



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **13TH DAY OF JUNE, 2007** AT 9:30 A.M.

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

The morning session continued into the afternoon session. Commissioner Sten, excused for City business, arrived at 1:31 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Harry Auerbach, Chief Deputy City Attorney; and Dave Kline, Sergeant at Arms.

At 2:00 p.m., Linly Rees, Deputy City Attorney, replaced Harry Auerbach and Ron Willis replaced Dave Kline at Sergeant at Arms.

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

	Disposition:
COMMUNICATIONS	
674 Request of David Yandell to address Council regarding results of a Police Bureau and high risk grade schools project (Communication)	PLACED ON FILE
TIME CERTAINS	
675 TIME CERTAIN: 9:30 AM - Office of Youth Violence Prevention and Open Meadow Schools City Corps Project (Presentation introduced by Mayor Potter)	PLACED ON FILE
676 TIME CERTAIN: 9:45 AM - Accept the Portland Office of Transportation report on street paving: Street Preservation Implementation Report Plan (Report introduced by Commissioner Adams) Motion to accept the Report: Moved by Commissioner Leonard and seconded by Commissioner Saltzman. (Y-4; Sten absent)	ACCEPTED
677 TIME CERTAIN: 10:30 AM – Adopt Evacuation Annex to the Basic Emergency Operations Plan (Resolution introduced by Mayor Potter) (Y-4; Sten absent)	36512

June 13, 2007

CONSENT AGENDA – NO DISCUSSION	
Mayor Tom Potter	
678 Proclaim Measure 26-89 enacted and in effect January 1, 2009 (Proclamation) (Y-4; Sten absent)	PLACED ON FILE
679 Proclaim Measure 26-90 enacted and in effect January 1, 2008 (Proclamation) (Y-4; Sten absent)	PLACED ON FILE
680 Proclaim Measure 26-92 enacted and in effect July 1, 2007 (Proclamation) (Y-4; Sten absent)	PLACED ON FILE
681 Reappoint Loren Lutzenhiser, Paulette Rossi and John Tyler to the Portland Utility Review Board terms to expire June 30, 2009 (Report) (Y-4; Sten absent)	CONFIRMED
682 Appoint Andrea Debnam to the Portland Utility Review Board for a term to expire June 13, 2009 (Report) (Y-4; Sten absent)	CONFIRMED
Bureau of Planning	
*683 Authorize contract with David Evans and Associates, Inc. for \$400,000 for development of East Hayden Island Plan and provide for payment (Ordinance) (Y-4; Sten absent)	181031
Police	
*684 Amend contract with ACS State & Local Solutions, Inc. to increase the number of red light cameras and modify the fees paid by the City (Ordinance; amend Contract No. 52607) (Y-4; Sten absent)	181032
Commissioner Sam Adams	
Bureau of Environmental Services	
*685 Approve settlement with MWH Energy Solutions, Inc. regarding purchase of a microturbine energy production system at the Columbia Boulevard Wastewater Treatment Plant (Ordinance) (Y-4; Sten absent)	181033
686 Authorize an agreement with Owens-Brockway Glass Container, Inc. for receiving easements and \$55,000 reimbursement in return for providing a water quality facility by the NE 92nd Drive Water Quality Facility Project No. 7161 (Ordinance)	PASSED TO SECOND READING JUNE 20, 2007 AT 9:30 AM

June 13, 2007

<p>687 Authorize an Intergovernmental Agreement with City of Gresham to coordinate water quality monitoring of the Columbia Slough (Second Reading Agenda 645) (Y-4; Sten absent)</p>	<p align="center">181034</p>
<p>688 Authorize an Intergovernmental Agreement with the City of Gresham to provide laboratory analytical services (Second Reading Agenda 646) (Y-4; Sten absent)</p>	<p align="center">181035</p>
<p>689 Authorize Grant Agreements and Intergovernmental Agreements with seventeen non-profit and public entities related to the Community Watershed Stewardship Program (Second Reading Agenda 647) (Y-4; Sten absent)</p>	<p align="center">181036</p>
<p align="center">Office of Transportation</p>	
<p>*690 Authorize agreement with TriMet and property owners for modifications to existing vaulted sidewalk areas on Portland Mall Segment of the South Corridor Light Rail Project (Ordinance) (Y-4; Sten absent)</p>	<p align="center">181037</p>
<p>691 Grant revocable permit to Contemporary Crafts Museum & Gallery to close NW 8th Ave between Everett St and Couch St and NW Davis St between Park Ave and Broadway Ave from July 20, 2007 to July 22, 2007 (Ordinance)</p>	<p align="center">PASSED TO SECOND READING JUNE 20, 2007 AT 9:30 AM</p>
<p>692 Grant revocable permit to NECA/Mississippi Business Association to close N Mississippi Ave between Fremont St and Skidmore St and N Shaver St between Michigan Ave and Albina Ave and N Failing St between Mississippi and Albina Ave Alley on July 14, 2007 (Second Reading Agenda 650) (Y-4; Sten absent)</p>	<p align="center">181038</p>
<p align="center">Commissioner Randy Leonard</p>	
<p align="center">Bureau of Development Services</p>	
<p>*693 Amend contract with Mary H. Zinkin to complete managerial coaching, team-building and organizational development consultation (Ordinance; amend Contract No. 36198) (Y-4; Sten absent)</p>	<p align="center">181039</p>
<p>*694 Amend contract with Martha Bueche to complete managerial coaching, team-building and organizational development consultation (Ordinance; amend Contract No. 36237) (Y-4; Sten absent)</p>	<p align="center">181040</p>
<p align="center">Commissioner Dan Saltzman</p> <p align="center">Office of Sustainable Development</p>	

June 13, 2007

<p>695 Authorize the Office of Sustainable Development to enter into agreements to receive and utilize goods, money and services to support activities to encourage economic development consistent with City sustainability goals (Second Reading Agenda 658)</p> <p>(Y-4; Sten absent)</p>	<p>181041</p>
<p style="text-align: center;">Commissioner Erik Sten</p>	
<p style="text-align: center;">Bureau of Housing and Community Development</p>	
<p>*696 Extend contract with Open Meadow Alternative School for the Corporate Connections Program to June 30, 2008, expand scope of services, add \$121,820 and provide for payment (Ordinance; amend Contract No. 36843)</p> <p>(Y-4; Sten absent)</p>	<p>181042</p>
<p>*697 Authorize ten subrecipient contracts for \$2,186,856 for services in support of affordable housing for low-income households and provide for payment (Ordinance)</p> <p>(Y-4; Sten absent)</p>	<p>181043</p>
<p style="text-align: center;">Fire and Rescue</p>	
<p>698 Authorize Intergovernmental Agreement with Tualatin Valley Fire & Rescue for occupational health nurse services (Second Reading Agenda 661)</p> <p>(Y-4; Sten absent)</p>	<p>181044</p>
<p style="text-align: center;">City Auditor Gary Blackmer</p>	
<p>699 Certify abstract of votes cast at Municipal Non-Partisan Special Election held in the City of Portland May 15, 2007 (Report)</p> <p>(Y-4; Sten absent)</p>	<p>PLACED ON FILE</p>
<p>*700 Cancel City liens that are being extinguished due to Multnomah County foreclosure transfer, or otherwise deemed uncollectible (Ordinance)</p> <p>(Y-4; Sten absent)</p>	<p>181045</p>
<p style="text-align: center;">REGULAR AGENDA</p>	
<p>701 Establish a Work Group to develop the Portland Development Commission annual budget and to submit a Requested Budget to Council for approval in its capacity as the Budget Committee (Resolution introduced by Mayor Potter and Commissioners Adams, Leonard, Saltzman and Sten)</p> <p>(Y-4; Sten absent)</p>	<p>36513</p>
<p style="text-align: center;">Mayor Tom Potter</p>	
<p>702 Appoint Jill Sherman to the Portland Planning Commission for a term to expire January 13, 2010 (Report)</p> <p>(Y-4; Sten absent)</p>	<p>CONFIRMED</p>

