening, so I think communication is a big, big key between the foster family, the child, and the caseworkers. I did like the system because they tried to place me and my sisters in the same home. That was really important. I like the fact there was a lot of resources and information on becoming independent because when you're -- when you feel like you've been ripped from your family, it's scary, oh, my gosh, the big, bad world. I also feel like they have given me a lot of information on financial stability on how to better myself as far as better education, they've given me a lot of good resources, and I appreciate the independent living program. Thank you guys for also letting me come and speak with you today.

Shantelle: My name is shantelle, i'm 16, and I attend delasalle north catholic high school. I'm a community and admission ambassador at my school. I help plan events at my school and I go to other schools to talk about delasalle. I'm also an honor student, I try my best to get good grades, I have done a lot in the past two years since I moved in with helen pittman. She has taken my sister and me to seaside and canada. I've been to so restaurants, she has given me so many experiences in my life. Last summer I went to a leadership conference for a week. It took place at st. Mary's college in california. I learned new things and met people from all over the world. The people there go to a school like dela sell, you probably wonder why i'm telling you that. The reason i'm saying this is because so many people are judged foster children and I have heard people say to me or about foster children that foster children need medication, they're not smart, they're ungrateful, and they won't do anything with their life. If you look at me, i'm a great example to tell you that's not true. I don't fit those descriptions. I have two sisters and one brother. And we're all in foster care. I live my sister and the two youngsters live together. I've been foster care for six years, and my first home I was there for four years and I don't know why we left. On june 24, 2005, my sister and I moved with helen pittman. I'm able to talk to her about my life and she shares her life with me. Life with helen is so much better for me. Helen has brought joy and happiness to my life. I want to discuss some things that are negative and positive about foster care. I think no matter what the circumstance is, foster children need to know the truth. Which means caseworkers and foster parents need to stop beating around the bush and tell the children the truth. I believe people shouldn't label the foster children. Some positive things about foster care, I have a wonderful -- peggy and phil were good people to me and my siblings. Peggy helped me get into delasalle, phil helped my were and sister with their school work and he got all of us big brothers and big sisters. Both of them have a big impact on my life. They gave me everything I needed. Last but not least, I think there should be a program where former foster children and foster children today should get together to talk. That should happen because my first -- when I first entered foster care I thought I was the only foster care, but there are thousands. Foster children to be able to talk to people that can relate to them. I know I did. I would like to talk to people about my life. Especially foster children. Foster children means support and love and i'm willing to show them that. Thank you for allowing me to speak to you.

Potter: Thank you all. Could you introduce the people that came with you today?

*****: From the independent living program, bonnie and larry, and october.

*****: And I got helen pittman, phil and peggy spears, and mr. Hellscamp, the principal at my school.

Potter: Thank you all for being here. And thank you very much for your eloquent statements.
[applause] [roll call]

Potter: I'd like to remind folks prior to offering public testimony in city council, a lobbyist must declare which lobby can entity he or she is authorized to represent. Please read the first communication.

Item 65.

Moore: She called and she's not able to make it.

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Potter: Ok. That was the only communication.

Moore: It was.

Potter: We'll go to the consent agenda. Do any commissioners wish to pull any items from the consent agenda? Does any one from the audience wish to pull any items from the consent agenda? Please call the vote.

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

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

Item 66.

Potter: This project is designed to teach you about city government and increase the youth voice in the civic process. The program is managed by staff from open meadow alternative school, and will run from february-december of this year. The project involves 40 youth between ages 16-21. These youth will be placed in city bureaus working a three-day week over a six- to 10-week period. Open meadows staff and youth participants work to fibro-s to describe the scope of appropriate issues to be addressed by youth. Last year open meadows conducted a pilot of this program working with the Portland police bureau, Portland water bureau, and the office of sustainable development. Students help to identify ways to break down barriers between police and communities of color. This is exactly the type of problem-solving and engagement city hopes to foster with the development of our bill of rights for children and youth. City council approved funding for this program in the fall 2006 bump as part of its commitment to adopting our bill of rights for children and youth. In the bill of rights, children describe their right to accommodation for learning abilities and aptitudes, their right to preparation for the future, and their right to have a voice in their education. This program supports each of those rights. I'm proud of the city support for the rights of youth and children, but also the commitment to keeping the promise alive by supporting programs like city corps. It's an excellent way to engage our youth in the city and groom them to become future leaders in our community. Please proceed.

Yvonne Deckard, Director, Bureau of Human Resources: Good morning, mayor.

Commissioners. I'm yvonne deckard, director for the bureau of human resources. I'd like to introduce andrew mason, director of open meadows alternative schools, and two students who participated in the program last year. Crystal and celine. They'll tell you a little bit about their experience in just a few minutes. This will be the city's second year of participating in the program. In the first year the program was funded by a grant through work systems inc. The grant money is no longer available to support this program. By adopting this contract for \$125,000, council acknowledges the value of the program as well as recognize the importance of youth voices and contribution to the civic process. Some of the projects -- youth participated in last year was working with the police bureau to identify ways to increase minority, ethnic minority interest in law enforcement careers, working with the office of sustainable development to reduce waste in downtown litter receptacles, working with the bureau of water to identify ways to involve youth and water conservation, working with the parks bureau to create a gain which -- a game which will link older youth and middle school youth -- and working with pdot to conduct traffic calming studies. Each of these projects include an instructions and problem-solving and presentation skills with students used in making their following reports to bureau management and to the city council. The deliverables under this contract include we will work with 40 high-risk youth to -- we'll participate in the program. Participants will maintain an 85% attendance rate to encourage successful participation in the program, students will receive incentives in the form of stipends, field trips, and gift certificates. Participants will make five presentations to bureau management and to the council. One, the first will be the spring, two, over the summer, and two in the fall. 24 youth will also receive .5 high school credits for successful completion of program course work. At this time andrew would like to address the council and crystal and celine would like to talk about their experience with the program.

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Andrew Mason: Andrew mason. I want to say thank you very much for supporting the project. At open meadow we were looking to engage youth who have experienced some kind of interruption in their education for one form or another. We want to educate and empower them to become the leaders of tomorrow and we believe that this project really embodies that and embodies the goals of alternative education which is I think occasionally looked at, there's a misnomer that alternative education is a less than, and I appreciate that you're looking at it as what it is, which is a different path to getting to the same bar everyone gets to and needs to get to. So I thank you very much for your support. We've really -- our students have really enjoyed the participation with bureau chiefs, with bureau staff, with the council, and we look forward to another great year over two dozen students participated last year in this project and three-quarters of them were not in school prior to their participation in the project and were afterward. So in terms of engaging the population, looking for ways to enowe be engaged, this certainly did that. Enough from me.

Crystal: My name is crystal, I go to open meadows high school. I did city corps this last summer and my group has the privilege of working with the water bureau. With sara and briggy. We learned so many amazing things from them. We luckily have the experience of sharing our knowledge with s.c.i. We got to teach a class there. And put together the projects and whatnot. And we all changed our habits, at least I have, taking shorter showers, turning off the faucet when you're brushing your teeth, such things. I learned so much, and it really allows you, city corps, to step outside the box and actually hands-on stuff, work with problems and real problem -- real people, and bureaus, and such. And i'm so honored to actually be a part of that, and I want to thank you for your support. Thanks.

Sheleni Dust: My name is sheleni dust. I had the opportunity and the privilege to work with the police bureau while in city corps, and i've learned so much. Because of this organization i've successfully graduated school and had the opportunity to meet kevin and larry of the police bureau, and I have also had the opportunity to work with joe ann bowman in helping youth and police come together. Working with city corps has changed my life dramatically. I don't know where i'd be without them. I definitely would have not graduated. Definitely would not be able to meet you people and be able to be here speaking with you. Thank you for everything. Thank you for your support. Thank you for helping us, and hopefully I want to see more kids here where I am. Thank you.

Deckard: Are there any questions from the council about the contract or the project?

Saltzman: It's a year-long contract, and the kids work three days a week? For six to seven weeks -- six to 10 weeks.

Deckard: It will be a year-long project. It will go from -- it will start and go at least through december 31 once this is adopted.

Mason: It interface was academic classes on the alternating days.

Saltzman: I remember your support from last year too. It's good to see you back here, and your praise for the program.

Potter: Perhaps you could tell us how the program is selected, how the youth is involved.

Mason: We're here before you and I would offer the invitation, and we did this before and it worked successfully in terms of hearing from bureau chiefs about what projects may be of interest of value, and where students may have an impact. And I think that's -- we want to find a scope that's appropriate, and a scope that's also very relevant to what a bureau is working on. And so we're there to do real work. So I will extend that invitation now and say that in terms of how we're identifying bureaus, if there's a project that your chiefs are interested in doing, we would love to get involved with you. I will leave my information. In terms of them, the youth, we're doing presentations to a variety of alternative schools and work force development programs throughout the city, so it's a citywide project where we're working with the downtown homeless youth continuum, and other work force programs and having students apply and advocate for themselves,

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making sure this is something they're wanting to do and feel like is important for them in terms of where they're seeing themselves going.

Potter: I know the police commissioner, the members of the police bureau really enjoyed and learned a lot from you folks in the interaction. So we -- I appreciate you choosing them is one of the projects.

Deckard: We believe from h.r. standpoint we believe this type of program also ties into our summer youth employment, our ability to mentor youth, and to get them introduced to not only the civic process, but the process of Portland as an employer and all of the opportunities that we can offer to them as they move through life and become self-supporting. So it's one step in many that we're looking at, mentorship programs and education programs, and youth employment programs in order to move us forward.

Potter: Further questions?

Deckard: If no further questions, the last statement I have, I recommend the council approve the contract by adopting this ordinance.

Potter: Thank you, folks. Thank you very much for coming. Do we have a sign-up sheet.

Moore: We did, but no one signed up.

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

Adams: I want to thank you for spending time with us in city hall to tell us about your experiences and thank the -- your leader. I also want to thank evonne. I know this is a project of personal passion for you, so I appreciate that. And my thanks to commissioner dan Saltzman for bringing this forward. I think with the mayor last year, year before, and continuing to care and feed for it. It's a great program. Aye.

Leonard: Thank you. Aye.

Saltzman: Great program. Aye.

Sten: I agree, and andrea, I wanted to congratulate you in hiring karen bellsy, though i'm not all that happy about it, I think she'll do terrific. She is one of our staff who is moving over to open meadows I think at the end of the month. Congratulations. She's terrific, and very passionate I think about getting into the school, so it's a great thing for everybody. Aye.

Potter: I want to thank open meadows and the students who participat in this. I think not only it helps them at this point in their lives, but in their future lives. I would like to see some of these folks come back and work in some of the bureaus that they actually spent time at. I think there would be wonderful additions to our city. So thank you all for doing what you do and to the students in particular. Aye. [gavel pounded] please read the 10:00 a.m. Time certain.

Items 67 and 68.

Moore: Shall we read both items?

Potter: Go ahead.

Potter: This is a second reading for the sidewalk obstruction ordinance. Because we held the vote over previously, the council will hear public testimony on this issue. I want to let everybody know I am submitting a substitute resolution, charging oversight committee with specific instructions that will ensure the necessary services are available to the public prior to enforcement of the ordinance. Some of these safeguards are in place already. Some are funded midyear, and are on schedule to be built as we speak. For instance, the julia west house expanded its hours from eight to 48 hours on january 20 and can accommodate up to 240 people per day. A second location will be open by the end of february. February 10 a restroom on southwest fourth and clay will open and another on southwest ankeny and park. The plan is to have six facilities available to the public by june 30. The restroom committee will actually update us later this morning. We're also proceeding with a plan to begin installation of the benches. I recognize this is an important issue to everyone as a police commissioner. I will make sure that enforcement of the ordinance will not commence until I am satisfied that enough elements are in place to make this effort successful. I want to

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acknowledge the hard work and long hours spent by the work group, community, civic, and business groups to get us this far. Later this morning we will officially establish an oversight committee to monitor the implementation process, monitor enforcement of the ordinance, and recommend changes when necessary. We'll also receive an update on where we are with the other pieces of this agreement. Folks, please come forward. Mike is one of the cochairs.

Mike Cukendall (spelling?), Vice President, Portland Business Alliance: My name is mike, i'm vice-president of the Portland business alliance. I'm also a member of the safe work group which was established last may. And that spent six long months working on some recommendations for council as to how we could improve the livability of all of Portland on our sidewalks and streets. And we made some recommendations to council that were approved back in december, and we want to thank you once again for that. I do want to apologize for my copresenter this morning, monica is out with a very serious cold. So she sends her apologies. I've been asked briefly to discussion with you the resolution, so I want to tell you that discuss -- one of the five core recommendations from the group was in response to a lot of concern from the members of the work group as to whether or not these recommendations would be implemented as a total, that they would all go forward together. What kind of oversight would be present for that. So our fifth recommendation as you might recall was to have council create an oversight committee. I have been asked to cochair that with monica with a list of seven or eight other individuals. And I think it's a great idea. I think it will serve a proper function for us to be able to report back. We're going to meet at least quarterly, but properly monthly to start and report back to council periodically with our recommendations as to how implementation of the work group recommendations are going forward. So i'm happy to participate if council passes this resolution, and behalf of monica and myself and all the safe work group, this is the right direction. We think it's great public policy to keep an oversight for this particular group of recommendations, and we're happy to assist in any way we can.

Potter: We're going to be voting on both the ordinance and the resolution today. Did you have any comments in terms of how the ordinance was developed?

Mike: The ordinance was developed over a series of months as well. One of the key examples we came up with in the groups was seattle's ordinance. The same tenets that apply in seattle apply in this one. That indication went up to the ninth circuit court of appeals in 1999, affirmed by the court that the city did have a right to a reasonable, time, place, and manner, restrictions on the use of sidewalks and high-pedestrian areas. So we believe that really served as a good model for us. We then talked about different nuances of the ordinance, we met extensively with the city attorney, we had briefings from the district attorney, from the aclu's office, from the Oregon law center. Of course all the members of the committee were able to participate in the process. And we believe that we are bringing you an ordinance that is to the sakes of most of the group. There's a little concern about a couple of the nuances that the aclu I think has expressed to you. I don't believe those are shared at all by the entirety of the group. I think the aclu's mission was to bring up those two things. I know that I met with dave and larry, they did not feel they would rise to the level they would cause any difficulty constitutionally or with the courts. And so we're satisfied with the recommendations that we made about the ordinance. We'd like to see that be passed again at the second reading today.

Sten: I have a couple sentences of context. The safe package is a package that we're going to work on the high pedestrian rule, and restrooms, benches, and a day access center. So I think the council's discussion was I believe in sync with the committee's work in saying that the intent is to enact all these things as a package, that they go together f we're going to start pushing more on the sidewalks we need places for people to go. That's the whole point. So I had not thinking there would be any problems, but having over the years found it's better to be explicit than assume there's not going to be problems, had been trying to come up with a way to say if we pass this ordinance

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today, we're not going to start enforcing the law part until the rest of the package is in place. So the mayor came up with I think what everybody has in extra be it further resolved that I think makes a lot of sense, that essentially says that the oversight committee will be tasked to certify to the mayor that the -- they access three conditions, centers capable of the functions called out, there's at least three restrooms open in the high pedestrian traffic area, and that we -- at least six benches, and those are the minimums. We're going to strive to do more than that. But those are at least have to be in place. That I think really satisfies my concerns. Question would be is there any reason not to, what i'd like to do, i'm trying to work on the -- off the cuff here, I would propose adding that exact same paragraph to the ordinance so that it's parallel language in both. So if anybody picks up the ordinance somehow they would see the exact same paragraph that says be it further resolved. We might have to change the first couple words to firth so that it would not be enforced until these things happen. Given the ordinance is law and resolution is policy.