June 13, 2007

<p>703 Appoint Catherine Ciarlo to the Portland Planning Commission for a term to expire January 13, 2010 (Report) (Y-4; Sten absent)</p>	<p align="center">CONFIRMED</p>
<p>704 Appoint Stephen Peacock to the Portland Urban Forestry Commission for term to expire December 31, 2010 and reappoint Michael Harrison for another four year term to expire June 30, 2011 (Report) Motion to accept the Report: Moved by Adams and seconded by Commissioner Leonard. (Y-4; Sten absent)</p>	<p align="center">CONFIRMED</p>
<p align="center">Bureau of Planning</p>	
<p>705 Amend an Intergovernmental Agreement with the Port of Portland related to Portland International Airport and increase allowable compensation up to \$819,804 to reimburse the City for costs related to a 34-month joint City and Port planning process titled Airport Futures (Second Reading Agenda 635; amend Contract No. 52355)</p>	<p align="center">CONTINUED TO JUNE 27, 2007 9:30 AM AS AMENDED</p>
<p align="center">Office of Management and Finance – Business Operations</p>	
<p>*706 Adopt Administrative Rules for City travel and miscellaneous expenses (Ordinance) (Y-4; Sten absent)</p>	<p align="center">181046</p>
<p>*707 Pay claim of Bryant Moore (Ordinance) (Y-4; Sten absent)</p>	<p align="center">181047</p>
<p>*708 Pay claim of Cassandra Schreiber (Ordinance) (Y-4; Sten absent)</p>	<p align="center">181048</p>
<p>*709 Authorize a contract and provide for payment of 45 replacement patrol sedans for the use of the Portland Police Bureau (Ordinance) (Y-4; Sten absent)</p>	<p align="center">181049</p>
<p>710 Amend contract with MCA Architects, PC to provide additional architectural and engineering consulting services for the remodel of Fire Stations 15, 24 and 43 (Ordinance; amend Contract No. 35694)</p>	<p align="center">PASSED TO SECOND READING JUNE 20, 2007 AT 9:30 AM</p>
<p>711 Amend Intergovernmental Agreement with Oregon Department of Transportation for Union Station Facility Improvements (Second Reading Agenda 662; amend Contract No. 52633) (Y-4; Sten absent)</p>	<p align="center">181050</p>
<p>712 Declare surplus property located at 3620 NE Martin Luther King Jr Boulevard (Second Reading Agenda 663) (Y-4; Sten absent)</p>	<p align="center">181051</p>
<p align="center">Office of Management and Finance – Purchases</p>	

June 13, 2007

<p>713 Accept bid of James W. Fowler Company for the Columbia Blvd Wastewater Treatment Plant Co-Generation Facility project for \$4,274,795 (Previous Agenda 665; Purchasing Report – Bid No. 107062)</p> <p>Motion to accept the Report: Moved by Saltzman and seconded by Commissioner Leonard.</p> <p>(Y-4; Sten absent)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p>Commissioner Sam Adams</p>	
<p>Office of Transportation</p>	
<p>714 Create a local improvement district to construct street and bridge improvements from the Columbia Slough to Alderwood Road in the NE 92nd Drive Local Improvement District (Second Reading Agenda 667; Hearing; Ordinance introduced by Commissioner Adams; C-10020)</p>	<p>PASSED TO SECOND READING JULY 25, 2007 2:00 PM AS AMENDED</p>
<p>Commissioner Randy Leonard</p>	
<p>*715 Declare it to be unlawful to paint, tape, or otherwise mark public property or leave objects in the right-of-way without a permit for the purpose of reserving space for a parade event (Ordinance; add Code Section 14A.50. 140)</p> <p>Motion to introduce a Resolution: Moved by Mayor Potter (after passing the gavel to Commissioner Leonard) and seconded by Commissioner Saltzman.</p> <p>Motion to refer the Ordinance to Commissioner Leonard’s Office: Gaveled down by Mayor Potter without objection.</p> <p>Motion to withdraw Resolution: Mayor Potter withdrew the Resolution and Commissioner Saltzman withdrew his second.</p>	<p>REFERRED TO COMMISSIONER OF PUBLIC SAFETY</p>
<p>716 Direct the Portland Police Bureau to delay enforcement of Portland City Code Section 14A.50.030 Sidewalk Obstructions until adequate day-access facilities, public restrooms, and public benches are available for displaced persons (Resolution)</p> <p>Motion to accept amendment to the title and the first BE IT RESOLVED to read NOW, THEREFORE, BE IT RESOLVED, the Portland City Council directs the Portland Police Bureau to delay enforcement of City Code Section 14a. 50.030 Sidewalk Obstructions until 25 benches are installed, the shower in the Julia West Facility is open and operational, the shower and lockers under R.F.P. proposal are open and operational, and a 24-hour bathroom is open and operational to accommodate the implementation of 14a.50.030. Amend the second BE IT FURTHER RESOLVED, substitute S.A.F.E. Committee for Portland Police Bureau: Moved by Commissioner Adams and seconded by Commissioner Leonard. (Y-3; N-2, Potter and Saltzman)</p> <p>(Y-3; N-2, Potter and Saltzman)</p>	<p>36514 AS AMENDED</p>

June 13, 2007

<p style="text-align: center;">Water Bureau</p> <p>*717 Authorize the establishment of a Utility Safety Net Assistance Program and fix an effective date (Ordinance) (Y-5)</p>	<p>181052</p>
<p style="text-align: center;">Commissioner Dan Saltzman</p> <p style="text-align: center;">Parks and Recreation</p> <p>*718 Authorize contract with Vigil Agrimis to provide planning services for a master plan for Cully Park (Ordinance) (Y-5)</p>	<p>181053</p>
<p style="text-align: center;">City Auditor Gary Blackmer</p> <p>719 Amend and clarify provisions of the Campaign Finance Fund (Second Reading Agenda 672; amend Code Chapter 2.10) (Y-5)</p>	<p>181054 AS AMENDED</p>
<p style="text-align: center;"><u>WEDNESDAY, 2:00 PM, JUNE 13, 2007</u></p> <p>(The morning session continued into the afternoon session. Commissioner Sten, excused for City business, arrived at 1:31 p.m.)</p> <p>720 TIME CERTAIN: 2:00 PM - Reappoint Bertha M. Ferran to the Portland Development Commission for a term to expire June 30, 2010 (Report introduced by Mayor Potter)</p> <p>Motion to accept the Report: Moved by Commissioner Adams and seconded by Commissioner Sten. (Y-5)</p>	<p>CONFIRMED</p>
<p>*721 TIME CERTAIN: 2:10 PM - Approve the request of Ash Court Condominiums, Inc. for a 10-year tax exemption under the new Transit Supportive Residential or Mixed Use program for the Ash Court Condominiums project (Ordinance introduced by Mayor Potter)</p> <p>Motion to add an emergency clause: Moved by Commissioner Leonard and seconded by Commissioner Adams. (Y-5) (Y-5)</p>	<p>181055 AS AMENDED</p>

At 3:48 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

June 13, 2007

For a discussion of agenda items, please consult the following Closed Caption File.