Mike: Might I have an opportunity to comment on that? If I could. Both during the course of the six months and my many meetings with the city attorney and lori abraham, the neighborhood d.a., and also with my background as a prosecutor, when you have an ordinance like this and you set up what this would be, which is a condition precedent before enforcement of the ordinance, and it's actually in the ordinance, what that requires as the prosecutor's role during the case in chief is to prove not only that the person was given in this case the warning, was given the citation after the warning was given, but when you went to court in front of the judge, the judge is going to require that the prosecutor prove that the condition's precedent were met as well, otherwise the ordinance should not have been effective. So it would force the prosecutor to prove we have adequate bench seating, which is -- i'm not sure how would you phrase that, but that there's adequate bench seating which is the recommendation from the committee, that there's adequate public restrooms and the day shelter has capacity for I believe 150 was our number. So the d.a. Would be forced to bring in evidentiary proof to that effect either from members of safe or city council or city attorney's office. I think that puts the d.a.'s office --

Sten: I want to clarify what i'm saying. I'm struggling on this one. I'm not saying I think the ordinance should stop being enforced if somebody vandalizes one of the six benches and we have five, what i'm saying is it shouldn't come into existence and be enforced until those conditions are in place. I would think it would be a relatively easy matter to give the d.a.'s office a already from the - - a letter from the mayor saying these are in place. And maybe a picture of them if the judge doesn't believe it, and make that criteria. I get that argument, but --

Mike: The things you describe would be hearsay. The d.a. Would not be allowed to introduce those under a criminal -- they would have to bring in live testimony typically, a document --

Adams: I have suggestion. We have the ability to make resolutions binding, and this could be amended so it was a binding resolution. It's my understanding. We now do both binding and nonbinding resolutions. We could make this binding. I'm not sure fits better or worse or gets to what you're after. I do support what you're trying to achieve here.

Potter: The city attorney's office wish to make a comment?

Ben Walters, Sr. Deputy City Attorney: To the extent that what -- the council seems to be getting at is a question of when will the ordinance become effective in terms of enforcement. The concern is delegating legislative authority to an entity other than the council. In other words, triggering the effectiveness of the ordinance to the advisory committee and then the advisory committee making the determination that the ordinance can go into effect could affect the validity of the ordinance. So --

Adams: So you are able to say we didn't really mean it?

Walters: No, I don't think that's anybody's intention. What i've been consulting with deputy city attorney Woboril about is having the advisory committee make a report to the council and the council by accepting the report then that would become the triggering event for the ordinance going

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into effect. So the ordinance could be adopted, but it would be in effect put into a advance for the council accepted the report. We're going to have to think through how that language would be drafted. But it seems like that captures the intent of the council without creating a question as to the validity and then it would be -- it would be a proof problem for the district attorney's office, because those elements would not be put into the ordinance itself. It would just merely be a subsequent council action by which the council ratified and in essence released the ordinance to go into effect for enforcement purposes by the police bureau.

Sten: I don't have any problem with that.

Walters: I will work with mr. Woboril on language to go into the ordinance for that effect.

Potter: So when will you do that?

Walters: I'm going to step aside right now.

Sten: Real time.

Potter: Go ahead and proceed.

Maria Rubio, Mayor's Office: Mayor and commissioners, my name is maria rubio, i'm public safety policy manager. I apologize for our lateness. Our cochair for the oversight committee is ill, monica from the Oregon law center, so sends her apologies for not being here. But we did want to provide you with some updates on what we've been doing so far on implementing some of the other elements of the agreement with the project. We were fortunate that there were other people other work already that had to do with this ordinance and with the recommendation from the safe group. With the financial support of the Portland business alliance and the work of bhcd, we've been able to work on the day access center with the group that is here today to update us on the restroom implementation process. We are able to -- we have been able to do some work on that as well. We are work weekend another group who has done some work on public seating and benches, and we will be working with the oversight committee to implement some of those and to develop a plan for that. I'd like to turn it over now to the implementation team on public restrooms.

Carol McCreary: This is carol mcreary, and sally noble. We're cochairs on the public toilet implementation team. And we would like to thank you for the opportunity to work on this issue. In the context of the safe initiative. We're a collaboration of 15 people, including Portland parks, pdot, pova, the Portland business alliance, tri-met, central city concern, city repair, p.s.u. Relief works, flesh, and also various neighborhood association members. We meet second and fourth wednesdays at 2:00 p.m. Here at city hall. And i've passed out our goals and work plans sheet. I don't know if you -- did you get that?

Potter: Yes.

Sally Noble: Great. I'd like to highlight and define the goals we've stated. They are to increase the number of safe, clean, accessible restrooms available for public access in the central city and to evaluate effectiveness, strategies, and operations. This is how -- what we propose. Make six restroom facilities available to the public by june 30. That would be three existing and three new. Increase access to restrooms and privately owned buildings, and recommend a city council next steps and policy. The specifics of what we've accomplished so far in our plans, first we've currently three closed or inaccessible restrooms were working to open by february 10. And those are on southwest clay at fourth in the parking garage. In ankeny park on west burnside and southwest park, and we've allocated \$53,900 to Portland parks and rec to bring this facility to a usable standard. An additional facility is being explored, we're talking to different parking garage owners and open to ideas on that. Second, design and preparations are in the works to implement 30 innovative pilot restrooms. In addition to the building projects is a plan to develop an attendant management program and study the results of the differing components. Third we're working to make restrooms visible to inform the public about them. With pova, tri-met, and we're needing to discuss with powell's as well, we'll put restrooms on the maps and any other appropriate maps. With pdot we would work with them to include these rest rooms make a visible signage on their

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way finding signs. And also appropriate consistent silent strategy for -- signage strategy for all existing restrooms. Our outreach and public awareness involves these things. We'll be having conversations with various stakeholders about the public's right to restroom access. And to increase access to privately owned restrooms. We'll ask downtown retailers to replace no public restroom sign was indications of distance to closest facility. And with your help we'll encourage elected officials to open restrooms in county and state buildings. We'll report back to you and the public, create web pages with information for public input and submit a report by mid july with practical options and policy recommendations. Thank you for your time today.

Potter: This is a really important step, the restrooms. And it's not just for homeless people, it's for anyone. And I think being that we want Portland to be a user friendly city, I think it's also going to be a great thing for our tourists that come to this community. One of the things I would like you to explain further are the pilot attended restroom programs, what you're going to do with that.

Noble: We're actually later today discussing partnership with central city concern and city repair to build and manage the three new parking -- 3 new public restrooms we would build as pilots, have them be buried enough to study the styles that work. So it's not decided yet as the team has to approve that. An attended person would have a job, they'd get paid through central city concern to man the booth and we came up with this idea because of the issues in seattle, they're having -- they had a.p.t -- automatic public toilets put in and they didn't have any attendants and now they have huge lawsuits and they're in major -- having major issues with that. So we feel if a person is with the toilet, the safety concerns, the concerns that we found talking with local citizens are covered in that way. So that person might even have a key, there would be two shifts, we're work ok a managing two shifts of workers, we're coming up with budgets for that in this meeting today, this afternoon.

Potter: Do you want to say anything?

Carol McCreary: Perhaps just add the idea that -- i'm carol mcclarey, who is cochairing this effort with this very fine group of 15 people from public agencies and activists from the community. As was stated in the p.s.u. Relief works report to the office of the mayor, which is guiding our process, we would like to look into colocating time aye little businesses with restroom attendants so many of the designs that are popping up, and they're really beautiful, designs, have the stalls and then a counter, or a little kiosk that could be used for distributing information about tourism and about available resources, or it could be used possibly for selling cold drinks or balloons or who knows what. That we'd look into. One other thing that was -- this group, city concern in collaboration with relief works is looking into plumbed and nonplumbed toilets. City repair, i'm sorry. One of the innovations they've come up with with a pilot project is to build something that could indeed be adopted as a permanent model. But rather than the expense of plumbing it, test it out with port-a-potties inside, but make it so attractive that it actually is a model for a long-term solution.

Potter: I think if anybody could pull it off mark and his group at city repair can. Questions? Thank you folks for being here. Do you have a list of the folks?

Mike: We have a very diverse representation on this group. We wanted to represent all the different entities that might be affected by the recommendations from safe. So as I mentioned before, monica from Oregon law center, I have been asked to cochair the group. Carol mcclarey to my left from old town-chinatown neighborhood association, as will richard harris from central city concern. Jenny nelson from sisters of the road, mark hanson, who is the head of security for lloyd center representing the lloyd center folks over there. Aaron babby, director for sales and marketing, will represent the downtown business community. Lori abraham from the d.a.'s office, mark joe len from join, has agreed to join us. Patrick nolan, a person who has experience with homelessness, will be sitting on the group to give his perspective to us as we move forward. Mike reece in his capacity as commander, dan from new avenues for youth has agreed to join us as well representing

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from the public defender's office whose name is to be determined, and we invite all council and staff members as liaisons to the group as well. Thank you.

Potter: Is this also one where we invite the aclu to participate in that committee?

Rubio: Yes, we will be.

Potter: We appreciate all the hard work you've conto get this up and going, so to speak. Should we go ahead and hear the testimony, or do we have an amendment that could be heard?

*****: [inaudible]

Walters: Ben walters, city attorney's office. David and I went out and have developed some language. He's upstairs preparing it, getting it put into written form, and with copies to be distributed and available for folks here in attendance to review, and comment on. So he should be back down in a few minutes.

Potter: Ok. Thank you. We'll go ahead and proceed with the testimony. We had a sign-up sheet?

Moore: We have four people signed up.

Stephen Edlefsen: My name is stephen edlefsen. I definitely think this shouldn't passes. I heard they'll be voted on together. I like being able to sit within two feet of a building. I like being able to sit on the sidewalk as I wait for the bugs. And it seems reasonable to be able to sit next to a building. I suppose that's all I have to say. I am on the oversight committee. I'm worried even talking about it could be a bad thing. If they're really to be vote order together, it's a moot point. It seems kind of ineffective possibly a waste, but it has a lot of promise and potential I read some things I didn't like, that made me want to not think about it and push it aside. It seemed essentially a good sieve, or a funnel for the board and for the mayor. But it also seems superfluous, a thing you gentlemen would be doing daily and that your staff would be doing and possibly other people have similar jobs already too. I really hope they both don't pass, independent of whether or not they're vote order together. I found enough in the second I didn't like. I thought maybe it better to revise it or just put it aside.

Dan Handleman: I'm glad there's movement toward adding the language in the city code regarding the five elements, but our -- the little research we've done about this is that until at least one place where they promised there would be a day center for day laborers, and then they enact as sidewalk ban, the day laborer center shut down because of lack of funding and the sidewalk ban was still in place. So I would think that it would be useful to put language in the code that says that if for any reason anyone of these five elements is permanently shut down, that this is no longer enforceable. And i'm really hoping that you don't bother to pass the ordinance today, it's not going to go into effect until a few weeks when all the restrooms and everything else are available, and maybe you can do some more work on getting the language fine tuned with the help of the city attorneys, perhaps. And another thing that I believe the work group asked for was warnings be given to people would be written and I believe that's also not part of the city code the way it's written right now. And i'm not sure what the reasoning is behind that. I'm a little concerned that the fear is that they're not going to be able to win a case in court. It seems to me once you've gotten somebody off the sidewalk, given them a ticket, made them come in, I understand it's going to be community courtney way, if you really are interested in convicting them, they've already been inconvenienced, they're already off the sidewalk and they probably learn their lesson. So a lot of the time this -- the existing state law has already been used to move people around anyway and there have only been 11 convictions in two years since they passed the last sit-lie. I think it would be worth while to put some more safeguards in there that this will not go on if any of these five elements disappears. I'm also hoping I misheard commissioner Sten when he said the number of benches is six. That's the number of benches that you're saying is adequate to --

Potter: That's starting out. We're going to add more working with that bench committee by june 30th of this year.

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Handleman: If the ordinance is not going to go into effect right away, I hope you'll postpone adoption of it until these other elements get met. Thank you.

Andrea Meyer: Mayor Potter, members of the council, andrea meyer, legislative director for the -- while i'm here to testify in opposition to the ordinance, I want to reiterate that aclu fully embraces the mayor's work and the task force. It was innovative, we fully participated, and as my testimony which was read by monica when you had the first hearing indicated, we embraced all parts of the report, including the concepts of the ordinance set forth in the report, and that's why i'm here today having now seen the actual language of the report, of the ordinance, opposing it. Our concerns I want to say are not, is this constitutional or not. Our concerns are, does this contain the principles that we set forth in the report and principles that we think are the right direction for Portland to go into. As we move forward. As anyone on the commission -- on the task force will tell you, I was very concerned about language. I was often questioning and very much focusing on the works of this report. And that's important to us because this is a very complicated area, and one that we're sort of going out on a limb in terms of providing support to an ordinance, but was critical to us in that regard was particularly the benches. So that folks right there, where they were being informed they could not sit or lie on the sidewalk, would have the opportunity to have access immediately in that vicinity. But I want to direct you to the report. The ordinance goes beyond sit can in line on the sidewalk. In our report on page 7 we said, let the obstructions as nuisance ordinance expire and enact a high pedestrian traffic area ordinance. Quote -- a high pedestrian traffic area ordinance would have the following characteristics and oversights elements. Number one, no one will sit or lie down on a public sidewalk during the hours between 7:00 a.m. And 9:00 p.m., as defined bite high pedestrian traffic areas. Sit or lie down on the sidewalk. Unfortunately when I finally saw the ordinance, it goes on to include chairs and stools. So it's not something that the aclu would have ever concurred with if it had been reflected in the report. Likewise the report contained embracing language about free speech and we support that. It's not an issue of whether this is constitutional or not, it's an issue of signing on to an ordinance and embracing free speech concepts. As my letter of january 16 reflected, we have concerns about the exceptions as with language requiring that people have a permit to be on the sidewalk, or that more than one person gather to engage in lawful speech activities. We urge council to fix these flaws, we think it doesn't fully embrace what I think you all hold in terms of principles of free speech protection. While it will be an issue of form, our concerns today are embracing language in an ordinance that we can stay on with you all in terms of the whole package you've done. So I appreciate the opportunity to testify. And i'll be happy the to answer any questions that you have. And thank you again for the opportunity to participate in this process.

Sten: I have --

Adams: I have a question. Just so i'm clear, you're ok with saying prohibitive behaviors defined to include lying down on a sidewalk or on a blanket, or another object placed on the sidewalk, but you would just mentioned you object to the words "chair" and "stool."

Meyer: As my letter indicated, it's worth -- it's -- the concern we have is the chair stool or any other object placed on the sidewalk a. Chair and stool --

Adams: You're ok with a blanket?

Meyer: Yes.

Adams: If they're sitting on a blanket, you're ok, if they're on a chair, a stool, or a tree stump, or whatever, a box, you're not ok? I just want to understand your --

Meyer: Let me -- hopefully i'll answer this. When we were having discussions in the group, I often said, you're talking about sitting and lying on the sidewalk, not if someone sits on a fountain or a wall or anything else. It's sitting or lying on the sidewalk. I was told over and over that that was the focus. Now, a blanket technically may not be sitting on the sidewalk, it's sitting on a blanket on the sidewalk, but i'm comfortable including that language. To us as we move to benches and stools, regardless of whether they're city provided or not, the purpose was folks who wanted

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this ordinance didn't want people sitting and lying on the sidewalk. I want to be clear, that if you lined up benches and stools or people standing, so that you could not pass along a sidewalk, we would not support that. The sidewalks aren't and to allow people to flow back and forth. And ingress and egress. And anyone --

Adams: I'm having trouble why you would be against people sitting on the sidewalk but you would be for them sitting on the same place like 15 inches above the sidewalk, why that distinction to you is being made.