June 13, 2007
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] * * *

Potter: Welcome to the Portland city council. Before we begin the formal -- excuse me, folks. Before we begin the formal proceedings, each week I ask a question of the community and the people in the room, and the question that I ask is, how are the children? The reason I ask that question is because I believe that when our children are cared for, when they're well educated, when they have a roof over their heads and caring adults in their lives, they're much more likely to succeed as adults. So each week we invite people in to talk about issues that affect young people and children. And this week we have Jose Luis Jorez Perez. He's 16 years old and he's a junior at Roosevelt. Could you please come forward? Thank you for being here.

Jose Luis Juarez Perez: Thank you. Mayor Potter and city council, my name is Jose, and I'm glad to be here today. To be a youth these days is hard because of the gangs and violence in the streets. Youth also need support because young people don't even have parents who support them. For young women, it can be difficult because men disrespect them. In North Portland where I live, where I attend high school, the only bilingual high school in Portland, it's hard for youth because many families don't have enough money. They need to move often and do not have enough food to eat and can barely buy clothes because of the economics of their family. My life has been hard. I have three older brothers that used to hang around with gangs. One of my brothers got stabbed at a party by another gang. I saw what happened. I saw what happened to him, but I couldn't do anything because I was small. Since that day my oldest brothers had stop hanging around gangs because of the kids and their wives. But I had a lot of anger inside me against gang that stabbed my brother and I started hanging around with the other gang. I started doing bad stuff and got kicked out of school freshman year. After half a year at -- I'm back at Roosevelt high school. I also met a girl that became my girlfriend and tried to stop hanging around with the gang. Sometimes I still went to get protection from the gang but my girlfriend helped me realize there's another protection. Only being yourself, and with your family. I got involved in a program, a youth program that helps in the community and churches give food to poor people. And community service like cleaning the forest. I also -- another program I have participated in, the Oregon Council for Hispanic Advancement. We plan activities that we're going to do with the middle school kids at George Middle School in North Portland. We talk to them about not getting into gangs, about teamwork, and about their health. I was getting out of hanging with the gangs because of the programs and my girlfriend. My girlfriend passed away not long ago. She always wanted me to do something in my life. I started getting to this program so I wouldn't get into gangs anymore. I knew from experience that there are programs and jobs that can help you and make better decisions for your lives. I was asked to help New Columbia Community in North Portland deal with gangs this summer. This might include going to projects with kids who try to get involved with gangs, and to keep New Columbia calm and help the kids from causing trouble. Since I was little, I have worked at many jobs. I help my parents sell [inaudible] in the streets. I help them sell wood pallets so my family can make money in hard times. I also deliver newspaper to give my family some money. My brother and I sold ice cream for school. Now with a landscaping crew, I clean yards, pull out weeds -- weeds, and help people move their furniture. This crew is like a family to me. We help each other out

June 13, 2007

when we need something and work keeps us out of the streets. I assist a nonprofit consult firm on united way community needs, assessment 2007. This community needs assessment includes information about successful youth, stable, affordable housing, low-income, senior, and health care access. My friend and I organized a program to get drivers education called making the right choice. We asked a mentor to teach us and we have the class at my house every tuesday after school. Our program helps us to get our permits and our license so we can drive to work we are starting to raise money for our program to help pay off the tickets that some of us owe. We raise a pot of money for insurance because insurance is expensive, especially for young men. If you have any ideas that would help us raise some money, we will be glad to hear about them. I think -- I thank you, tom Potter, because of the immigration that happened yesterday, that you were with us, and not against us, and thank you that you support us. We need more support that we can have an agreement in the united states. And I appreciate what you did yesterday. They talked to everybody that had issues of what the -- with immigration yesterday. And I say thank you for your time, and I appreciate the opportunity to share my story to you. Thank you.

Potter: Thank you, jose luis. Your story is a really good story. Because of how it turned out and how you're turning out. I really want to thank you for being a mentor to younger people, keeping them out of gangs, working on problems at new columbia. Those I think demonstrate not just being very mature, but also a leader. And I want to thank you for that. I also understand you have some supporters and family here. Could you -- could all you folks who are here with jose luis stand up? Excellent. Let's give jose luis a hand. [applause] you and your family and friends, we're going to begin the formal part of the proceedings. That may be a little slow in some spots, so you're more than welcome to leave any time you wish. [gavel pounded] please call the roll. [roll call]

Potter: Prior to offering public testimony to city council, a lobbyist must declare which lobbying entity he or she is authorized to represent. Please read the communication.

Item 674.

Potter: Dave yandell, are you here? He does some great programs with the police and young people. We appreciate that. We'll move to the consent agenda. Do any commissioners wish to pull anything from the consent agenda? Any members of this audience wish to pull any items from the consent agenda? Hearing none, please call the roll.

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

Potter: Aye. [gavel pounded] we'll move to the time certain. Please read the 9:30 a.m. time certain.

Item 675.

John Canda: Good morning mayor, members of city council. My name is john canda. I won't be before you long. I would just like to introduce the staff and the students from open meadows high school, who are here to make a presentation about our city corps project.

Cara Van gorder-Lasof: Good morning. My name is cara, i'm the project leader for open meadows city corps.

*****: My name is chamly diaz. I used to be involved in gangs.

*****: My name is abby parker, and because of youth violence my boyfriend has been put in i.c.u. several times.

Nadia ?: My name is nadia, when I was 10 years old my mother went to prison because of drugs. This was one of the reasons I let my brother into a gang and he was eventually stabbed by an enemy.

Michelle Blackshear: My name is michelle, in the last four years -- gang violence has increased 30% in Multnomah county.

Dylan ?: Dylan, one of my closest friends has been hospitalize the numerous times because of violence.

June 13, 2007

Cassandra Smith: My name is cassandra smith. About a month ago I had witnessed a gang shooting in front of my house.

Sherry Gilson: My name is sherry, and someone I know was shot and killed at a bus stop on Killingsworth.

Angelica Whitney: My name is angelica, and I recently lost a cousin due to suicide. When our group first found out we would be able to work with the mayor's office, we wanted to address a project that would address some of the causes of youth violence. Today we'll be sharing what we have learned about youth violence and what we recommend based on our work.

Gilson: Taken -- taking on the complicated issue was overwhelming so we decided to narrow our focus on violence prevention. When we looked at programs that were out there, the social skills kept coming up. That's how we came to create this statement. Many youth in Portland have poor social skills. Or do not always choose to use good social skills. This can lead to many types of violence. City corps will research what youth think it would take to help them use strong social skills in all situations.

*****: First we wanted to see if research had been done about the connection between social skills and youth violence. We found several studies that prove this connection. For example, researchers have linked a lack of social problem-solving skills to youth violence. When children and adolescents are faced with social situations for which they are unprepared emotionally and cognitively, they may respond with aggression or violence.

in order to better understand youth violence in general, and to begin to approach our problem statement, we went on field trips and invited people in the community to come speak to us.

*****: Based on our experiences in the community and the conversations we had with the people who knew a great deal about youth violence and social skills, we decided that we needed to develop a survey in order to learn what teens think about these issues. We created a survey to find out what social skills teens find the most difficult. We also wanted to know what teens think they need in order to practice nonviolent social skills.

Blackshear: We surveyed 200 middle and high school students, ages 10-20, in north and northeast Portland. In addition to student surveys, we also interviewed teachers.

*****: Our survey had 10 questions. One question asked students to rate how easy or hard certain social skills are. We chose the following skills because we believe they're the most important in life. What we learned was, the social skills that students identified as the hardest were dealing with anger, trusting others, being a good leader, avoiding trouble. 75% of the students we surveyed said they want to improve on at least one of the social skills we listed.

*****: In order to address our problem statement, we also asked the following question. In your opinion, what would schools and others in the community do to support you in Using the skills listed in question one even more often. The responses to this question helped us start form the recommendation that we will be sharing with you today.