Meyer: The aclu is not opposed to anyone sitting on a sidewalk or lying on a sidewalk, as part of our working on a compromise to a concept of a larger package, we agreed to support an ordinance that limited people's ability to sit or lie on the sidewalk as long as there were benches right nearby so that they could be present on the sidewalk.

Adams: My point is what about them sitting 15 inches off the sidewalk makes that important to you? If they're sitting on the sidewalk, you're willing to accept, that but you're not willing to accept a prohibition if they're sitting on a stool or chair, even if it's on the same same place?

Meyer: Correct.

Adams: I'm trying to understand what those 15 inches, what difference the 15 inches and the structure that is between a person's body and the sidewalk, what difference that makes to you. I understand there's a compromise, I understand all those things. I'm trying to understand why those 15 inches and whatever stool or a chair -- why is the distinction important to you all?

Meyer: I will -- i'm trying to answer your question. I'm not sure I have been doing that adequately or this will take care of that. But again, please I understand our -- our concept is we don't oppose any of that, and so when you're looking at what activity -- when we're look at what we're going to punish and what we're going to restrict, we want to be as very narrow as possible. We don't think you should be sanctioning anyone from lying on a bench or sitting on a chair. Of but what we insisted on if you're going to make something a violation, it needs to be as narrow as possible. What was told to us was what we really don't like, the proponents of this, what we really don't like is people sitting or lying on the sidewalk. So the definitions came from the work group and the discussions. And my -- our understanding and our signing on came to the focus of what is the concern. The aclu does not support enforcing against anyone as long as they're not blocking people's ability. So we -- so commissioner add amounts, where we draw the line was where we heard the concerns of those who wanted an ordinance. We then considered that and evaluated that in our decision whether or not to support the whole concept and the benches. So it was a very important package of all these elements still a very difficult issue for us to ever support an ordinance in this manner. So when you start removing and adding a chair and a bench here, you begin to unravel --

Adams: I'm not talking benches. No one said anything about benches. It says chair or stool.

Meyer: Or any other object, which would be a bench.

Leonard: Maybe I can help out. When I heard you raise that objection, I immediately assumed the concern was when you're sitting in a chair you actually take up less space than when you're sitting on the sidewalk. I mean --

Meyer: Mayor Potter, commissioner Leonard --

Leonard: I don't see it as just a 15-inch difference if you're sitting on a chair I would almost think that would be more acceptable than sitting on the sidewalk because you're not stretched out extending into the sidewalk.

Meyer: I have to infer, the proponents of the ordinance can speak for themselves, what I kind of inferred during our discussions was for lack of a better words, these are mine, not theirs, an aesthetic issue of making this downtown Portland inviting and that it was less inviting if people were sitting and lying on the sidewalk. And again, I questioned and reiterated over and over again we're not talking about other objects and enforcing this against where people are. As long as there's

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access and ingress and egress, that people can be present. And I heard over and over again it was sitting and lying on the sidewalk. Truth be told we didn't discuss that in detail, what's wrong with that. So i'd rather let them speak for themselves. I can only infer it was some sense of people feeling they could more easily flow and walk around if people were sitting and lying on the sidewalk. Benches, chairs, stools, as long as they are not set up in a manner to block -- could you do that with people standing together, all six of us met on the sidewalk we could make it impossible for someone to walk around or go in the street. That should be enforced. But I think that can easily be enforced by, you need to break this up.

Potter: The problem I had when we had this discussion and you with my staff, is that there's no -- if you take out that restriction, they can actually put the chair or the stool anywhere on the sidewalk. Not next to the building, but anywhere on the sidewalk. And there's no way to force that unless you can demonstrate there's an obstruction of traffic in terms of people having to go out into the street where it's unsafe.

Meyer: I think -- I understand that, I don't think by removing that language you're supporting people plopping chairs and stools, and I don't see a lot of folks having those here and there. But we run that risk with our downtown streets with all sorts of ways people are present standing. You have the same issue whether you're standing, and I could stand still and hold a sign and protest as long as i'm not sitting down, and if i'm one person that would be inappropriate. If I was two of us we could. I could stand still and have the same effect and I would rather in the kind of the concepts that was -- with the oversight that we err on the side of embracing rather than being too restrictive. I would have preferred we put the language that does not include in the ordinance, and see how it works. I suspect people are asked to just move their chair or move their stool to one side of the other, they would likely do it. Most folks when face with law enforcement or the threat of law enforcement are going to comply anyway. I think it was discussion and hope that this tool alone would be the pourer enough without having to issue citation or warnings. And in the spirit of what we've done for the last year on this would it have been my hope that we see what happens. See if people are really taking -- bringing down a chair and plopping down in the middle of the sidewalk to interfere with pedestrian traffic. And I would think law enforcement, whether they can issue them a ticket or not can certainly say can you move it, just as we hope they'll say, you're lying on the sidewalk, there's a bench over here. Can you sit there?

Potter: Further questions? Thank you, folks.

Teresa Teater: Good morning. Theresa teater, downtown citizen advocate. I do an awful lot of observing downtown, and I think kind of what you really need to relook at this thing is it's not the height, and it's not the person, it's what they're doing. It's the activity that you need to regulate and how you're doing the activity. Constant complaints is the people being aggressive about panhandling in front of Carl's Jr., my noticing certain ethnic groups hang out by a certain a.t.m. Machine at fifth and Yamhill selling drugs on the max line. They're not sitting down. They're standing. And it's the activity that's enforced by law to be arrestable. Things like that. And they're not sitting on benches because there aren't enough to sit on, etc. The first time this was brought up, also there was a question about if these folks were going to receive a written warning, and I don't know if that's been amended in here or not, the written warning, and I also i'd like to give you a thought, Kurt the saxophone player, the downtown musicians, Kurt sits on a bench because he's old to play his saxophone and he puts his music on a stand. You've got statue man who has a permit to have his business in front of Pioneer -- the mall downtown and he stands on his box, which also doubles as his money stash when he goes on lunch so he can carry his money around that he collects. These type of items on the sidewalk, he is standing on this. So he's within his two-foot range. I'm an antiwar protesting grandma, and if I don't happen to be near the pile of picket signs or whatever we're using within two feet in the ordinance, are these things going to be allowed under nonpermitted events? Is that in your regulation? If it's a permitted event there's people around

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watching your things. And they're not -- we don't put our things out to block the sidewalk. So I'm just wondering, at schumacher's fur protest, things are piled on the sidewalk and people are milling back and forth. They're not staying within two feet of their cooler or within their signs. Are all these things addressed in this? Because you can't just target one set of people and then the people that are just the rich people shopping downtown, milling back and forth, you know. You can't just target one group of people. So these are things I have questions about. And then the gentleman that sells his jewelry in front of the old "willamette week" office, I talked to him yesterday, he lays his beautiful necklaces out on a blanket. So I improvised a way for him to hang them on a shopping cart with hooks so he would be able to hold on to it and get them off the ground, because he has to sit down because he's like me, he's got arthritis and stuff. I carry a portable fold-up stool and I have seen elderly women with these portable stools with the handle hooked on to the stool at bus stopping and they sit down if there's no one to sit. These things I need to have address. I need to have the right to use my stool downtown. I'm not sitting in front of carl's panhandling with my stool and resting, because I get really exhausted. I've got to lose some weight, but I've still got arthritis and I need to sit down. I get yelled at if I put my buns on the end of a flower box. I get yelled at to get up. So these things need to be addressed. Thank you.

Potter: Dave, could you explain the amendment on the ordinance, please?

David Woboril, City Attorney's Office: What we are attempting to accomplish with the new section too is to require another council act before the code language that you're adopting, would you adopt through the ranks becomes effective. Essentially you would be putting code into the books, but not making it effective yet. The alternative -- there's a distinction between what's being done here and not authorizing enforcement. You could do that through probably another mechanism. This is a little cleaner, requires a second council act so you are not delegating authority to any other body. It makes the coated languages that already on the books effective. There's a couple clean-ups as well. The old code has expired by function of its sunset clause.

Potter: What would this do in relationship to taking the issue to court?

Woboril: There's a significant concern by the prosecutors that conditions precedent to the effectiveness or the authority -- not being the code language. This -- you don't create that problem by using another ordinance to make the code effective or enforceable. There is a bit of a complication in that you would have an ordinance that clearly tells the courts that yet another official act is required to make the code effective. And we would perhaps be required, the d.a.'s would be required to prove both of the ordinances. That may be fact of effectiveness may be established to the satisfaction of the courts, merely by the notation in the code of the effective date. That may work. The courts may, however, require proof of both ordinances because one alone --

Potter: Wouldn't it be easier to withdraw that this ordinance and wait until such time as it's ready to be implemented and bring it back?

Woboril: Functionally that's what you're doing with this amendment, yes.

Potter: I mean rather than have an ordinance to do that, why not withdraw it and then --

Sten: I thought about that, and I'm finding a way. We're -- I think we're trying to -- my goal is to make formal what I believe the policy is, because I've seen situations where those who weren't at this meet can don't remember it if it's not written down. I think the benefit of doing it this way, but I could go either way, is that at that point the package in the ordinance are passed, so there's not another opportunity that one might come to debate the details again. It's not effective for another time, as opposed to if we actually haven't passed it, even though we intends to pass it as-is, it's another chance to debate it. It would be nice to say we passed this package, I think there's some benefit to saying to the group, you've done great work, the package is passed, as soon as you get the two pieces implemented it becomes effective. To me it's a stronger state, but either way would be acceptable to me.

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Potter: Any questions? I would like to withdraw the ordinance. I think rather than having an ordinance to explain the other ordinance, I think it would also, if it was taken to court, would be stronger. I would much -- rather much do that and then pass the oversight committee so they can begin oversight of not just the ordinance, but we also have to train the police officers, we have to make sure these things are in place, and that's the purpose of the oversight committee itself. So if that's ok, I can go ahead and withdraw the ordinance.

Sten: I think it comes to the same end.

Potter: With the way the ordinance that shaped up today, I agree with that. So hearing no objection, we'll withdraw it to -- back to my office. There's a resolution, could you read the resolution one more time, please?

Potter: We heard testimony on both of those, so please call the vote.

Adams: I have appreciated the discussion. Aye.

Leonard: It was a good discussion. Very helpful. Aye.

Saltzman: Aye.

Sten: I want to thank the mayor, all the different parties that have worked on this, mike and monica for agreeing to oversee the committee. I think this new approach of tying restrooms, benches, and a place for people to go during the day with a better thought outside walk ordinance makes perfect sense. Obviously my concerns over the years have been trying to enforce laws on the sidewalks when there aren't reasonable places to go. And also when there's other laws that can address the behavior that's bothering people. At the end of the day it's not the person sitting, it's something else, that the sit-lie is trying to get at. This is just a much more holistic and thoughtful package and therefore much more likely to be successful, which is the ultimate line. I want to thank the mayor for making that happen. I think it's terrific, and I think it is sort of a front line addition to the deeper work that's going on in this community to try and end chronic homelessness, and I think too often we equate chronic homelessness with these types of disruption downtown and the two related at times, but I think much different topics than they sometimes get broached in together. So 400 volunteers, 950 homeless people came through memorial coliseum yesterday, and I think this community is being very serious about taking these issues on. We had everybody from trailblazers to business alliance, so social service providers working together, and I think that this ordinance that -- this resolution, this package is in that spirit, so great, great job, mayor, I appreciate it. Aye.

Potter: There's been a lot of work done on this. We might have to appreciate how the original committee has done in terms of developing this. I know as andrea meyers mentioned, it was a series of trying to find some middle ground where we could do something that was better than what we had done before in terms of ensuring the dignity and rights of folks on our street. But also making sure that there was the responsibility side, that everybody is responsible for making our sidewalks, our communities safe, passable, and usable for everybody. So i'm looking forward to when we can bring this back, the ordinance, and I really appreciate this oversight committee. They've been absolutely great. And we did add the aclu back on to that group, so that they could have their voice heard as we move the implementation forward. I vote aye. [gavel pounded] move to the regular agenda. Please read the first item.

Item 84.

Jeff Baer, Director, Bureau of Purchases: Good morning. I'm jeff baer, the director of the bureau of purchases. Before you is a request to award the contract for the south airport sanitary sewer system to tapani underground and just to highlight a couple things on this particular contract, for the minority business enterprise and women business enterprise participation amounts to 6.1% of the total contract value. And just to -- to briefly highlight also that we enacted the equal benefits requirements beginning january 1. And in this was one due to their open enrollment period we gave them a compliance approval for this particular contractor, so they are in delayed compliance status

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on this contract. They've noted their intent is to provide that benefit to their employees once that open enrollment period comes back up again. So if all -- we also have representatives from b.e.s.

Adams: They need add whole year -- they need add whole year? Obviously you've thought through, it takes a whole calendar year for the enrollment period? But they've indicated they will do it?

Baer: Yes.

Adams: I wanted to just laud and keep pushing on about 32% on the subcontracting and our aspirational goal is 35, so you are getting dangerously close, and I appreciate that. Let's keep going and get over 35. And then we should consider this again. What level of confidence with this contract?

Baer: At the beginning of the paragraph, paragraph one talks about a level of optimal, so at this point we're really at that final stage where we're awarding the contracts.

Adams: Thank you. Thanks for your work for the work sheets in front of these contracts, they're really useful on both the minority contracting and esb.

Potter: Further questions? Thank you, jeff. Karla, did anybody sign up to testify?

Moore: Did I not have a sign-up sheet set out.

Potter: Anybody here wish to testify on this matter? We need a motion to accept the report.

Leonard: So moved.

Saltzman: Second.

Potter: Please call the vote.

Leonard: Aye.

Adams: I was just kicked off the council by Karla. Aye.

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

Potter: Aye. [gavel pounded] please read item 85.

Item 85.

Potter: Second reading, vote-only.

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

Potter: Aye. [gavel pounded] recessed until 2:00 p.m. [gavel pounded]

At 10:58 a.m., Council recessed.

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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.

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JANUARY 24, 2007 2:00 PM

Potter: Auditor blackmer and staff?

Item 86.

Gary Blackmer, City Auditor: Good afternoon, gary blackmer, Portland city auditor. With me is leslie stevens and hank miggins-- leslie is the director of the independent police review and hank is the chair of our citizen review committee. I'll sit down and we'll have chief rosie sizer take my seat.

Let me start here by saying that the independent police review division just completed its fourth year of operation. And we perform police oversight for the city of Portland. I don't know if members of the public realize how unusual the Portland auditor's office really is. Elected professional auditors are rare and my office is the only one in the united states with police oversight responsibilities. The mission of the office is public accountability and getting improvements in Portland government. In the elected office along with what i've learned over the years as an auditor creates a real force for positive, lasting change in an organization. Over the past four years many -- working closely with the citizen review committee has worked hard for change for Portland. Our strategy is built upon persuasion and patience. Persuasion is the key we think in organizational change because we want to make sure our recommendations are good. That requires that we not only think long and hard about the changes that are necessary, but we listen with an open mind and a thoughtful and objective manner to concerns that we hear from the public and from the police bureau. The patience part is important because we're not dealing with changing the minds or conduct of a few officers, we're really looking at making fundamental organizational changes in the whole police bureau and the nearly thousand sworn officers that make up the bureau. I think one of the most important things that we need to do is to recognize improvement and progress when it happens. Ultimately that's one of the most important ways that we can recognize that organizations can change and provide some respectable people who are working hard to make that change happen. The work of this past four years was based upon an entirely new model of police oversight.

After 18 years of the pioneering work by the police internal investigations auditing committee, and several redesigns of its function and processes during that period, the public still demanded that it be overhauled again. My office conducted a study of best practices and police oversight and issued recommendations which became the foundation for the system we now have. Our study said that despite all the variations in police oversight models across the country, there was no evidence that any of these models actually improved police behavior or citizen satisfaction. I think what rule see today -- what you'll see today is something I believe shows we have succeeded here in Portland when others have not. Many people deserve credit and i'd like to talk about them some more in conclusion. At this point i'd like to turn the presentation over to leslie stevens, director of i.p.r. She's provided an outstanding leadership role for the city, for the police bureau, for the staff, and I really marvel at her stamina, creativity, and the dedication she brings to it.

Leslie Stevens, Independent Police Review Division: Good afternoon commissioner and mayor. Thank you for allowing me a few minutes. I'll be brief. But to share with you what I think is some

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positive information about the leadership and the men and women at the Portland police bureau. As auditor blackmer explained, you created my office by ordinance with basically two powers. To act on citizen complaints of police misconduct, and to recommend appropriate changes to policies and practice, to promote higher standards of competency, efficiency, and justice. I'd like to share with you measures of progress in both areas which I think demonstrates significant changes and a willingness on the part of the police bureau to be responsive and to make some positive changes. First, and I know you've seen this before, so i'll be very brief. I want to show you what the citizens of Portland think about how well the city is doing controlling police misconduct. The graph i'm going to show you is from the auditor's service efforts and survey report I think you've all seen. But I think it's a pretty good graphic demonstration. You'll see the bars in green show how a steady increase in the percentage of citizen who's believe the city's doing a good or very good job in controlling police misconduct. You see a decrease in the red in the number of citizen who's think the city is doing a bad or a very bad job. Processing hundreds of individual misconduct complaints each year is one way the city controls misconduct. I am and auditor think the most important work i.p.r. Does is recommend changes to policies and procedures. One way we do that is through the review of the city's investigations of officer-involved shootings. As you know, you've authorized my office to contract with the national expert to assist with those reviews. I want to give a quick note and a reminder about the scope of those reviews. The reviews of officer-involved shooting are not an administrative review of an individual shooting incident. In fact, the ordinance prohibits our contractor from commenting on whether an officer behaved appropriately or not in an individual case. We review the city's investigations of officer-involved shooting and makes comments and recommendations on changes where policy, training, supervision, and quality of investigation issues. In the 2003, the very first report, parc made 89 recommendations to the police bureau. The first follow-up report in 2005 reviewed 14 shootings and the bureau's progress in implementing 28 of those 89 original recommendations. For this report you have before you, parc looked at 10 shootings that occurred in 2002 and 23, as well as the bureau's actions in implementing an additional 25 of their original 89 recommendations. The bureau has implemented in whole or in part 18 of the 25 recommendations that were reviewed. It appears two of the additional recommendations are addressed as part of the new processes that are in place but they weren't able to confirm that because there weren't any cases that the issues arose in. But of the remaining five, the chief has generally indicated that she will either implement or consider implementing those additional recommendations. The bulk of this report looks at the bureau's new shooting review board process and how that system is working in practice. The report concludes that the bureau's shooting review system provides an effective and a credible process. And as with any new system, there are always things that could be improved, and parc makes a few house cleaning and other process recommendations to improve that process. The 10 officer-involved shootings that occurred before the bureau had begun implementing the 1989 recommendations. This report makes only four additional policy-related recommendations as a review of reviewing those cases. Many of the same issues were raised in these cases, but the previous recommendations weren't repeated. For example, one of the new recommendations is that the bureau study whether to continue using the east county major crime teams investigators or whether the bureau should conduct its own officer-involved shootings. It also recommends the bureau use more scenario-based trainings. When our consultant was out here meeting with citizens and citizen groups to get input for the report, he was asked by a member of the public whether he thinks he has seen changes in the police bureau. And his unequivocal response was yes. I think it's beyond dispute in the words of this report, the Portland police bureau has demonstrated increasing professionalism. I think Portland has set a new standard in accountability among the nation's cities. Auditor big elk miles an hour and I both agree that the work of the police bureau, the work of my office, including the work of parc and many others have prevent the some shooting incidents. And I think that's evident from looking at this additional

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chart. This should be on the backside of the ones that you've got. These numbers represent all officer-involved shootings, whether someone was injured, killed, or missed. They don't include misfires or range, or other training type of incidents. Only in the law enforcement activities. What you'll see is in the first six years that were reviewed by parc in the first report there was an average of 9.2 shootings per year. In the last four years, that average has dropped significantly down to 5.5.

It's hard to know what actually caused those. There were a lot of things that happened, parc report came out, tasers, and many other things. But I think you can't look at those numbers and not think there's been some change. In fact, we've had so few officer-involved shootings recently it would be impossible to maintain the anonymity the ordinance requires that we look at policy, big picture recommendations. So as you'll recall in the last budgeting session, we budgeted to go to every other year review so we could have enough shootings to make an analysis meaningful. And I'll be presenting an ordinance to you to that effect sometime soon. I'm sure auditor blackmer will say the same. I don't consider our work to be done, but I do believe that our methods and the work of my office has made a difference. But most importantly, the willingness of all members of the police bureau to respond to the community's expectations I think is evident and should be commended. Thank you.

Blackmer: One of the key elements of our system is citizen involvement that's something other cities don't have to the extent Portland does. We have a very active hard-working group of nine citizens that council appoints, and they approach their assignment with a great deal of dedication and thoughtfulness. They bring a fair and objective viewpoint and I think they represent all Portland citizens, residents with honor. They've been working very hard on a variety of policy issues in recent months. I'll just give you some of the things that they're doing over and above the regular activities that the code assigns them. They have members on the racial profiling committee, they have their own biased-based policing work group. They are participating in the police bureau's use of force review board. The police bureau's vehicle tow policy is under review by the committee of the citizen review committee. The police bureau's early intervention system advisory group. And also the i.p.r.'s use of force task force. All have members of the c.r.c. That are participating and contributing to those meet cans. They selected Henry to my right to be their chair and he's been an excellent chair throughout the years that he's been able to guide the group. I want to point out he was recently honored with a lifetime achievement award from the keep alive the dream foundation for his contributions to the community. So this is one of the few things that he does to help our community get better.

Henry Miggins: Good afternoon. The citizen review committee is very active, we just completed our retreat for this year and sat down an agenda for the remainder of the year. On that agenda we have -- to complete the work -- to review the p.p.p. Training policies, review the i.p.r. Activities, as well as complete the towing policy. We will also be place can on the february 20th agenda this report the findings and the recommendations to see what the status is and where they are at this point and what I take on that. We've also planned to at various points throughout the year come to this body and present our activities where we are and what we've been doing. In the last year we made a considered effort to visit with each of you and see if there were additional things that you think we should be doing. And help us with where we go from here. One area that we are making the hardest piece is the public outreach. We've been working hard at getting out in the community and meeting people and having people come to us with issues they have. Every other meeting we now hold out in the community, every other meeting that's held here in the city hall. We are looking to have a very productive year. We're having elections on the 20th, maybe I won't be sitting here next year.

Blackmer: That's the first news I've heard on that. We'd be glad to have you stay on. I spoke earlier about the strong working relationship we've built with the police bureau. I think we have this with chief sizer, with the commanders, and with the police union. At the members of the police

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bureau deserve recognition for acting positively to better meet the public's expectations. Especially chief rosie sizer, whose leadership is so critical. So i'd like to turn it over to her for a few minutes. **Rosie Sizer, Chief of Police:** Chief rosie sizer, mayor, commissioners. Thanks for allowing me to talk briefly about the latest parc report. 2006 parc takes stock of the progress that the Portland police bureau has made in implementing the recommendations from earlier reports. There were a myriad of recommendations to improve the police bureau's processes involving investigating officer-involved shootings and in-custody deaths, the proper assist for reviewing the incidents, ensuring that changes occur in terms of training, policy, and equipment, as the review process matures, and record keeping. I want to acknowledge the hard work and improvements made in these processes by chief derrick foxworth and his team. I believe strongly that the Portland police bureau is better for having the work prompted by the independent police review division and parc. I'm appreciative of the overall tone of the parc report that acknowledges the progress that has been made. I concur with almost all of the recommendations made by parc in this report, and will work to implement them with dispatch. Much of these recommendations fine tune an already good system. Finally, in advance of any recommendations by parc, we are working to develop mechanisms to ensure that the entire organization learns as much as possible about officer-involved shooting cases to ensure our best performance.

Potter: Chief, your jacket fell on the ground.

Blackmer: Let me close at this moment and just say five years ago I took the responsibility because I cared deeply that people of Portland should receive the best police services possible. And I knew there was much work that needed to be done. I want to remind you again of what I said five years ago when I proposed this oversight model to city council. Civilian review by itself cannot produce the changes in the police bureau many people want. Change happens when a vision is shared by the mayor and the police chief, the employees of the police bureau, the council, and the community. We must then remind each other of the vision and make the right decisions to achieve it day in and day out. So credit for the improvements should be shared by us all. I mentioned in the cover letter of this report that I believe our work has presented some shooting incidents. And I just wish I knew how to celebrate when tragedies do not happen. More work needs to be done to achieve that shared vision and most importantly, most importantly we know that we have a successful partnership for making those changes happen. I urge you to accept this report. Thank you.

Adams: On the issue of the quality of homicide investigations on page 57, where the recommendations, 2006, 15, should study whether the benefits of using east county major crimes team investigators and deadly force cases outweigh the liabilities of using those detectives, there's some questions raised about the quality of the task force to do the investigations, and so consideration is mentioned for doing those potentially internally. What about the option of finding a different outside investigator entity to do the investigations, why do you assume that coming inside would be the only option I think that the public might prefer, I don't know, or I might prefer higher quality investigations, but continued independence of that unit.

Stevens: I think one of the reasons parc almost changed gears because the original recommendation was that outside folks should look at it, but I think what they're seeing is an improvement in the quality of investigations and from talking with a consultant, having the control over an ability to train and to correct and improve the investigations internally should help continue to improve that quality. And the consultant just didn't see a reason to recommend that an outside body do it. But it is --

Adams: I'm concerned with that recommendation for whatever it's worth. The other one, the force committee, the force board.

Stevens: The use of force review board?

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Adams: This must have happened while I was out of city government, the creation of this. We don't -- Portland city council doesn't approve the membership of that board?

Stevens: No.

Adams: Who does?

Stevens: The chief appoints the members. On a use of force review board it is the three assistant chiefs, it is the commander of the unit involved, a second commander, two citizens, and I think that's it. And then I and also internal affairs sit in on those.

Adams: I think it's just a little odd that I would be required to appoint nominations from the mayor to p.d.c. And the planning commission to do zoning and development work, but the review board for life and death issues is done by the bureau manager. Seems a little odd to me. To say the least.

Stevens: I don't think it's inconsistent with the way many other jurisdictions do it, but I do hear your comment.

Potter: What do other cities use in terms of going first to the issue of who does the investigations? What do other cities around the united states use for their resource? Here we have the east county team, but -- .

Sizer: I think generally the police departments investigate and review their own officer-involved shooting and in-custody death situations. And when we had the east county major crimes team be part of our investigation, it was departure from the norm. So that was intended to be progress in the hopes of having a more transparent system. This model for the review of these cases that involve citizens, peer representatives, and command is also quite progressive. Formerly it was -- the review was conducted entirely by command folks, no citizens, no peer members, and I think traditionally in law enforcement circles it's done in the way we used to do it.

Saltzman: You're saying they don't go outside --

Stevens: I can tell a recent experience in salem, salem would use the Oregon state police, or a neighboring jurisdiction. So there are some local examples much other jurisdictions. But I do think that the larger agencies around the country do their own.

Sizer: Part of it is just a resource issue as well. Because these are very high-profile, important cases, and they take a lot of investigative resources. And many departments don't have enough resources to do them on their own. Many smaller agencies, anyway.

Blackmer: The original parc report lauded the police bureau for setting up this east county crimes team because it really did allow for other people to look in on what the police bureau's investigation was like. But then when they started looking at some of the participants in the work they were doing, they felt like what the expectations were in terms of investigations couldn't be translated or communicated to these outsiders as well as the expectations were within the police bureau in terms of quality of investigation.

Stevens: The other thing I should point out, the district attorney by statute has control in fact over who investigates the criminal piece of it, which is a piece that goes first. So the bulk of the investigation really the d.a. gets to decide. And has been satisfied at least so far with Portland's model.

Potter: There are some recommendations at the back of it. Have you had a chance to look at those, chief, and what's your initial impressions?

Sizer: I think many of them are extremely reasonable. Many of them around fine tuning about orienting, for example, force board members in their role, preparing them for that role. There are two or three of them that I am a little more concerned about. One of them, the recommendation around east county major crimes team partly I think we need to acknowledge the help that we've had from those folks. And my first inclination is if there's either a training issue or a protocol issue, we try to improve the performance before we simply ask them not to participate any more. Secondly, one of the issues I think we have is our process is taking too long, and there's a

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recommendation that the use of force board meet within six months of a force incident, and I think that's more aggressive than we can probably commit to in this next year. But we are taking steps to make these reviews go much faster and be better coordinated. And then finally i'm also a great fan of scenario-based training, but it is resource intensive and expensive, and so I think our training is orienting itself that way, but there's a fairly large price tag attached to it.

Potter: Further questions? Thank you, folks. How many folks are signed up?

Moore: We have four people.

Darlene Linley: Good afternoon. My name is darlene linley, and i'm representing the league of women voters of Portland. First we want to thank you for delaying acceptance of the parc report in order to give the community time for review. We hope council will increase its engagement in this issue and encourage you to schedule a similar opportunity for public comment when i.p.r.'s 2005 report is released. Our comments focus primarily on public participation, transparency, accountability, and taking the lessons learned from shootings and in huff custody deaths to prevent future tragedy. The review process needs to place greater emphasis on learning from each incident to make improvements and policy and tactics in training. The bureau should adopt immediately parc's recommendation for full written reports the review board recommendations to the chief, including minority viewpoints. This is a good public policy, promotes transparency, and will help bring policy and training issues to light. Parc recommends and analyzing data in a way that identifies patterns. This recommendation deserves prompt attention. We hope the bureau will also incorporate this practice in its early intervention system. On civilian oversight, we'd like to comment. Parc raises concerns about the competence of the east county major crimes team. The bureau reasonably wants to avoid relying on its own staff for investigations. The league thinks city's council should revisit parc's 2003 report recommending civilian oversight of bureau investigations of administrative issues by an independent professionally staffed office. Council should consider expanding this recommendation to include independent oversight of the homicide portion of the investigations. The bureau should be commended for including members of the public on the use of force review board and providing appropriate training. In the interest of transparency, participants' names should be made public as soon as possible. This can be accomplished by asking the permission to do so now. Peer police members' concerns regarding fear of retaliation stemming from board participation and the lack of clarity surrounding issues to be considered during the review board deliberations needs to be addressed. We applaud chief sizer's memo encouraging forthright and honest discussions by all members. It is a positive step and -- in allying peer members' fears. We agree with parc, that a follow-up survey appears and community members would provide a good check on the system. Importantly, the bureau should strive to meet the six-month goal for conducting force board hearings. Some final comments would add a provision to the contact required its representatives to participate in a city council representation of the next report. League representatives attend the community meeting with a parc consultant which a number of issues were raised, a summary of those issues would be helpful addition to the report. And providing the names of officers and suspects involved in the cases covered in the report would add valuable clarity. Thank you.