Dylan: In order to get a better sense of the teens we surveyed, we felt it was important to know how often they faced situations that could lead to violence. We asked how many conflicts have you been in during the past three months. And found the majority of people we surveyed had been in at least one conflict in the past three months. A follow-up question to this showed that more than half of these conflicts ended in physical violence. We also asked, how do you usually handle conflicts with other people? 40% of teens we surveyed said they try to handle conflicts nonviolently. 38 of teens said they handle conflicts with physical or verbal violence. 9% said they don't know how to handle conflict or that it depends on the situation. Based on our survey question and interviews, we learned most teens would like to handle their conflicts nonviolently but do not always have the tools or support they need to do so. We believe that if even one of the recommendations we will be making today are put into effect, the percentage of teens who handle conflicts with violence will decrease.

June 13, 2007

Blackshear: One of the biggest things we believe based on our research is that social skills should be taught more in schools and what Other -- and within other organizations that work with youth. The reasons we believe this, there is a proven connection between social skills and youth violence, therefore teaching more social skills could reduce youth violence in our community and schools. Most students want time prove their social skills. We also believe that schools today focus too much on testing. P.e., art, and music programs are cut due to testing pressures and funding. If teens had outlets like p.e., art, and music, they would have opportunities to practice their social skills and would be more engaged in schools. All the teachers we surveyed said they believe social skills should be sought at all grade levels. If school is posed to help prepare people for life this, makes sense, because social skills are life skills. Youth violence social skills.

*****: Our second recommendation is we would like to see the 60 of Portland increase its support of mentoring programs for youth. On our advice to it big brothers, big sisters, we learned about a study that showed that after 18 months with their mentor little brothers and little sisters were 46% less likely to begin using illegal drugs. 27% likely to begin -- less likely to begin using alcohol. 52% less likely to skip school. More confident of their performance in school work. One-third less likely to hit Someone. And they got along better with their families.

*****: We know having a mentor can make a huge difference in a person's life, and there is between 800 and 1,000-child waiting list for big brothers-big sisters in Multnomah county. Our specific recommendations are, continue to pay leadership roles and connected by 25 coalition -- the city should expand support to the other mentoring programs. Continue to support big brother-big sisters. As the city council supports businesses to employee volunteerism. The city should offer employees incentives to volunteer with youth. Look at companies like umpqua bank and standard who are already doing this.

*****: We are grateful for this opportunity and would like to think -- thank the city of Portland office of youth violence prevention we visited and guest speakers. One way this project has affected me, I know my hopes of living in a safer community can come true.

Dylan: Because of there program I will try to stop youth violence whenever I see it.

Blackshear: City corps have given me a better understanding of youth violence and social skills.

*****: I have learned the more mentoring programs we have before or after school the less youth violence there will be.

*****: Because of this experience i'll help make a difference in my community.

because of this program, I learned the city actually does care about what you think.

*****: Because of this experience I will now handle conflicts differently.

*****: City corps have influenced me to make better decisions in my life for the future I will try to help other teens and people to stop what they're doing that's negative in their life. Mayor Potter or any of the other commissioners have any questions?

Potter: Thank you. I want to thank open meadows for the presentation today. I really appreciated the survey that the young people did. The findings and the recommendations. And I know that all of the city council will be looking at those recommendations to see what we can do to make Portland a better place and a safer place for all of our young people.

Adams: Excellent presentation.

Potter: Can we give these folks a hand? [applause] thank you all for being here. Please read the 9:45 time certain.

Item 676.

Adams: It has been a pleasure if not a sometimes challenging pleasure to serve as transportation commissioner and be responsible for the stewardship of the city's local transportation system, a \$7.1 billion asset for the public. Over the course of my tenure as commissioner in charge of the Portland office of transportation, we have worked hard to make p.d.c. the most efficient and effective and the best local government transportation system in the world. In seeking to take the direction, in

June 13, 2007

seeking to take the organization in a new direction, sue keel and I have replaced or put in new folks in nearly every senior management position in the agency. We are committed to building an organization that continually strives to identify its weaknesses and where it can improve. Audit services has aided us in this endeavor through a series of audit reports. I've convened in response to those audits, a paving task force to identify and analyze ways in which pdot could apply the recommendations of the auditor to improve service. The paving task force that you're going to hear from today was central in our efforts to put this report together and in doing so, has provided us with an invaluable service to our agency and the public at large. We are all fortunate that we have had leaders in both industry and labor to work with our staff on these changes. The results have been a rich analysis and a multidimensional study of the problems. Members of the task force were very generous not only with their expertise, but their time, and i'd like to thank them by name. Starting with kevin spellman, who served as chair of the task force. Who took an early retirement as president of a major local silicone construction firm and Serves as an adjunct professor of engineering at oregon state and Portland -- o.s.u. and Portland community college. Without him we would not have gone this far and as well as we have. I'd also like to thank the other members of the task force, ted oddland, richard beetle, lynn, chuck schrader, and troy hogan. I'd like to thank sue keel and the entire pmpltdot team, the good folks at transportation who have worked tirelessly over these past months to implement the recommendations of the auditor and to make the expectations of both myself, the task force, and the public. I'd also like to thank the auditor shop specifically drummond for his willingness to review our progress at sort of the midpoint and we're happy to report his office has enclosed a letter giving their thoughts on the progress we've made so far and i'd happy to report they are very encouraging. Please know this is simply the first of many steps to implement the recommendation set out in the paving audit. We are continuing to meet this -- put this plan into practice and develop the necessary tools to meet expectations for the residents of the city of Portland. They should expect excellent work from us as we expect from ourselves. With that i'll turn it over to sue keel, the director of the Portland office of transportation.

Sue Keil: Thanks, commissioner. From my perspective, having the audits in hand laid out a big Opportunity to make some improvements. Until you identify the essential problem, it's very difficult to tackle it in a direct kind of way. Maybe that's making lemonade out of lemons, but frankly it really has unleashed our internal people with the help of the task force to make the improvements that were called for in those audits. Let me make a comment about the task force. There are task forces and there are task forces. And this is of the latter category in that these were people that really knew what they were talking about, who had both the expertise, and the experience to bring to bear and who engaged with us in feedback and providing direction around we might better address the various issues that were before us. So i've given you a little matrix, and I want to, as commissioner Adams has done, recognize the people internal to transportation that have been key in these changes too. Kevin williams in maintenance, tom cough field, ed summers, doug hight, ray tell killgore, steve town send, our chief jamaal magloire, ryan overding, john wrist and jeff schaffer. Let me take you through this simple format and then i'm going to turn to the task force members to make shcomments following that. The first audit around least cost. And the first recommendation that maintenance should develop cost estimating procedures to Determine when a plan paving project represents a public improvement as defined by Oregon law. You can see our status on that is we have developed those estimating procedures, they will be -- some of them are more con10 tent in putting in place the asphalt standards that will be in place we believe in september, but we're using the improved procedures right now. So we're already using estimating procedures that have been developed and will be fully implemented in the fall. Second recommendation is that we be sure that we are reporting public improvement projects, in our case largely around the paving that are more than 125,000 and greater than two inches of paving. They're detyped as public improvements, to the office of management and finance for inclusion in