Alejandro Queral: Good afternoon, mayor Potter, commissioners. My name is alejandro, i'm the director of the northwest constitutional rights center. Let me start by thanking mayor Potter and the council for delaying the presentation of this report to allow the community to analyze this follow-up report and to provide input. It is always a good sign when government errs on the side of transparency. And transparency and ability are key things of this report. Previous reports parc recommended the creation of quote an independent professionally staffed and adequately funded mechanic millenium for civilian oversight of Portland police bureau investigations. As parc has also noted, the city has recognized the value of oversight of internal affairs investigations of police misconduct. The northwest center has highlighted the fact that the independence and effectiveness

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of a civilian oversight body will be questioned by the community as it relies on investigations by internal affairs. Parc recognizes outside investigate jurors would provide the appearance of greater objectivity. I believe having noninternal affairs division come preliminary the investigation or conduct the vision on their own would avoid the obvious conflict of interest that arises when you have an officer investigating a colleague in the bureau. The same holds true filed with i.p.r. I urge the council to conduct a thorough assessment of i.p.r. to determine whether the current investigation's model is effective objective and truly independent. Parc's assessment that the Portland police association has had -- supports our concern that lack of objectivity, independence and effectiveness continues to be a problem with in-house investigations. Parc notes on piper jaffray 6 of the report internal affairs allowed the Portland police association to play an active role in some respects usurping management's role in seeking to prove the allegations thereby undermining confidence in the result because some might proceed the process was unfair. The Portland police association can have that much influence, one must wonder the extent to which they -- in the second case parc notes that internal affairs deoastlined to conduct an investigation in the manner that suggested it had prejudged the matter by crediting the officers accounts before gathering the facts. One other important issue is that parc is not analyzed the reasons why more people of color, 33% of all police shootings were minorities constitute 23% of the population. This analysis is of particular importance at this time because the bureau and the city have recognized racial profiling exist and is taking place in the city. These are two serious issues involving race in the police bureau. While it may be possible to determine whether there's bias is playing a role, it is important to analyze these patterns to see whether the race of the victim play as role in an officer's decisions to use force. We must be very transparent about this, it's a very important issue for Portland as it matters in all the race-related issues. Thank you.

Dan Handelman: Mayor Potter, i'm dan handelman with Portland cop watch. We believe overall the reviews of Portland police shootings by parc contain positive suggestions for change. However we don't feel they've gone far enough. The new parc report is restrained by the city's contract and omits important information. The new report contains only four recommendations based on 10 shootings. Some of the information we found useful includes parc call for i.a.d. to interview all officers, aspects homicide detectives don't cover in criminal inquiries. In 55 of 56 shootings the bureau did not address these issues. Parc recommended that names of the 24 civilians who were chosen two at a time should be made public. Which is something we've been hoping for. Some of the concerns we have include as he mentioned, parc has not analyzed why more people of color are shot. Reports also do not contain suspects' or officers' names though nearly all of the names are on the bureau's website. When parcs met with community members we asked for input, but when we asked which cases he replied I can't tell you. Parc identified two aspects of cases in which they thought detectives and assistant chiefs did good investigations but they didn't say which cases those were either. Parc's report continues to address issues after too long of a delay. Due to the restrictions of the contract, the earliest cases reviewed in this report took place nearly five years ago. Also because the auditor restricts parc of looking cases in litigation, the case of -- one case was not reviewed. None of the shootings seem gratuities and declares it is impossible to know if they were justified. If they can't say the shootings were unjustified they also can't say they were not gratuities. Parc report show there'd was no -- until 2003. This means officers who use deadly force before then and may have violate the policies and yet are still out working the streets with no way to be held accountable for past actions. Parc has not published an updated table showing the race, gender, age of all the suspect and officers and the number of shots fired in the cases they reviewed. Parc's analysis of use of force review board shows many changes that are needed in that new system. The board, for instance, needs more citizen involvement. Although the bureau did go beyond parcs recommendation by involving two citizen and shootings reviews instead of one, the Portland police association exposed the inadequacy of the board. In trying to assure its members, they said the

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command staff constitutes a majority, 5-9 of the votes of the board. In phoenix the board has three officers and three civilians. While it is useful to have four men's of the citizen review committee in the ufrb pool, the separation of shooting incidents from other complaints makes no sense. The director doesn't call for documenting minority opinion. The inclusion of a minority report was part of the prom miss made back in 2003 and cport recommended the board should report policy training and tack call recommendations. We think she should publish the outcomes of specific cases. In parc's last report they called for more civilian oversight and the new report we talked about these county -- east county major crimes team have less thorough investigations, but questioned their objectivity only because their interviewing skills weren't up to speed. So again, the solution that's been discussed about training civilian investigators in the independent review board is something we would suggest as well. Other disturbing information of the report includes that in a few cases officers merit misconduct in shooting incidents was not -- we're also concerned parc hasn't created a matrix showing status of their original recommendation and chief sizer didn't update bureau's matrix. We think at least 40% of the recommendations still need work after three years. We also question the way the auditor and the i.p.r. have handled the report. They decided to publish parc reports once every two years. I heard they're planning on changing the ordinance passed in 2004 that said it has to be annual. I think from the community's standpoint we'd like to see them continue on an annual basis. They'd also claim the number of police shootings has dropped as a result of the parc reports. We see there's an average of seven shootings per year, and although there are only four in each of 2003-2004, nine in 2005 and five in 2006, bringing the average back to seven. The drop in shootings can be attributed to the public outcry following the deaths of kendra james, 169 days before the next incident and james perez, with no shooting after that for 239 days. The parcs introduction they state nobody should expect any but one of the case were influenced. In other words, the i.p.r.'s claim has no foundation in the report. So we would just like to clear -- it is pastime to review the system. More of the reviews of police shootings, policies, and incidents should be given to civilians, looking at the police actions whether it's rudeness or deadly force, is the only way to gain the public's confidence that the system is holding police accountable.

Potter: Thank you, folks.

Martin Gonzales: I'm the executive director for the Portland schools alliance. I want to thank you for this opportunity and for adding this time and waiting to hear some public testimony. I think it is important to note that I think people refer to community expectations. I think the community expectations that many of us have before and after april 1, 2001, when -- he was killed by the Portland police, was that the establishment of an independence civilian review board to basically look at police shootings, the parc, the hiring of parc basically was seen as a compromise, a way to have the bureau basically buy into a processing which they can review the case. So I think it's important to keep that in mind. One of the things I notice in terms of the attachment, the letter that was -- the city auditor referred to again, it says the work of parc, the police bureau and my office has prevented some shooting incidents and I wish I knew how to celebrate the tragedies that don't occur. I think it would be important to see what work is being done to document those things, whether they're police officers being interviewed, I could have shot this person, I chose not to, and this other reasons. So it would be interesting I think for the council to hear what was being done in that setting. The other part I think I wanted to again go back to what people have already said, is something that in the parc report, i'd like to read from it, on page 52, as many service of contemporary american society believe that race and ethnicity are factors in many of the actions that occur in this country. For the subconscious factors played any role in shaping any of the officers' perceptions of danger is impossible to say. Speculation on that point was served not useful purpose. On the other hand we emphasize as we did in 2003 parc report that our in-depth case by case analysis of the files we reviewed this year reveal no indications of racial or ethnic bias. I would want to see what kind of criteria they're using, what kind of instrument they're using. Because one

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of the things -- we met with parcs and we looked at our -- by look at their -- we find at least 19 -- other suspects in the past 10 years studied were people of color, 33% in the city were nonwhite population, only 22%. In addition, three out of the four people who died after police actions in 2002-2003 were people of color in a total of 11 incidents. People have referred already to parc's advice of looking at -- to study officer-involved shootings to emphasize -- will ultimately save money and benefit the community. I wonder why is it they don't -- the same thing in analyzing data, but -- the same way -- they would apply to those incidents where it involves people of color. So I hope this thing kind of gets a closer look, because who would expect I think a police officer to say, yeah, I shot this person because he was black? They're not going to put that on the report, and that's what parc is looking at. But I think there's got to be some analysis in regards to the overall incidents. Thank you.

Potter: Chief, I have a question for you. One of the issues pointed out by the league of women voters is the issue of preventing future tragedies. What steps does the police bureau take in terms of looking at these from a perspective of seeing what they can learn and if there are ways they can do to prevent another 14?

Sizer: I think historically the review process has attempted to identify issues of policy, training, and equipment as well as individual officer conduct to determine first if the shooting is justified and in policy, and then second, what is we as an organization, what can we as an organization do to remedy by means of training, policy, and equipment. And over the years we've updated all three of those elements to try to prevent officer involved shootings. I think we're attempting to make strides now to disseminate better the information about the shootings and the critique that takes place widely throughout the organization through various mechanisms, through roll call videos in some cases, and in-depth analysis in in-service training as well. So we're more widely disseminate that information. In in-service this year we're actually going back to the nathan thomas incident in 1992, because many officers were not officers at the time that nathan thomas was killed. So we're looking at very close case study of that incident about how we can prevent tragedies like that in the future. And we'll do more of that work as time progresses.

Potter: One of the recommendations is identifying patterns. Do you analyze these incidents in terms of race, in terms of individual officers if they're involved more than once in a shoot something those kinds of things, to begin to identify what you may perceive as patterns?

Sizer: I don't think we've done as much of that as we're doing now historically. And part of we're in the process of maturing the employee information system. This shooting will trigger a review of the officer's complete file and all the information. And that would include officers involved in multiple shooting. It's fairly rare, but it is an issue of concern.

Saltzman: What about the parc recommendations about internal affairs investigations being, I don't know, unduly influenced by Portland police association? And I know you're also proposing I believe in your budget about bringing in civilian investigators into i.a.d., and i'm just trying to think out how that plays out in that context.

Sizer: Well, the parc report of 2006 indicates there was one issue with one shooting, and shooting review. And I don't think necessarily you want to change an entire system based on one situation. I happen to be familiar with that case and that was a rare exception. I think what some of the comments speak to is the balance between the expertise that a police officer has about police matters, police policy, and police training, versus a civil -- a civilian's -- what a civilian can bring in terms of transparency. And I think our whole effort around the parc recommendations was to get an appropriate balance between what is necessary in terms of background to do an investigation, and also allow more transparency into the system. Does that help?

Saltzman: Yes.

Sizer: And then I just -- I can respond to a couple of the specific recommendations. One of them has to do, parc identified there was some back sliding in terms of written report that comes out of

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the use of force board. That has been taken care of. It was taken care of in may of 2006. I'm getting written reports from the use of force board now. And I think -- I think we have adequately identified part of the issue about peer members feeling intimidated and we've taken steps to remedy that. But I think it's a good thing to continue to pull use of force board members about the culture of the board. So the discussion can remain at the highest level and the most appropriate level as well. And then finally we're in the process of updating the matrix so we can track and identify progress on each specific recommendation.

Adams: Are there some recommendations, are -- and will that report include what recommendations are not being pursued?

Sizer: Yes, it will.

Potter: And the use of -- will the recommendation -- one of the recommendation assist to name the people, the citizen representatives on the use of force board. When isn't that done?

Sizer: I think in was concern by citizen use of force board members that their names be out in the public arena and that there was a fear of retaliation. And so we talked to parc about that concern, which is, I don't think invalid. Given some of the consternation and controversy that follows some of the shooting cases. But what we're in the process of doing and we'll be doing this year is polling members who are up for reappointment or new members and then making it a requirement that -- for service on the board that their names become public as a member of the larger body, but not attach their names to individual cases. We think it's the appropriate balance.

Potter: I have a question for the auditor. Do you have another question for the chief?

Adams: I guess maybe for the mayor's office or the attorney to -- to further discuss, it is possible that again given the gravity of the use of force necessary sometimes but often tragic as well, is it make sense to have consultation with -- I think it makes sense to have consultation on who's on the force review board outside of the bureau. And i'd ask you to think about how that could be done.

Sizer: Ok. I'm confident we get great applicants and we have very good people. I've been impressed by the level of discussion, by citizen members, and we can talk further about how you might be included in the process, including to the point of nominating people, sure.

Potter: One of the questions raised at -- from one of the folks testifying was asking for the criteria that the parc used in determining race was not a factor. It is possible to get that information and share that criteria with the community?

Blackmer: My sense is they are alert and the readings and all the case files and circumstance, but I don't know that they have a conscious criteria that they've written down. They're looking to any evidence of it if they don't see it, that's essentially what they report. I don't know that -- I don't know how we would -- we can certainly communicate with them and ask if they have something specific like that.

Potter: If you could, I would appreciate that.

Adams: Is there a diagnostic for a tool? Is there a tool for determining whether -- is there a best practice or a tool from around the united states that lends any sort of insight whether conscious or unconscious bias was part of a use of deadly force situation?

Blackmer: I know that the -- one of the assistant directors said that when you look at it nationally, there's also a disparate number of minority members involved in these incidents. It's not just at Portland all.

Adams: You're not aware of any tool?

Blackmer: No.

Stevens: At the international conference we attend canada was talking about being one of the first to undertake some sort of study to look at it. They hired someone from the university who presented statistics and ended up concluding he couldn't come up with any scientifically supportable --

Leonard: Are you just speaking to shootings?

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Stevens: In that particular case, yeah.

Leonard: There must be some documentation that there is -- some empirical data that shows the initial interaction between officers and members of the minority community -- I certainly wouldn't suggest based on overt racism, but there is some different reaction that officers may have or people in general may have that may start a series of changes that lead to a shooting. Is there anything like that?

Stevens: Not that i'm aware of. Policing issues are issues that communities across the country are struggling to find whether there are issues, what those issues are, what the control mechanisms for those would be. I'm fairly up to date on who's doing what. I know where studies are generally, and I haven't seen anything conclusive --

Leonard: You're talking about shootings or interactions in general?

Stevens: Issues in general.

Leonard: There's no evidence that officers react different to people of color than --

Stevens: You see arguments on both sides. There are statistics that will tend to support that, and the social scientists come in with reasons that are other than racially based. So there isn't a conclusive answer that I have seen or -- am aware of. We're not the only jurisdiction to struggle. I have not seen the answer you're look for.

Leonard: The notion in the african-american community that they get stopped driving while black, you're saying there's no documentation to support --

Stevens: I'm not saying there's no documentation. There are statistics that would support that. I think the social -- some social scientists would say there are other reasons other than statistics that you need to look to, and no one has been able to present a conclusive answer one way or the other. It's an issue everyone is struggling with.

Leonard: I understand, I guess I was surprised to hear that nobody has reached a conclusion that there might be some basis in that anywhere.

Blackmer: The question is what's the cause. I think that's what we're looking for in terms of the research. No one has been able to say ah-ha, it's communication style differences, or it's something else. That's the struggle. It's clear that the statistics say something different is happening, but why is the thing they haven't been able to pin down yet.

Potter: I think this would be an interesting thing to discuss, for instance, with Portland state university, to see if we could actually do something. If there's no -- if there's been no research, I find that hard to believe there's been no research --

Blackmer: There's been research --

Potter: On the use of force specific to race as being a condition. When we looked at racial profiling, regardless of what the social scientists said, there appeared to be some things that were hard to explain. It was not just about traffic stops, but who got their cars searched and what goods or contraband were found that supported criminal activity. And the 30 events in a row are hard for people to reconcile that some thing is not going on, whether you call it racial profiling or selective enforcement or anything else.