June 13, 2007

the boli report. We've done that. We are in full compliance right now. Third one was that if we were going to perform, there is an opportunity within that law for us to perform projects internally and if we were going to do that, we needed to have adequate plans and specifications so there could be a head-to-head comparison with the private sector that would demonstrate our ability to show least cost. And we are substantially complete on that and will be fully in completion of that assignment by september. Moving to the second audit, second page, the audit called for to us develop a preventive Maintenance program to apply to newly reconstructed and resurfaced streets in other -- in good condition. We're working on a pavement management system in making substantial progress on that, but it will not be fully implemented until the fall of 2008. We have developed criteria for street preservation and we're using those right now. So to the extent of the information that we have available, we've already made substantial change. Second recommendation is that we adopt a remaining service life approach to planning and budgeting for street preservation. This is one that we're going to come back and report that we believe there's a better way to do it. This remaining service life concept is used primarily for fixed plant and for highway as opposed to urban areas. The pavement oversight task force agreed with us that an optimization approach is a better one and the new pavement management system comes at it from that perspective as well. I expect these two gentlemen will comment on that. The third recommendation is that we establish better procedures for categorizing and tracking street preservation work activities. The audit found that we were not breaking out into sufficient detail what was a preservation activity and what was of a different category, and that we needed to do clean tracking on that. We've set that tracking system in place and allows us to track the cost associated with them. The location of the work performed, and distinguish between rehabilitation work and preventive kind of work. We'll be fully complete on that in the fall of 2007. But we are doing the tracking right now. The last recommendation there, number four, to evaluate the need to establish a pavement engineer position. And this has been a very difficult process. There may be two of these in the western world, and when we went out on recruitment, the one who was an ideal candidate received a salary increase in his current position and decided to stay. So what we have done is what kevin spellman has assured us we would do, we have taken our best pavement engineer inside and provided him additional training so we will have him fully in that position in september. Moving on to the third audit, which was around contract management practices, and particularly related to asphalt. The first recommendation is that we ask the city attorney to recommend the contract amendment that would provide early termination by contractors except for breach of contract. We've done that. The amendments have been made. There are in place. We had four assault suppliers, three of them signed them, and the rest of the story will come in the next recommendations. The second recommendation was purchasing should not approve price increases beyond the adjustments provided for in the contracts. As of august 2006, that's happening. Bureau of purchasing is in full compliance on that. Adjustments only are allowed under outlined standards in the supply contracts. The third recommendation is that we should abide by the city's contractual commitment to the primary vendors, and this one is a little more complicated because we had a rebate system, do have a rebate system in our current contracts. We have set up criteria for when the secondary suppliers should be used and we are fully in compliance with those criteria at the present time. The task force recommended the rebate system was not a good one and we should go with a low bid kind of contract in our next go-around. We're complying with it and have tight standards, tracking is occurring, and that all of the purchases are documented right now. Under the existing contracts we're doing as well as we can do on that one. The fourth recommendation is that pdot developed an accurate process for identifying the most cost effective primary asphalt vendor for each job. That's complete and the system is currently being used. On the fourth audit this, one was around pavement quality. Our first recommendation -- the auditor's recommendation was prepare and follow-up pavement quality assurance plan that outlines procedures and individual

June 13, 2007

responsibilities for Monitoring asphalt quality and taking remedial action when asphalt is found to be substandard. You've developed that quality assurance plan, and awaiting the new asphalt contracts it will not be fully implemented until september. But we really are working that quality assurance plan right now. The only remaining glitch is the new contracts. The second recommendation is that we developed clear and complete specifications for the desired quality of asphalt mix. We have adopted the odot specifications. We had a mismatch with the standards we had in place and what was actually being supplied. We've corrected that. Our full completion will happen with the new contracts in september of this year. The third recommendation, final recommendation, is we increase in-house technical expertise on pavement design and quality and provide more training of street preservation personnel, include pavement quality and performance measures, and employee evaluations. Training has been implemented. Testing procedures have changed, and are in effect. A pavement system manager has been identified, and performance measures will be included in personnel evaluations by december of this year. So I feel as though we have made huge change during the time since we received this audit. So i'd like to turn it over to Kevin spellman and chuck schrader.

Kevin Spellman: Mayor, commissioners, i'd like to thank commissioner Adams for allowing me to be part of this task force.

Adams: Like had you a choice.

Spellman: Yeah, something like that. I'd like to tell about you the process we used. I think it illustrates the commitment on the part of pdot. The first session we had, we had drummond and his staff come in, and to be sure we weren't misunderstanding any part of these orders rather than just read them, we had them present them to us. We subsequently had jeff baer from purchasing come in and stuff staff to talk about the asphalt contracts in particular. Within the task force we had some lively debate on some issues. Some more than others. We chipped away at the issues that were on the table and had to come back to some others. But I think what's important is that we recognize the leadership of sue, she and her staff made it clear from the beginning that they were not in the business of fighting this audits. They were in the business of responding to them and accepting their recommendations when they were appropriate, and challenging a couple of the areas that sue mentioned. When that was appropriate. Sue has been through these -- I think to some extent the audits overlap and kind of go back and forth between each of them. The key issues as far as we were concerned was one, that the city conformed that the statute. It may seem self-evident, but it wasn't happening, now it is happening. But it's more than conforming to the statute, it's actually good practice. That process, the least cost process is not yet complete, and I guess if there is an area of ongoing debate that this would be it. So I would expect at some point you'll hear more about this issue. Number two was a commitment to the most effective maintenance procedures bringing in the new pavement maintenance system and pavement engineer I think take us a long way down that road. The asphalt supply contracts were confusing in some ways. I think the new r.f.p. And the specless help a lot. We will be compliant with the odot specs, which everybody in the state understands as opposed to some older specification to say the least. They will incorporate quality insurance, quality control, monetary penalties for failure on quality. The rebate system will go away that made it very difficult for the crews to determine which plant they should call to have the asphalt from. New emphasis on training and testing within the department, and giving the authority to the new pavement engineer to lead this entire process I think will help a great deal. So again, i'd like to compliment sue and her staff in the leadership that they've shown.

Charles Schrader: I thought this process was really remarkable, to say the least. Charles schrader. Sorry. It evidenced incredible cooperation between the city and labor, plus industry, something you don't see often. It was also quite remarkable how misunderstood the actual statutes were. And the fact that generally speaking the city was violating the statutes. Daily. And remarkable that think -- the results we got were done so well and so quickly. The results here I

June 13, 2007

think will serve you well. Forestall what would have been litigation in the future I am sure when the industry began to slow down. You didn't see it because everyone was busy. But there will be a time when they aren't. And so this process was of course done well and was done wisely.

Spellman: I should add that we got two in one by having chuck on the task force. He's both a lawyer and an engineer. Those perspectives helped a lot.

Schrader: I think that's two strikes.

Keil: Well, it worked.

Potter: How are you going to follow up to see how the recommendations are actually being implemented?

Keil: The auditors are coming back. They've promised us that they'll return and look at us in a year rather than 18 years, like the last time, and they will give a report on this as well. But we're tracking this internally. Trust me, we're track can it Internally. And it's a great source of pride to see change when you have a problem and you make real change in it, you ought to feel good about that. And so we'll be tracking it from that perspective. Folks are on the line now that are actually in these crews, are feeling very good about the improvement.

Potter: These are excellent steps for pdot. Congratulate you, sue, and commissioner, and all the good folks that work with you.

Keil: I appreciate the help.

Adams: We are hoping for a representative from our partners in organized labor. Is someone here? Thanks for being here.