Blackmer: I don't think anyone is disagreeing something is going on we just haven't been able -- researchers can't say what that thing is that's going on. And we can --

Leonard: Isn't it obvious it's because -- again, i'm not at all -- I think everybody should understand this about me, i'm not saying officers or firefighters or anybody else make conscious racist decision, but I grew up in the black community in Portland. I remember having friends come to my house that were white and seeing one of my black friends in their physical reaction. I concluded from that it wasn't because the guy lived around the corner or he played baseball in irving parc, it was because he was african-american. That just seems -- i'm just a little astounded that that appears to be in dispute. That there isn't like a conclusion that, yes, that is a reaction that happens that

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doesn't necessarily mean somebody is overtly racist. They categorize people based on what they look like.

Stevens: I think that's what the community groups were all about. I think the citizen review committees work group on the policing will look at that. The mayor's committee will also do that. I'm going to a national conference in april, so maybe i'll have better answers.

Adams: If there's national stuff it would be great in terms of maybe finding a local model. We have a particular culture in the city of Portland, so how could we use -- is there a diagnostic tool that we can develop about race perceptions or gender perceptions or sexual orientation perceptions that would be useful when it comes to police and community interactions. In some ways you have to start with the community, but police and community relations would be a piece of that. I think it would be useful to try to get some insight into how our community views some of those disparate attributes.

Leonard: Just for discussion purposes, it kind of explains to me us having this conversation why some in the minority community feel frustrated. Because I would just imagine being a member of the minority community and observing how people react to you all the time that aren't of your race, and then listening to this conversation going, these guys just don't get it. How could they --

Stevens: I have the same issue with the complaints I get individually. They come in and somebody will say the officer racially profiled me, and there's -- i've got nothing. I can't -- I don't know the scientific way to pry into a brain, but it doesn't mean i'm saying I don't think it occurred.

Leonard: I'm actually not talking about that. I'm talking about just kind of as a basis for agreeing on principles, I think most of us if we were just not being defensive about it would agree, people react differently to people they don't -- that don't look like them. That's not I think admitting anything dark, but just acknowledging what is. When you go from there, everybody assumes that, yeah, that happens, there's a normal human thing that happens, how can we best deal with that? That would be a much better conversation than the one we're having.

*****: That's what we're striving with both the work group and the mayor's committee.

*****: What is the diagnostic tool sam talked about? How do you design that?

Leonard: I had a discussion with john canada who said one of the issues in the minority community is the gentrification of inner northeast Portland so you have young african-american men and women standing on corners doing what they've been doing for generations talking, and they're running into police coming and asking what are you doing here. Well, the families that have lived there a long time, they're doing what they've always done, standing on the corner talking. But people don't recognize that behavior, see a group of avenue can american kids that become alarmed, they call police. And the police get involved. When john explained that to me, it didn't strike me as an odd thing. Yeah, that makes sense, I can see that -- I can understand why these young men would be upset with that. And it happened.

Potter: I thought for racial profiling there were series that got to the heart of the issue quickly, and I don't know if there are things out there, people actually haven't discovered what those questions are. I think it would be worthy on our part to work with the police bureau, the auditor's office, the community to see if we can begin to develop some things that could put it in clearer terms. So that it sort of removes some of the ambiguity that we all face when we deal with people who are different from us.

Leonard: Right.

Potter: But -- so it's specific since the police have special powers, what can we do to ensure that the training, the supervision reinforce learning new ways of understanding? And I think part of cultural competence is doing that, but specific to the police, though. I'm just unaware --

Stevens: I'm hoping that there will be some updated information at the seminar i'm going to.

Sizer: If I can weigh in, I think this conversation is why we're going to be meeting next tuesday. The racial profiling committee, to sort through some of this. I am aware that Portland state has been

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analyzing stock data that's coming out of the data committee empaneled by the legislature for about five years, and from what I could see there was not huge progress with the analysis of the data. So I think there are no easy empirical solutions to any of this because this is extremely complex decision-making, it's extremely complex. But we're game for the discussion, we're game for working on the issues, and at the very least creating greater understanding of perspectives and improved training that's going to help everybody.

Leonard: I agree, it's complex. The nature of this kind of interaction is complex, but sometimes we make overly complex things more complex than what they really are. That is, there should be I think an agreement by all of us, I think the mayor put it very well, that we can learn a lot culturally, and that we're deficient culturally of how other people behave, interact, speak, behave. And that's ok. It isn't like we're admitting we're bad when we say, I don't know how the african-american community moves -- lives. And how they socialize amongst each other. So when I drive through that community I see things that alarm me because I think it's a good thing to -- we don't need an empirical study to -- just yay say, yeah, of course, that's --

Adams: I disagree. I think that in a community like this that is so overwhelmingly caucasian and where bias occurs on many levels, but so frequently in all of us on the unconscious level, that we have to come up with some way to sort of break through that and I look forward to hearing back from you after going to the national conference. I can't believe there's no diagnostic tools, either for the individual or for the community that can gain an insight into mine, yours, and everyone else's unconscious bias. I think there's ignorance, and you're speaking to that, and I agree wellu we're all part of that constantly trying to learn and a victim of our ignorance, and we're also imprinted as we grow up with certain stereotypes. And I am interested, we're talking about the police bureau, we could be talking about any other bureau in the city. Or any other organizations in the city. Any other person --

*****: Council?

Adams: Myself included.

*****: Ok.

Adams: So i'm interested in that. The reason why the police is because they have the legal right in certain situations as the mayor said, to use lethal force. So I really don't want this to sound like i'm picking on the police, other than there's a reason for heightened concern about the police being as unbiased as possible.

Potter: For me it goes to the relationship between the police and the community. When it's strong, when it's positive, these things are less likely to occur, and I think it's important that what you're doing chief in terms of beginning to open up conversations in the community, to put more officers out on the street so they can get out of the cars and talk to citizens and establish relationships is really important to the whole answer to this. But like commissioner Adams, I would be interested if you could come to our offices, leslie, after you come back from that conference to give us information about what are the issues being discussed and are there some ways that perhaps Portland could contribute through some research on our own.

*****: I'd be happy to do that.

Saltzman: I wanted to ask the auditor, we've had i.p.r. And the c.r.c. For I guess five years now, right?

Blackmer: M-hmm.

Saltzman: Are we going -- are you requesting in your budget this year money for independent evaluation?

Blackmer: Well, there was money floating out there for a year or two, and we had proposed one way to put together a study group. We work with commissioner Adams' office, but it ultimately didn't reach a point where something was put together on that. So I think what you'll find --

Saltzman: I request --

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Sten: We did budget \$60,000 for that.

Adams: It's still there.

Saltzman: We did budget it?

Potter: Submit a recommendation to the council for an independent audit of this process.

Saltzman: Ok. That was my question.

Potter: Thank you, folks. Any further questions? It's a nonemergency, it moves to a second reading.

Moore: This is actually a report.

Potter: Ok. I have a motion to accept the report.

Leonard: So moved.

Saltzman: Second.

Potter: Call the vote.

Adams: Thanks to everyone involved. Great discussion. Appreciate the testimony. Aye.

Leonard: I do think the discussion here today was good. I would hope that would be a template to have further discussions on the whole subject of race relations and profiling, because I do think there is some lessons that we can learn from accepting a couple of basic premises. And I understand sides get polarized in discussing some of these issues, and i'm certainly sympathetic with the police when they don't want to be hamstrung to the point they can't make quick decisions when they have to make quick decisions, and I respect that and understand that. I also understand the need from the community to understand later why those decisions were made. And I think one of us should be afraid to explain those kinds of processes that led to whether it's a fatal to the decision or anything short of that. I'd be hesitant to explain our reasoning. And dialogue about it. Aye.

Saltzman: Good report. I think it's a lot of good recommendations. I guess I do similar to commissioner Adams, I have the discomfort with the idea that we would not use the east county major crimes team or some counterpart, external investigatory group of deat the time -- detectives in these situations, so I think that's something we need to either figure out how to make the east county team have more competence to do it right are or find another external body to do those investigations. But I don't think internalizing in my opinion sounds right. Aye.

Sten: I agree on that point. Did I want to thank the auditor and leslie and chief sizer as welt as the league of women voters and cop watch and the activists. This is a good discussion. I feel like we have more on the table and more communication. I'm cautiously optimistic about the decline in shootings. If it wasn't that nine last year, it would appear to be a pretty solid trend, but it very much could be, and you want a -- even a reduction of one is pretty significant over time, and so I believe I see the makings of a better approach and more accountable approach, and ultimately I do believe that dan handleman and I had a long conversation not too long ago about the makings of how they began i.p.r. There's a tough balance between independent investigation and creating internal cultural change. And the reason I supported i.p.r. As opposed to an exclusively independent approach is that I feared it would draw a line between the two sides. And not in the cases of force rest, but in the other -- how can you avoid this as opposed to what happened. And this all ties in together. I do think it is time to do that outside audit. We promised it, and we probably overdue on it, but I also think we're -- have taken enough time that we can -- I think there's -- I don't hear defensiveness, I think that's the tone mayor Potter has set, and I appreciate it. So more to do, but i'm pleased with this report and the discussion, and what appears to be the progress so far. Aye.

Potter: The police play very difficult role in our society. I find that it becomes less difficult the better connected they are to the community they serve. The more they relate to them, the more they look like them, and the more they understand them as people. So I want -- I really appreciate auditor blackmer, the parc report with all its flaws is still good and it's -- we're moving closer to a more professional, more humane way to examine this and how the police interact with the

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community. So i'm very appreciative of this. We have a lot of questions left, but I think that if we keep asking the questions, eventually we'll get to the answers. And I really appreciate the community's input, and I look forward to working with the auditor's office and setting up that independent review of i.p.r., and we'll bring back how we're going to go about doing that. Thank you all very much. Thank you, chief sizer, for what you're doing in the organization. I vote aye. [gavel pounded] now we're recessed until tomorrow.

At 3:18 p.m., Council recessed.

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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.

[The following text is the byproduct of the closed captioning of this broadcast. The text has not been proofread, and should not be considered a final transcript] * * *

JANUARY 25, 2007 2:00 PM

Item 87.

Potter: Thank you for coming here today. This is Portland's 11th annual safety recognition day. Today we take the time out of our busy schedules to recognize city of Portland employees for their efforts in safety throughout the last year. The safety of our employees is of utmost importance. Through the diligence of all city employees receive reduced workplace accidents, injuries, and illnesses. Through our continued hard work, we need to make sure all of our employees return home safely to their families each and every day. The safety of our employees is also essential so we can keep our workers on the job to provide vital services to our citizens. Thank you all for coming today. Thank you for your many contributions to ensure the continued success of our safety program. And how it will unfold is that we're going to give out the awards first, then there will be a special address from both tom feeley and sherry greenwood, then we will present the top safe driver awards with closing remarks by sherry greenwood. So with that, I will begin.

Potter: The police bureau, with these folks come up? Gary, kevin, alyse, andrea, laura, mike, rick, and joel. This is in recognition of the sworn personnel safety committee for its continued efforts to promote the safety and health of our Portland police officers. Thank you all very much. [applause]

Potter: Would the following people please come up. Bob, joe ann, mike, brandy, alyse, christopher, and nicole. Thank you for being here. This is in recognition of the Portland police bureau's nonsworn safety committee, for working diligently to improve and promote safety for our employees throughout the Portland police bureau. Congratulations. [applause]

Potter: Is chief sizer here? Thanks for being here, chief. In recognition of the Portland police bureau for achieving a significant reduction of losses through fiscal year 2006, against an average of the previous three fiscal years in the following categories, general liability, 1%, fleet liability, 7%, and workers' compensation, 92%. Here to receive the award on behalf of the Portland police bureau is chief rosie sizer. [applause] could the following folks come up? Carol, doug, lonnie, john, and paul. Thanks for being here, folks. In appreciation of the office of management and finances safety committee, for its hard work and dedication to a safe workplace during 2006. The committee's accomplishments include establishing a website for posting the committee's minutes and other safety-related news, participating in safety break for Oregon to promote safety and the office of environment by handing out antibiotic towelettes and encouraging sanitizing and cleaning of work areas. They also promoted crosswalk safety and urged employees to avoid jaywalking. I'd like to say thank you for that part. The committee provided all o.m.f. Employee was a handy magnet containing emergency information about who and where to call in the event of an emergency. They completed a written hazard communication plan for o.m.f. In conjunction with establishing a policy of accessing the online system for materials safety data sheets for chemical use and o.m.f. finally, for participating in the annual citywide safety conference. Thank you all. [applause]

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Potter: Commissioner Randy Leonard will not be here, and presenting on his behalf will be Director Paul Scarlet, Bureau of Development Services, and David Schaff, Portland Water Bureau. Thank you, Paul.

*****: You're welcome, Mayor.

*****: This is a 56 one. Would the following members please come up. Kimberly Parsons, Mike McCool, Stan Scotton, Adrienne Edwards, Jamal Abusneineh, Jeff Eldredge, Kila Hammon. The Bureau of Development Services Safety Committee had a very successful year culminating in the Bureau completing all of the activities on last year's incentive plan and the Bureau meeting or exceeding claim reduction targets such as -- such that it received 100% of the available incentive dollars. Again, this year the committee partnered with Portland State University on inspection and correction of several safety issues, Karla Hammon, committee member, was an active participant on the committee that put on this year's city safety committee conference. Congratulations on this year's safety committee award. [applause] I've got multiple winners. Kimberly Parsons is a senior planner in the Land Use Services, Land Divisions Section. Kimberly has been a long-time safety committee member and recently has taken over the committee chair position. She is committed to workplace safety as evidenced by her considerable leadership during committee meetings. Meeting the loss reduction activities in the Bureau's incentive plan, and on promoting workplace safety throughout the Bureau. Kimberly leads by example. The Bureau would like to recognize her dedication and leadership in the Bureau's safety and loss prevention program. [applause] Next, Adrienne Edwards, please come up. Adrienne Edwards joined the Bureau Safety Committee in June of 2004 when she left PDOT for a position with the Bureau of Development Services. She serves as the Bureau representative on SafetyNet and the Fleet Accident Review Board and administers the Bureau's safety bucks incentive program. Along with Jamal Abusneineh, she put together the Bureau's loss reduction incentive plan and kept the committee and Bureau on task to complete the plan's activities. More than anyone, she deserves the credit for the Bureau meeting its loss reduction goals. [applause] Safety Management Award to Adrienne Edwards. [applause] Kathy Saunders. This award is for Unsung Hero Award. She's a code specialist three with the neighborhood inspection team and was a member of the Bureau Safety Committee until her section was assigned to the office of neighborhood involvement. When neighborhood involvement returned to Bureau of Development Services, she couldn't wait to rejoin the Bureau Safety Committee and has been attending and contributing to the meetings ever since. Kathy's enthusiasm and insights truly help to reenergize up the committee. Thank you, Kathy. [applause]

*****: In recognition of the Bureau of Development Service Force achieving a significant reduction of losses during the fiscal year 2006 against an average of previous three fiscal years in the following categories -- general liability, reduction of 100%, fleet liability, reduction of 100%, workers' compensation, 38%. Here to receive the award on behalf of the Bureau me, Paul Scarlet. [applause] I'd like to call David Schaff of, the Director for the Water Bureau.