Robert Wheaton: Robert wheaton, I work for labors local 43. I apologize on behalf of richard and troy, richard has a doctor's appointment and troy is actually doing the work of the city paving streets as we speak. They're correct, one of the concerns we do have is going to be regarding the cost comparison analysis. And though I can only speak peripherally because I was given this report this morning at 9:00 a.m., I do -- I can articulate kind of abstractly their concerns. One of which is the interpretation of the statute. The statute reads that for the purposes of this section, resurfacing of highways, roads, or streets at a depth of two off more inches and at an estimated cost that exceeds \$125,000 is a public improvement. And basically what our concern is that when we're examining the statute, we're ignoring the first part, resurfacing. Resurfacing to a depth of more than two inches, most of the remaining falls beneath that standard. If it's less than two inches, the \$125,000 doesn't apply. That being said, we are not up-- afraid of going on a head-to-head comparison with any private contractor. We believe there are members can do this work far more efficiently than any private contractor out there. We feel we've got a valuable work force and they can do the job the cheapest. Basically it comes down to a matter of overhead versus profit motive. And we think our overhead is lower and the profit motive is higher. Of concern, though, is how we're going to go about determining the cost, the least cost analysis. What we don't want to see is that we automatically, once this threshold is triggered, razzless of your interpretation, we don't want to see it automatically go to a contracting out process. First of all, our collective bargaining agreement states before do you to a contracting process, you must demonstrate it's going to be least cost to us. Secondly, that's what the statute requires under boli. Simply, it's very simple forms, it's a planned public improvement, which is basically about six columns that you must fill out to say we plan to do this public improvement, and secondly, you have to go back and fill out form wh 119 from the bureau of labor and industries, which clearly states agency forced estimate, how much you estimate we're going to do the work for and agency contract estimate, which is how much the agency assumes the contractor is going to do. So if we do believe there's lots of jobs that can be done -- that are going to be done cheaper through a private entity just because they have additional resources we may not have. However, the idea of just automatically contracting it out is going to be something we object tomorrow the purpose of the statute is after all to perform the work with -- at the least cost. That's all I have to say.

June 13, 2007

Adams: I just want to thank you and everyone at the labor force for all your partnership on this. The points you raise are shall you -- you and I are right on in sync, we're both interested in what's cheapest and best for the taxpayer. We got additional work to do, and having you at the table makes sure that we do it well. So thank you.

Wheaton: I'll pass that on, because I haven't been at the table, but --

Adams: The other folks. Thanks for filling in for them.

Wheaton: Thank you.

Adams: That's it.

Potter: Anybody sign up to testify?

Moore: One person, amanda fritz.

Amanda Fritz: Good morning, amanda fritz. I'm here mainly to ask for you to please not hold public hearings on reports unless the public has had an opportunity to review the report. I searched online and couldn't find it. Either the search engines or the posting needs improvement. Karla has recently this, very week, added links to the Portland city council agenda which links to documents pertaining to the agenda which is absolutely wonderful, makes it much more easy for citizens to find a report and read them from our home as soon as we realize on friday afternoon that a subject is coming up for city council review. And citizens do care about street paving and a few of those citizen who's care a lot about street paving would be willing to read the report and would be willing to comment out. Each of you, i'm asking each of you to assign someone in your office to make sure that if anything is going from any of your bureau to the city council agenda, that the link is provided to Karla so that is posted on the agenda. And furthermore, that somebody be assigned to stay on friday evening to make sure that those links are indeed up. Because we want citizens to be able to come, especially it sounds like this report has been done very well. We want citizens to know when there are great reports that provide detailed information and good plans for moving forward. And so we can celebrate them. And that's all I have. Thank you.

Adams: Point well taken. Apologize. We dropped the ball.

Potter: I need a motion to accept.

Leonard: So moved.

Saltzman: Second.

Potter: Please call the vote.

Adams: I just in addition to the thanks i've given, i'd like to thank roland and shoshanna who worked very hard and very closely with the team before to you make this happen. Thank you. Aye.

Leonard: I understand how challenging it is to be assigned a bureau that needs some significant changes, and what the barriers are to do that. So I am really appreciated -- appreciative of commissioner Adams' efforts, because to do the things he's done may appear to some from the outside to be reasonable things to do, but when you get stuck inside this building, reason at times goes out the window. And every effort to improve services becomes criticized from corners that you would have never imagined you had heard from. So the changes that sam is working on and continues to promote are ones I heartly support. I will every instance where he is working on something like this give him the benefit of the doubt in my support because I think at the end of the day he's going to have a much more efficiencies item for paving streets and creating sidewalks, and I totally agree with him that that's our first priority at pdot. So I appreciate the work, everybody has invested in this and i'm really glad to support it. Aye.

Saltzman: I think this is a really outstanding response to an audit, and I really appreciate the thoroughness and sort of the receptiveness as I think sue keel said, rather than sort of fighting recommendations, embracing recommendations, and making them happen. So this is great example. Appreciate the work. Aye.

Potter: I really am impressed with the changes and the commitment to change. Pdot. I know that organizational change is not easy because you're not just changing widgets, it's people, it's how

June 13, 2007

they've been accustomed to thinking and acting, and those kind of cultural changes are often difficult. And I know it's not done, you folks certainly have a stepped in the right direction, and i'm just very impressed, and thank you commissioner Adams, for your leadership on it, sue, for yours, and I wish you folks well and i'll look forward to hearing what the city auditor says about it in a year or so. I vote aye. [gavel pounded] thank you very much.

Item 677.

Potter: A few months back I had the opportunity to go to new orleans to look at the devastation left by hurricane katrina. What it did was reinforce very strongly in my mind that it is very important that every community is prepared for a disaster. And that an important part of any disaster preparedness is having an evacuation plan on how to take people from an area of danger to safety. So this morning we're going to be presented information from the Portland office of emergency management as well as the Portland police bureau.

Brian Martin: We talked -- we will talk to you a little bit about the command structure that that plan would fit within, and then also patty will talk a little bit about the current state of readiness and the next steps for us. I think it's important for us to realize as the mayor said that this is going to be an ongoing process as most plans are. So before captain morris takes off on the basic elements of annex itself, I just wanted to make sure that I set the stage for the kind of the context of what this plan would be used in. Which is within the incident command structure. This plan won't answer every question, since we won't know what happens -- this plan provides a structure and as an incident commander and other agencies and this agency, I can tell you it seems to encompass most of the things that we would need to know in terms of a framework, it will answer questions for you as the ultimate decision-makers, and it will allow us to adapt as the situation unfolds. We are committed to a unified command structure within the i.c.s. Structure, and I think That's how we get to the answers to the questions that we won't know until it happens. So if you keep that frame of mind how we hear how this plan infolds, I think that will answer some of the questions that might come to you.

*****: Mayor, commissioners, i'm going to talk to you briefly about the basic elements --

Potter: State your name for the record.

Cpt. Keith Morris: Captain keith morris, Portland police bureau. The plan begin was a checklist. There are key decisions that meet to be made in the event of the critical incident, particularly in regards to evacuation. There are five checklists at the front of the plan, one for you, mayor, one for the Portland office of emergency management, one for law enforcement, one for the fire bureau, and one for transportation. And those will be key elements to initiating the evacuation process. The second section involves the purpose of the plan. It describes the framework for the evacuation, the scale and scope of critical incident, the applicability to any hazard, whether it be natural, chemical, or industrial, or foreign or domestic terrorism attack and discusses the fact this is a plan based on the national response plan under the national incident management system with a state and local government format. And I know i'm running through this quickly, so please feel free to ask questions at the end. The next section discusses situation and assumptions. The expectation is that able bodied persons can care for themselves, their families, their neighbors, and their friends, in the event of an evacuation and its responsibility of the city to primarily support those unable to care for themselves, which are a special needs populations. It also discusses the fact that in the event of an evacuation, our resources and our ability to respond will quickly be overwhelmed and mutual agreements will be essential in order to meet the expectations of that event. The next section is the concept of operations, which is a primary operational response of first responders and the e.o.c. The first responders will evaluate the threat, establish containment, and notify the decision makers that the e.o.c. needs to stand up. The e.o.c., the emergency operations center, will be established and a disaster policy council made up of key bureau heads will embryo information to you, mayor, on their recommendations whether or not we need to implement an emergency plan. And an

June 13, 2007

evacuation plan. Evacuation routes will be identified based on the nature of the threat. And a communication plan will be established and the citizens of Portland will be made aware of what the situation is and what they need to do in order to care for themselves and their loved ones. We'll work on mitigation at that point and ultimately once the threat is neutralized we'll implement a recovery plan to bring people back into the communities that have been evacuated. The next section talks about specific roles and responsibilities of key stakeholders in an evacuation. Each agency has specific responsibilities and it will be the responsibility of the unified command in the emergency operations center that ensure that all those individual agencies meet their individual expectations. The last piece is ongoing plan development and maintenance, and for that i'm going to refer to patty ruder from the office of management management.