*****: Good afternoon. I have a long one. We have three Water Bureau Safety Committees to honor today for their dedication to advancing workplace safety. Through the committee's collective efforts, the Water Bureau earned the Governor's Occupational Safety and Health Conference Award for Outstanding Large Employer Safety Committee. I'd like to have the Interstate Safety Committee come up first. And that will be Kathy, Hope, Eric, Jeff, Tim, Greg, Nick, Stan, Bill, Dave, Jim, Kelly, who is in Hawaii, I know, Mike, Daryl, Rick, who is out on a leak somewhere, Jason, Larry, Dave, Nancy, Charles, and Susan. Would you all come up here, those of you who are here? I'll read this while they're coming up. This committee represents field construction and repair crews, service and maintenance crews, water quality inspector and lab personnel, security patrols, G.I.S. Mapping personnel and office support staffs. Their biggest challenge is the diversity of work and required skills. Their focuses have been better incident reporting and cause analysis, more meaningful site inspections, a tighter training curriculum, hosting events such as the -- sponsoring a safety pledge

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promotion with many supporting activities and better tracking of action items from all of these initiatives. Thank you very much. [applause] the next group is our bull run safety committee. I'll get you all to come up and then i'll read the preamble. Tim, bob, rick, andrew, steve, bruce, greg, jeff, rich, and allen. The scope of this committee safety concerns the entire bull run watershed, which includes three dams, three major reservoirs and many miles of roads. The committee covers all of the standard safety and health regulations but additionally maintains wildland fire certification, sno-cat and winter survival training, boating safety, and of course the daily exposure to wildlife such as bears, cougars, bobcats, deer, and elk. Their job is to maintain and protect a fragile ecosystem within the water system while continuing to provide the Portland area water customers with the best quality drinking water in our region. Thank you very much. [applause] our last group is the Portland building safety committee. That's terry, kate, mark, jeff, tom, carie, eric, lonnie, frank, melissa, jamal, jerry, chuck, and eric. If you'd all come up. This committee's biggest challenges are how to react to a high-rise building emergency and the many ergonomic challenges in an office environment. They've dealt with these challenges by revising their emergency action plans, updating their backpacks, retraining their floor wards as well as all employee and participating in buildingwide efforts to ensure a well coordinated and orderly response to any emergencies. We also have a mandatory office desk and chair consultation for every new or transferred employee to fit the work environment to the individual. Thank you very much. [applause] jason freadman, are you here? Come on up. In recognition of jason for safety leadership. Jason has been a member of the interstate safety committee for almost two years. In that time, he has worked on the confined space assessment team, he has been an active member of the committee while performing inspections and participating in committee events. He has stepped up as a leader for his work group and continues to show and demonstrate the tenacity, the determination, and the passion it takes to be an outstanding safety advocate and leader. [applause] this award is in recognition of terry wenz. Terry has been the chair of the Portland building safety committee for almost two years. He's been instrumental in helping the committee have a stronger presence in the Portland building water bureau work teams. Terry has committed many hours of his personal time to working on safety and health-related projects, including the formatting and creation of the first and now second water bureau safety calendar. This project included purchasing and learning new software and working with outside resources to get our calendar printed. Thank you very much. [applause] jeff, do you want to come up? Or i'll have mike come up. We have two awards, one is to steve roger and one is to ron bailey, and accepting them will be their coelectrician, mike popp. Steve has been responsible for the electrical safety upgrades to several bureau pump stations. He provides design work, and with support from other electrical staff installs the systems, included in greenleaf, rocky butte and Saltzman pump stations. Steve is committed to quality workmanship in every system he installs. And for ron, ron has been doing much-need work with a contracted electrical engineer in identifying electrical arc flash hazards at the bureau's facilities. He also provides training to the information technicians and electricians putting together informative presentations using power point. Compliance with the national electrical code requires employers to identify hazards in its electrical systems, for all of the electrical workers on staff. Each one of our systems are different depending on voltages and available fault current. Ron's work on this complex issue is invaluable and his commitment to the safety of his fellow electrical workers is to be commended. So thank you. [applause] craig mcmillian from sandy river station. Greg is an active member of the bull run safety committee. He's not afraid to speak up when he sees an unsafe act. He leads by example and is not willing to sacrifice safety over production. Recently he spoke up about his f-350 truck being load over its carrying capacity. Rather than ignore the potential risk of using the truck overload, craig opted to switch over to a larger but much older truck that had fewer conveniences and comfort. [applause] fred willey. This is for fred willey. Fred's peers nominated him because of the divorce work he performs as a senior worker. He leads, trains, and

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models an excellent work ethic as well as driving safely. He performs many hazardous functions such as snow blowing, towing oversized loads on narrow roads and hauling not just spoils, but slash, logs, metal scrap, water tanks, and a huge variety of specialized equipment in a safe and effective manner. We appreciate fred's outstanding dedication to safety. [applause] this is for our confined space entry evaluations. Jason, mike, larry, jerry, lonnie, and dan. Mike, come back up. Are you going to be able to carry all those?

*****: Safe lifting.

*****: A lot of work, but we can get 'er done.

*****: This team is tackling a long-term issue. Hazardous assessments and resolutions for confined spaces associated with utility vaults, elevated tank reservoirs, and water storage tanks. Progress has been made -- has been slow, but they have gained the commitment of upper management and they have received support from the engineering staff in elevating the importance of these long-term projects. Throughout the process, and with continuing changes in membership, they have shown the determination required to get this done and they have shown that they're not afraid to address past roadblocks in order to see this through. Thank you again. [applause] and sam spackman, he was up all night working -- ok, he was up all night. I'll let you know what sam was -- sam is receiving an award for. Sam was the point person for helping acquire new equipment for the interstate fitness room. From researching the equipment, to working with the vendors to get the right equipment, sam led the efforts to upgrade the fitness room. His efforts over the last two years has resulted in a fitness room focused to work hardening and helping employees gain strength and flexibility for the areas of their bodies that focus to the tasks they perform. And as I said, sam was working all night in southeast Portland, putting in new valves. So i'll accept this on his behalf. [applause] and finally, i'll call me up. For significant recognition in losses. In recognition of the water bureau for achieving a significant reduction of losses during fiscal year 2006 against an average of the previous three years in the following categories -- workers' compensation, 5%. [applause]

Saltzman: It's time to recognize a few parks and recreation employees. Why don't I call your name and you can come up. Kevin, nanette, barbara, nancy, lori, cheryl, and jenny. -- jenni. This is in recognition of Portland parks and recreation's -- recreation safety committee for putting together spill clean-up kits for blood and bodily fluids for the bureau's program to control employee exposure to blood borne pathogens. Thank you very much. [applause] the next award is for stacey, tom, p.j., barbara, kevin, greg, paul, don, mike, and pam. This is in recognition of Portland parks and recreation's operations safety committee for its work performing vehicle inspections for all Portland parks and recreation vehicles, and promoting the safety pledge among the Portland parks and recreation bureau. [applause] is karen birt here? There you are. You're her sister? Ok. In recognition of karen birt, who championed ergonomic-based changes in the office area at university park community center. Her efforts included removing a counter and installing three height adjustable work stations in a fairly tight area. Despite the limited space, each work station is capable of being easily adjusted to best suit whichever work are uses them, improving comfort and ease of use. So thank you, karen, and for your sister for your dedication to the health and safety of your fellow employees. [applause] swissian zutter -- zari santner, this is in recognition of Portland parks and recreation for significant reduction of losses during fiscal year 2006 against an average of the previous three fiscal years in the following categories -- fleet liability, reduced by 9%. And workers' compensation, reduced by 14%. Congratulations, zari santner. [applause]

Adams: Dean, could you come up? My name is sam Adams, member of the city council. I'm very proud to be the commissioner in charge for the bureau of environmental services. And the Portland office of transportation. And I have a lot of awards to give out and I recently completed some surgery on my jaw, so i'm going to ask dean to help in sort of every other one, because everyone deserves their due, and it's painful for me to talk. I know it's painful for folks to listen to politicians,

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so I guess this is, you know, all in fair game here. The first one is in recognition of the bureau of environmental services construction and design safety committee for its continued efforts to exceed regulatory compliance requirements and improve the bureau's management of construction safety. The committee has developed safety-related policies, contract language, and training recommendations in an effort to make b.e.s. Construction projects safer for citizens, contract workers, and city employees. The construction inspection group is one group that this committee represents. This group has not had a time loss accident since 1999. Despite the fact they work alongside contractors and many potentially hazardous situations every day. Please join me in welcoming up here dan, neil, nick, janet, john, gary, kurt, evonne, terry, anesthesia, tom, rick, lori, phil, pat. Congratulations.

*****: In recognition of the wastewater treatment plant safety committee, this committee prides itself on achieving a good mix of craft and management personnel. Meetings are informative and productive with assigned safety tasks carried out in a timely manner. Subsequently, this is a highly functional and dedicated group. I'd like to ask the members to come up now. Willie, monica, dwayne, armon, tammy, ricky, randy, jim, reaz khan, paul, dave, chris, steve, bob. [applause]

Adams: So if I could have john mcgregor, brett hulstrom, dan van meter, dallas fowler, charles lytle, paul shuberg, michael hauser, and jennifer -- jennifer shackelford please come up. This is in recognition of the water pollution control lab safety committee for its continuation of the safety effort on behalf of the committee process that identifies critical issues reflected by the -- their long and ambitious agenda. They say we leave no stone unturned to identify relevant safety and health issues affecting employees at the water pollution control lab. Congratulations on your safety award. [applause]

*****: If rick mccooy -- is rick mccooy here? Good. Rick, come on up. The bureau of environmental service was like to recognize rick mccooy for safety leadership. As a senior inspector on several b.e.s. Projects, rick has taken a lead in managing the day-to-day safety aspects on many challenging environmental projects, working with the contractors, his fellow inspectors, and other key players, rick has -- takes the time to be sure that safety is a high priority for all the projects he works on. Rick's efforts have helped keep safety a value for everyone that works on a project with him, and we thank him today for his safety leadership efforts. [applause] is monica anderson here? Good. Hi, monica. In appreciation for her leadership in safety, the environmental services recognizes monica anderson with the wastewater group. In addition to serving on the waste group safety committee and sharp advisory committee, monica practices keeping safety in the forefront of all activities and exemplifies the sharp creed of meaningful employee involvement. She's an excellent role model and safety advocate. Thank you, monica. [applause]

Adams: Could I have matt please please come up? The bureau of environmental services would like to recognize matt for safety management. As a construction manager, matt has made safety management part of his day-to-day operation. He has safety as a topic during all the progress meetings he holds. He participated in safety meetings and insisted that contractors submit comprehensive safety plans. At these meetings matt has made sure that potential hazards are anticipated and that proper controls are made ready. Matt's efforts have been rewarded with the completion of many projects with no loss time injuries for both contractor and city employees. Thank you, matt, for your example. [applause]

*****: How does this one work? There's more than one.

*****: This is a special award because they're recognizing some safety partnerships from other bureaus. So there are these folks, we have duplicate for tony bottger of the maintenance bureau.

*****: Ok, great. So for creative safety solutions, the bureau of environmental services would like to recognize a team of people who set up a warning system to protect contract employees for flood hazards related to the big pipe project. Rob, matt, virgil, ivan, jenny. If they would come up. And tony of the bureau of maintenance. This is an award going to two different bureaus. Folks that

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cooperated on one of our projects. Rob cozzi is the design manager for many projects that focus on the connections to the big pipe project. Much of the work involves confined space operations in a pipeline that has the potential for flash floods when a rain event 0 customers. During the project's design stage, rob assembled the team and charged it with developing a system to warn contractors of potential flooding. Drawing from their combined knowledge and skills, the team came up with a system that used existing technology. The system was used several times successfully during the recent course of the project and in each case the contractor was able to timely evacuate the employees, the tools, and the materials out of the way to prevent any safety problems.

Congratulations. [applause]

Adams: Would nadine bole please come up? There she is. The bureau of environmental services recognizes nadine today as an unsung heroine for always making safety a priority on the projects she works on. As an inspector on many large and difficult projects, nadine has had several safety challenges come her way. She has worked closely with contractors to make sure that they take steps to keep their workers and the public safe. Nadine takes an approach that lets people know that she truly cares about safety and this approach has led to many contractors addressing their own safety concerns without delay. As result, nadine's -- as a result of nadine's efforts, many members of the public and workers have been kept safe and have been able to go home to their families each night without injuries. Thank you, nadine. [applause]

*******:** This is the unsung hero award to bob browning. Come on up, bob. In recognition of mill wright bob browning, within environmental services, bob is assigned to the pump maintenance crew, and is responsible for the maintenance and operation of various pump stations throughout the city. For the previous year, bob has been assigned to the swan island pump station while undergoing its construction. During this time, bob has taken the initiative to inspect, correct, and notify his -- notify everyone about his concerns about the installation and operation of the safety equipment. His tenacity towards safety not only ensures a safe work environment for himself and his coworkers, but to all city personnel who perform work at the facility. He's an active member of the columbia boulevard safety committee and without his input, a void of important safety concerns may otherwise be lost. Thanks very much, bob. [applause]

Adams: All right. Could I have paul shuberg, mike, dan, and dean please come up. In recognition of the wastewater group of b.e.s. For graduating from Oregon osha's distinguished safety and health achievement and recognition program, this comes only after sustaining sharp certification for five consecutive years. The bureau of environmental services wastewater group is the first employer in the state of Oregon to have accomplished graduate status. Here to receive this recognition on behalf of the wastewater group is paul, mike, dan, and dean. Thank you very much. [applause] sue keel, sam irving. Can you come up? Sam is the director of the bureau of transportation within the Portland office of transportation, and he's going to help me with these. Speaking to the bureau of maintenance, there's a 25-member safety committee in the bureau of maintenance, and it is being recognized today for the leadership that it has shown in developing creative ideas to address and improve safety behaviors. Whether responding to a concern voiced in the bureau's safety perception survey, addressing the development and implementation of the bureau's daily safety tailgate process, or finding an innovative way to address unsafe behaviors, our committee mechanics have shown bureauwide leadership in improving our safety culture. Would clint, david, allen, don, and raymond please come forward. [applause]

*******:** This award is for our street maintenance safety committee. We appreciate the street maintenance safety committee for the development of a number of safety training programs addressing the needs of new, inexperienced employees in its work division. The committee has been particularly adept at enlisting other more experienced members of the division's work groups to serve as mentor and trainers. These dedicated members meet regularly and have established

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reputations as safety leaders. I'd like to invite up don, tom, mike, ed, cory, zach, and terry.