Patty Rueter: Office of emergency management, patty ruder. Thank you for allowing us this time today. This annex applies to all hazards and as such is annexed to the basic emergency operations plan. Mayor, you would be receiving advice by -- from the key bureaus and the city attorney and your chief financial officer about the consequences related to evacuation and the long-term impacts. And that's what this plan will allow you to receive and guidance to those people what information they should be offering you. Through this planning process we have received what information you will need to know in order to order an evacuation and how difficult it would be to evacuate the entire city. So far through this process, we have gained knowledge about the threats that would cause an evacuation, the city's limitation, the diverse issues of our human and animal populations, what each of our bureaus are capable of doing, and need to do if evacuation is ordered. And what we need to do next. With your approval of this annex, we'll continue our discussion with our regional partners and our research into resources needed to execute and evacuate. A list of sum of of -- some of our partners are in the maintenance and development section. We will be talking to our county counterparts to develop more of the impacts of what Portland's evacuation would do to impact our neighboring counties and vice versa. We'll continue our discussion with tri-met about moving large numbers of people out of the downtown core area or wherever necessary. We'll research the road network and regional transportation routes to determine capacity, alternate routes and meeting sites along those routes. We will continue our discussion with Multnomah county emergency management to set up agreement with multicultural agencies and 2-1-1, for messaging to populations of greater need. We'll continue discussion with Multnomah county an middle school control to understand how Portland fits into their plans for animal movement. We'll expand our mapping of key sites in each section of the city that could care for Populations of greater needs such as hospitals, clinics, parks, and cultural community centers. We will connect with each city bureau to make sure that they have evacuation plans and employee communication plans in place. In the upcoming months our plan process will work to strengthen our understanding of the systems and the relationships we have in place. So that under duress they work. We will also be identifying gaps and action plans, incorporating lessons learned from top-off, and bring you back an updated plan after the exercise. All the information we collect through this process will be valuable for any type of disaster. The key to effective emergency management is understanding the systems that operate within the city and how they integrate within the region. The region has been waiting for our plan, and now with your approval, we're ready to move it into a more in-depth planning process. Our first attest of the evacuation plan will of course be through top-off. And we will i'm sure learn a lot. Thank you. Reagan we going to, through top-off, actually be evacuating the city?

Morris: Commissioner Adams -- the chief is ready to address the implementation of this evacuation plan in the exercise.

Martin: As any plan needs to be tested, this will be a good opportunity for us to do that, And the - in the top-off exercise in october. We won't do it for real, so -- but we will talk about it, and part of what we hope to get out of top officials exercise is the discussion amongst the decision makers

June 13, 2007

and the policy decision-maker committee with the incident command structure to see how we will react and what part of the city that we will in a similar situation evacuate. That really is the part of the plan that we will be testing at that level. Most of the types of evacuations that we do now at a much lesser scale are done -- will be done the same way as always, and probably within that exercise without giving away secrets of what that is. We'll do same thing we always do. But the more important piece will be the commissioners and the mayor and working with bureau directors and then that communication to the incident commander of what the decision is on -- in terms of scope of evacuation.

Adams: First off this, is great. Thank you for this -- we've never had this. So it's one of those things that probably won't get a single line of coverage in any media or newspaper, but if we --

Potter: Until it happens.

Adams: Exactly. But -- until it's needed. So I really congratulate you, mayor, for your leadership in this and your team. Just so the public won't necessarily have the opportunity Or interest in reading the report, the role that you see transit playing -- which can bypass freeway or secondary route evacuation efforts. What is your best thinking on the role that transit would play in a possible evacuation of the city.

Morris: We've had discussion with tri-met and transportation division. What we've come to realize is that as me representing the police bureau, we have a tendency to want to comment here for lack of a better word, resources in order to facilitate evacuation. Tri-met is the best bureau in the city to accommodate that. They know their routes. Though know their flow rates, their ability. We're working with them to ensure that we move as many bodies as possible in the event of an evacuation. We also work with odot and pdot and other resources to let us know what routes may be available for evacuation in the event of top-off, we know there will be some level of evacuation. Roadways and rail will be impacted. We need to quickly determine what routes we have for evacuation in front of you is an evacuation route map. It identifies key routes. What key decision make letters need to do is look and see what's the threat area and identify those routes that are available that aren't impacted by the threat. And it will be up to tri-met and other resources to say given This scenario, this is how we can best move people in the city of Portland. Each person takes their expertise and applies it to the situation at hadn't.

Adams: What are -- one of the possibilities is if there's an event in north Portland, that you -- you're going to have some agreements up front. Let's say if there's an event in north Portland, that you'll have some agreements with tri-met that, let's say, sending bus these are not necessarily on their regular routes, but to an area to get people out so they don't have to jam up the roads with their cars, that's the kind of thinking that you'll be doing, or preparation you'll be doing in the months ahead with top-off?

Morris: Absolutely.

Martin: And that's the important part of the structure that I was explaining, that this annex provides. Is dependent on the readiness of bureaus, of different departments within those bureaus, and really of our citizens as well. Another big component is for us to educate the citizens continue the education that's been ongoing since 9-11, really, of people taking care of themselves, being prepared, communities and neighborhood associations working together so that they can be ready and do the things they need to do so that we -- when we get there there's less of an event on each of those individuals. So it would be the same for the city bureaus. We want to integrate whatever Their planning is, and that's why this annex fits into the overall comprehensive plan. We want to integrate what their planning is, use their expertise under the unified incident command structure so that the real experts tell us how to adapt their expertise to the problem. So, yes.

Adams: Given what we've done to date and your preparation, which is more than we've ever I think been prepared before, what's the message to individuals in the city that if something does happen, obviously it will be tailored to the unique circumstance, but if -- what's our message to the citizens

June 13, 2007

that we have -- we now have established routes for evacuations, they should be aware of them and they should listen to authorities for how to actually do it? What's the message to Portlanders?

Rueter: Adopta -- adaptability. And listening to the leaders. That's the message. We cannot say that we have established evacuation routes. We're not evacuating from the ocean or from having to go to higher ground. We will have to be adaptable to the incident. And so knowing your neighborhood, knowing how to tune in to the radio to get the information about what routes are available or unimpaired, unimpeded, is one thing that the citizenry and our employees should know. But we need to assess the situation, we need to then give that information that we after The assessment out to the public, and then be able to guide them to their actions. So adaptability and listening to the leader is the most important thing we can tell our citizens besides being prepared for any kind of disaster.

Potter: You may want to talk about being prepared. What we want every citizen to have available is a 72-hour kit to provide necessary food, water, and other things. So they can listen if the electricity is off, that they can have a personal plan for their family as to how to contact each other, and we really want our public safety people to do this. So that one of the things that they learned from katrina in new orleans is that the public safety people aren't sure what happened to their family, they going to check on that first. So we need a plan for the public safety people, but the average citizen needs to have a plan on how they're going to contact family members at work, at school, so they can coordinate. Is there anything else that they would need to know?