[applause]

*******:** This award is to a manager that is near and dear to my heart, bill long. Would you come up, please? [applause] in recognition of bill long, a b.o.m. Public works supervisor for his leadership on the bureau's safety committee. Bill has served on the committee for 15 years. His long-term of committee service is unique in that even when other managers have rotated in their assignments to the committee, bill has insisted that he continue as a committee member. He models real safety leadership through his active participation in all safety activities. He also has a tremendous sense of humor. [applause]

Adams: Would clint meyers please come up? This award recognizes clint, general mechanic and maintenance safety committee chairperson for his work on the committee to form a new charter, developing a safety perception survey, and upgrading our committee job site safety inspection program. He deserves special recognition today for keeping our committee mechanics challenged and on focus toward improved safe work behaviors. Thank you, clint, very much. [applause]

Sten: Hello, everyone. It's always enjoyable to see sam not talk so much. That was great. Just kidding. I've got Portland fire and rescue, and as you know, our business is safety, so these are very high honor because we expect safety every day, and these are folks who went 8 bob vila and beyond the call of duty, and got us that little extra effort. Our first award is to the Portland fire and rescue safety committee. Christa, steve, marty, jamie, ed, scott, kevin, john, jess adrienne edwards, jeff, janet, travis, dan, pat, ray, bob, and shawn. Come on in. These are the men and women of our safety committee, and they basically make it possible that our people stay safe while we're out there trying to help. I'm going to give asense of all the things they work order this year. We evaluated an effective exhaust control system to control bye products from the fire apparatus while they're i.a.d.ing inside fire stations. Resolved safety concerns that came about after adopting the use of new high pressure safe contained breathing apparatus. We evaluated and figured out failures associated with thermal imaging camera batteries. Developed and deployed a new tire chain installation video, instituted the new vehicle accident reporting system, and eliminated the storage of firefighting gear in the living quarters of the fire stations, which is is a big step forward and probably in part possible to the people in general service who helped build the new fire station. [applause] next up, three members of Portland fire and rescue who worked to formalize a safety management program that will improve reporting through the fire marshal's office of dangerous buildings and processes to emergency operations personnel. So I have a better sense of what's out there. The program's intent ensures that all members involved in emergency responses will be made aware of situations that are inapparently dangerous to life. This includes any structure that due to its construction, use, or state of maintenance, poses unusual or unexpected hazards to emergency response personnel. Very simply put, this program will save lives when people come to dangerous places, and we want to thank them. For their work, help me recognize and please come on up, battalion chief todd keithly, inspector larry muir, and inspector mike alderman. I think there's people in all of our occupations that will benefit from this. [applause]

Sten: This is actually an award that Portland fire and rescue is giving in recognition of some great partnerships we've had. We'd like to take the opportunity today to recognize bill long and robert coffman from the bureau of maintenance, and eric fullan and tim kading from Portland water works. [applause] these gentlemen worked with us to provide quality training opportunities that helped improve safety skills within our bureau's technical rescue team. The collective expertise of these individuals in safely building concrete collapse props and trench excavations has provided an unusual and needed opportunity for our team to build its response skill for low-frequency but high-risk events. This is a bureau that wants to thank these bureaus for making us more safe. Thank you very much. [applause]

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Sten: I don't know if my awardees are just modest or they don't want a picture with me. It keeps happening. And our final one, i'm going to ask the fire chief to come up. This is an award to the entire bureau, which chief sprando will accept for achieving a significant amount of reduction of losses during 2006, measured against our average of the three fiscal years. We're down 73% in general liability, and 36% in workers' comp. So great work, chief. [applause] and next we have a speaker, a former fire bureau employee, an analyst. Our director of operations for o.m.f., tom fealy. [applause]

*******:** Good afternoon. It's my pleasure this afternoon to present a special award to someone who has worked tirelessly on behalf of the city of Portland concerning risk management issues. Will you please join me, sherry? It's a little bit of a surprise for her. This is kind of a bitter sweet occasion as well, because sherry has announced her retirement, and will be leaving the city in march. It's been my pleasure for the last year and a half or so to be her supervisor. A lot of tall and short jokes. We won't do that today. Sherry's energy, her contagious enthusiasm has been greatly appreciated by me, and I think the rest of the city of Portland. She's not been here that long, about 3½ years, but she's done a fantastic job. I am going to miss her, I think we'll all miss her. So I have this plaque to present to you in recognition of your outstanding service to the city of Portland. [applause]

*******:** Thank you. Bless your heart. Thank you, tom. Bless your heart. That's really very nice. This is such a unique and wonderful place to work, and the experience has been just marvelous. I think over the last few weeks i've had calls from wisconsin asking about our programs, north dakota, from the los angeles county wanting to know how to put together their ergo program. Good old state of Washington, and even the good old state of Oregon. All asking about things that we do and how we do it. And the key to the success of the safety culture here at Portland is both the commitment of the council and the mayor, and I appreciate that, that's just really made the difference here. Also all of the people and employees out there, the directors that are here today, my hat's off to you. You've been very supportive of safety and health, and it's been very much appreciated, and it's reflected I believe throughout the whole city. And everyone that comes up with great ideas and new concepts that have really made this city safer, I look out there and I see so many people, I see jeff there, and all the wonderful things that everybody has done to really make this a safe and wonderful city. I was in olympia last week, and people were talking about seattle, and complaining, and they asked me where I came from and I said Portland, and they said "oh, Portland, you have streetcars, you have buses, you have the tram, have you all these things: You're so far ahead of seattle." and I just smiled, and I said, "yes." so anyway. I understand, though, david, that your predecessor, and i'm surely we can find it in our files, has given me written permission on my last day to fish the bull run. It's fly fishing. [laughter]

*******:** [inaudible]

*******:** No, eric said, if you fish the bull run, that will be the last thing you do. So i'm really counting on that. And mind you, it would be catch and release. It hasn't been fished since 1938. Can you imagine? I'll never get over it.

*******:** [inaudible] [laughter]

*******:** Darn. I was hoping for an overnight in one of those log cabins. Thank you all for making this a very safe and wonderful city to have worked in and to be part of. I would like to thank today the committee that put on the safety recognition and has put it on for the last 11 years. John hoffman's team, would you please stand? Tracy, who is sparkling around here. Lonnie, jamal, and steve. Come on, let's give them a hand. [applause] this is such a wonderful and positive thing, we can all come here and say yes. And we're all in agreement in regard to this. This year the city of Portland has had its seventh annual safety committee conference, participants at that conference included representation from the city council, thank you councilman Adams, appreciate it. From all the city directors, a number of you were there and very supportive. The international brotherhood

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of electrical workers local 48, the osha director, director wood, and over 180 safety committee members. That is impressive. And it was a terrific event and a wonderful day, and it just shows how much everyone works together to make this culture possible. The city has also formed a partnership with osha, and their sharp program, our loss prevention team has been trained and is authorized by Oregon osha to perform detailed programs and work site assessments as sharp consultants. This sharp designation is really significant. We are the only public entity to have achieved that five-year sharp status and bless the hearts of all of those people in the water treatment plant for being the one who's achieved it. They have this humongous flag that Oregon osha has given them that they fly for their certification. And that's quite an achievement to be the first public employee in the entire state of Oregon to have that achievement. So let's give them a hand. [applause] and we've done other things. We have ergo fairs, we have health and safety fairs. We have an incentive program and a five-year plan, and that includes these major bureaus, the police, the fire, the water, the park and recreation, development services, environmental services, maintenance. And from those groups have formed a committee called armac, the risk management advisory council, which is an interbureau committee sharing city resource was each other, putting together programs that will be advantageous, discussing issues and problems they have and sharing answer and results, that's an interbureau committee, and it is made quite a bit of achievements over the last few years. Over the last 10 years, we have had -- i've seen a continuous decline in frequency of claims. Citywide total, workers' compensation claims have had a 38.1 reduction in claims with an annual savings of \$909,864. The reduction of citywide fleet, accidents is 27% over the past 10 years with an annual savings of \$253,250. Please note that the estimate annual savings is calculated by taking the difference between the number of claims in 1997 and in 2006, the results then being multiplied by the average cost of a claim in 2006. This all reflects the city employees and management's continued commitment to safety and health as well as the ongoing commitment to our own safety culture. Thank you and thank you for the opportunity to serve you. [applause]

Potter: This is the top safe driver awards for the city of Portland. I'm very pleased to be the first one. We're going to be honoring officer tom james. He's worked for the Portland police bureau for nearly 26 years, officer james has spent his entire career at central precinct patrolling the streets of downtown Portland. He has received numerous commendations and during his 25-plus years, has not had one preventable accident. Congratulations, officer james. Officer gary manuge will be accepting it on his behalf. [applause]

Potter: This is for the office of management and finance for printing and distribution. Scott, could you please come forward? Scott has been a safe driver since before he earned his license. [laughter]

*****: I didn't write it.

Potter: Should you be telling that to a former police officer? He began by taking a driver's education class as a student at david douglas high school that focus order safe driving techniques. He put his knowledge and skill behind the wheel for one of his first jobs with Oregon triple a. He worked as delivery driver for Multnomah county before coming on board with the city of Portland six years ago. Scott is a reliable, dedicated, and safe member of printing and distribution's citywide distribution system. [applause]

*****: I'd like to call up steve from the bureau of development services. T.v. Is a combination inspector with the bureau and is out of the -- out in the field daily. Steve inspects construction work for the state code and local ordinances. Steve drives a minimum of 50 miles a day and has a driving record for -- has been -- has driven for 18½ years without a motor vehicle accident or citation. Very impressive. Steve, thank you for the work you do and for your accident and citation-free driving. [applause]

*****: Is stan pace here? Working for the water bureau's meter shop, stan pace drives a 10,000-pound utility pickup loaded with tools and equipment to handle any meter problem while averaging

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50 miles each day in Portland's traffic. Doing this without incident over the course of a career is a remarkable feat. Stan does this with the added stress that comes from working with frustrated customers who are trying to deal with water-related problems, yet stan remains professional in his conduct, keeping these pressures from affecting his work. Consequently, his driving record remains unblemished. Thank you, stan, we appreciate your dedication. [applause]

Saltzman: This is for Portland parks and recreation. Joe ashlock, joe was recognize by his peers for this award. He currently works on our playgrounds and therefore is operating his vehicle both over the road and in our parks where he needs to be very watchful of small children and other park visitors on a daily basis. Joel approaches each site with caution and upon arrival, he positions his vehicle to be able to leave the site in the safest manner. Congratulations. [applause] he's also retiring. Carl? Carl is the person who has earned the bureau of environmental services award this year. He's worked as field inspector for b.e.s. Since september of 2002. He has worked on several big construction projects in that time, which requires him to spend many hours behind the wheel, all of which he's done safely. Thanks, carl. [applause]

*****: I'd like to invite up clarence rushing. The bureau of maintenance has selected clarence rushing constructive equipment operator as the recipient of the 2006 safe driver award. Clarence has worked at the city for 22 years. He has played a very active role in promoting and teaching safe driving practices in the bureau of maintenance, driving -- commercial drivers license training. His leadership in this area has helped to set a standard of safe driving practice for our entire bureau. Congratulations, clarence. [applause]

*****: I will be issuing this award on behalf of one of my partner bureaus, btsm. I'd like to invite up debbie. Debbie barkley has been a parking enforcement officer for almost 19 years. Debbie spends much of her workday using her scooter in heavy traffic and maneuvering close to cars to the difficult job of timing vehicles. Being aware of various violations, watching for pedestrians and for other traffic. She performs these tasks under high pressure environment of being a parking enforcement officer. Never knowing when a citizen will approach to talk about a citation. [laughter] I don't envy you. Debbie is a great example of all the good attributes of a parking enforcement officer. Congratulations, debbie. [applause]

*****: Thank you.

Sten: Firefighter bruce thompson, he's our driver of the year. Portland fire and rescue is pleased to recognize firefighter bruce thompson as its top driver for 2006. Bruce has been with Portland fire since 1980. During his tenure he's developed a reputation for attention to detail concerning maintenance and apparatus care. He is well known for his skill maneuvering a bucket truck, which is an enormous vehicle. We really need him to be safe when he's driving through downtown. He teaches and mentors new drivers, grooms new drivers and elevated platform operations. We rely on his skill, knowledge, and experience to place this type of apparatus in a strategic and usable position. He was instrumental inw the development and design of trench fan one, which carries emergency shoring for collapsed trench rescue. He is cautious, alert, respectful, law-abiding and a safe driver who is dedicated to ensuring his crew respond, arrives, and returns from each run safely.

Thank you, firefighter thompson. Great work. [applause]

Potter: Thank you folks for being patient. You can see this is an important event for us. Council will come to order. Karla, please call the roll. [roll call] [gavel pounded]

Potter: Please read item 88.

Item 88.

Potter: Early this month I signed a proclamation declaring january mentoring month. I am happy to welcome the executive director of Oregon mentors to council today to discuss mentoring month and the powerful impact mentoring has in the lives of our young people. Could you please come up and bring whoever you want with you.

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Christina: I'm actually christina, a stand-in for carolyn who was unable to stay due to scheduling conflicts. I work at Oregon mentors. I'd like to thank you for your support to mentoring programs in the Portland area. Oregon mentors supports 130 statewide mentoring youth mentoring programs. And national mentoring -- 70 of which are in the greater Portland area. And national mentoring month is a national event for mentoring -- to build mentoring awareness in the community and encourage people to specifically consider becoming a mentor. An Oregon mentor started a goal that we've launched this month to increase our mentors from 20,000 to 40,000 in the state by 2010. And that means that we need to recruit 5,000 mentors in the state this year. So we ask for your support in any way you might think possible to increase Portland specific mentors for youth. I asked maria hein, who runs the powerhouse mentoring program, to speak, and we have rachel and mary, who are a mentor-men tee pair.

*******:** Thank you, mayor Potter and commissioners. We appreciate your efforts to recognize the work that we do. Since september 2000 the program has been serving teenagers in foster care in Multnomah county. At any given time there are about 700 teens in foster care in Multnomah county. Our program is able to serve about 30 of those teens. We'd like to do a lot more. But the mission of our program is to assist those teens to more successfully transfer into independent living. As i'm sure you're aware, the outcomes from a life in foster care haven't been really great. We want to make an impact on that. And I brought along as we said, rachel and mary, because I think they can tell the story of the kinds of good things that can come out of mentoring better than I can.

Rachel ?Kirkey: Good afternoon. My name is rachel, i've been involved with the powerhouse mentoring program since november of 2004. Mary and I met in november of 2005 and I got to meet her at a really exciting time in her life, her senior year of high school. We got to go and pick out prom dresses, I got to attend her graduation, we enjoy going for coffee at starbucks and chatting, and the last couple of months we've been apartment hunting, because mary's plan for transitioning out of foster care is living independently and earlier this month she moved into her own apartment. Is now a student at mount hood community college. And so it's just been a wonderful experience for me to be involved in a younger person's life. I wish a lot more people could do that.

Mary: Hi. I'm mary. I just wanted to say having a mentor has really changed my life a lot, because nobody could really understand unless they knew. So -- that's all.

Adams: How do you like living on your own?

Mary: It's nice. I cut my finger, but -- [laughter]

Potter: It happens when you live alone.

Adams: Are you the kind of person that makes the bed every day, or not every day?

Mary: Not every day.

Adams: A person after my own heart.

Mary: It's a mess right now, but I have homework everywhere.

Potter: What are your future plans?

Mary: To become a kindergarten teacher.

Potter: Good for you.

Adams: That's great.

Potter: I think being a teacher is one of the most important things people can do atw their lives. I'm really pleased you're taking that on. As you know, our children, in particular our little children really need good teachers in their lives, and good mentors as well. I'd like to read the proclamation that I wrote earlier. Whereas january 2007 is proclaimed to be national mentoring month by the national mentoring partnership in cooperation with thousands of local mentoring organizations throughout the united states, and whereas research has shown that mentoring has a definitive impact on young people by increasing attendance at school, improving rates of high school graduation, and college attendance. And decreasing involvement with drugs, alcohol, and violent behavior.

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Whereas mentoring as a proven effective strategy to match a caring, responsible adult with a young person to provide guidance and build confidence, stability, and direction for that young person. Whereas the celebration of a mentoring month in Portland will emphasize the importance of mentoring and recognize with praising gratitude that many Portlanders already involve in mentoring and that whereas the celebration of a mentoring month will recognize Portland's mentoring goal to double the number of mentors to 40,000 and encourage more people to volunteer as mentors for the benefit of children in Portland and nationwide. Now therefore I tom Potter, mayor of Portland, the city of roses, do hereby proclaim january 2007 to be mentoring month in Portland and I encourage all residents to observe this day. Thank you, folks, for coming in. Thank you, mary, and thank you, rachel for what you do.

*****: Thank you for having us.

Potter: Thank you very much.

*****: Mayor Potter, may we please have a picture of you with mary?

Potter: Would you like it with the entire council?

*****: Well, that would be nice.

*****: Sure. [applause]

Adams: It's going to ruin the picture, but ok.

Potter: We are adjourned until next week. [gavel pounded]

At 3:28 p.m., Council adjourned.