Rueter: I would say that every business in our fine city needs to help their employees have a family plan. Because if the family is not taking -- taken care of, the employeeless not be concentrating at work at the jobs that they need to do. And so everyone, every business, every person, needs to understand how to contact, have an agreement with their children w. Their workers, with their elders on what they would do in A disaster. Have a plan that you've talked about ahead of time. Don't rely that there will be phones available, but say, honey, if I can't make it home, you need to stay at school, or you need to go to susie's house. Have that known ahead of time. I joke about tell epidemic think, but I think if we plan ahead we don't have to depend on any of our systems, we already know what needs to be done. And that's the key, talk ahead of time. One of the main things about emergency planning is building those relationships. And understanding what needs to be done just in case. That strengthens your system overall and gives you confidence in what you would need to know. So having a plan in place not for employers and for citizens.

Saltzman: Picking up on the use of transit, for evacuation, have we had discussions about amtrak or freight haul railroads about roles they could play in evacuation? I could see several areas where we could have significant events where freight haul railroads or amtrak might be the best conducive exit.

Rueter: We've had discussions with the airport, we've had discussion was rail, army corps of engineers, who have the capacity to have a floating bridge on the river. We've discussed a variety of transportation capabilities. Rail certainly has capacity to move large numbers of people in a relatively short period of time. We haven't established firm Partnership agreement was these people yet, but everyone we have spoken to has been more than willing to offer their resources. Those will be ongoing and we have --

Saltzman: You've had conversation was amtrak?

Morris: In fact, I don't want to misspeak. We have conversations about rail capacity and rail movements, and I can't say specifically it was an amtrak person we spoke to.

Rueter: This is hopefully in our next segment. That greater outreach to the partners and the possibilities.

Saltzman: I was skimming it, I saw a discussion about what to do about pets, I didn't see anything about frail elderly or persons with disabilities that are unable to --

June 13, 2007

Rueter: One of the things we've learned, Multnomah county and their human resources or human - what is it called? Services? And also our own office of neighborhood involvement have joined forces together to talk about what to do with the populations of greater needs, which includes non-english speaking, elderly, impaired, what services are available to those citizens, and setting up a messaging map that would allow information to go to those agencies that care for the frail and elderly, that care for the nonenglish speaking, so they're talking to people and getting messages from people that they already have an established relationship with. And they know where they are, and we're talking with two -- 2-1-1 about messaging, being able to take phone bank. We're just beginning the conversation was key agencies that we want to establish a set agreement with that would kick in immediately in the case of a disaster. In case of any disaster that we would be able to be partners and understand what their capability is. So we're working on that, we're gaining great knowledge and very pleased with what we're hearing and the relationships that we're establishing.

Morris: I did meet with the citizen transportation coordinating council, an organization that transports people with disabilities. One of the discussions that we had was that there is a level of distrust for media, for government, and it was important for us to work through -- it was important for to us work through those social service agencies that have contact with those communities in order to get that message out, and they have that connection to make that happen. Which simplifies our requirements and certainly ensures those people get the message they need.

Martin: So the other part of that is without trying to predict things we don't know until it happens, we do know most of the people who aren't in the special needs category, who aren't injured, will self-evacuate anyway. One of our focuses will be how do we maintain control and assist in the evacuation that's happening anyway. And the other focus will be on that special needs clientele of whatever variety that they come from.

Potter: One of the most vulnerable groups in new orleans were those that did not have access to automobiles. They had to rely on public transportation or sheltering in place. We also what happened in the -- know what happened in the superdome in new orleans. We need to figure out who needs to know, what are the memorandums of understanding we need with other agencies, special groups that handle special populations. And I remind the council in the mayor's absence or incapacity, the president of the council is -- would take their place and so I think currently it's commissioner Leonard until july 1st, and then I think it becomes commissioner Adams, and then I might add, during the top-off exercise.

Adams: Oh, my goodness.

Saltzman: Congratulations.

Adams: You need to remain very healthy.

Leonard: On that point I was going to suggest that under the list of those responsible, it says the mayor or designee, I was going to suggest that you specifically include the president of the council because I think up until now the more been informal about the transition on the mayor's -- when the mayor's out of town, or hopefully never happens, but incapacitated, and it's kind of a scramble when you learn you're here versus what I would actually like to see more formalized, like on july 1st Commissioner Adams has a briefing from home, and the police bureau, and here's kind of what you'll have to do and have his own separate book. And at the end of that six months commissioner Saltzman will get it, have the same briefing, and so we're all kind of thinking about, ok, now I have this extra responsibility for the six months that the mayor is out of town.

Potter: I really appreciate how you took a lot of action, including having access to a police reading. And just give it to the president of the council.

Leonard: Though sam can't have one.

Adams: If you can be trusted, I can.

Martin: If I may, along those lines we have had some discussion about getting you all together, at least once a month until top-off comes around so we can have some tabletop discussions and maybe

June 13, 2007

along in that context we can talk about who and where and where people are going to be related to any disaster, but certainly to prepare for the upcoming top-off exercise.

Adams: One final point I failed to think about earlier, where there's the disaster, the big disaster, and then there's the potential for moderate disasters during inclement weather. If you could just put some effort into looking at how we deal with either the snow or ice happens during business hours, and we have to get people back, or it happens during nonbusiness hours and people are wondering do I go to work. And work hours are now 24 hours a day, but i'd really like you to think about thousand this fits in or can move forward and continue to improve our efforts during inclement weather. Because that is the most common evacuation type task that we collectively have.

Morris: I prepared some various [inaudible] during 1996 floods, the floods were responsible for eight deaths, \$500 million in damage and 30,000 people were displaced. Whether it's a major impact -- .

Potter: Thank you, folks.

*****: Thank you.

Potter: Did anybody sign up to testify?

Moore: No one signed up.

Potter: Is there anyone here who wishes to testify on this matter? Would you stand up to testify? Please call the vote.

Adams: Thank you all, thank you mayor Potter. Great leadership. Aye.

Leonard: Planning is how you avoid a catastrophe when a strategy strikes. Sometimes it's monotonous, but when tragedy strikes it's when that training pays off. So I appreciate the focus of the poem on -- on doing that, and the upcoming top-off exercise. I think it's very important. Thank you. Aye.

Saltzman: A number us were in a meeting yesterday with homeland security folks talking about scenario and preparing for the top-off exercise, and the pain of people who work in -- the bane of people who work in emergency management, it's hard to keep team focused except when there's a tragedy. And I really want to appreciate, and that's where we come in, I think it's up to all of us in this council and other elected bodies to provide steady attention to something that often we hope only happens on rare occasion, but when it does happen, our jobs are to really as patty ruder said, to be leaders and step up. So that means we have to keep our eyes focus order these issues as mundane as they may seem, and they seem mundane now, but when we need them, we'll be glad we spent this time on this. I want to thank the mayor for this annex to the plan and keeping us -- keeping the focus he has during his tenure. Aye.

Potter: I really want to thank the staff, all of the different bureaus that will have a significant role during an emergency or a disaster. There is an issue about focus and paying attention. For instance, one of the issues we have is trying to keep our phone numbers of people to contact updated. And recently I saw a memo saying about 20% of the people that we needed to have a -- 20% of the people needed to have phone numbers for respond and the other 80% did not. So we really need the bureau's -- getting us the numbers that we need to contact and ensure that we have people that we can reach on mobile phones when the disaster hits, and I say when, because it's not If, but when. We know that Portland is sitting on a number of faults. And that approximately every 300 years we have a significant earthquake up to 9.0, which is just about as high as you can possibly get. And so we do have to be prepared. And we also get floods, but if that earthquake hit here it would have a disastrous effect on structures. If it hits on the ocean, the coastal areas would receive tsunamis of high tsunamis. So there's a number of things that i'm really -- I really appreciate all the good folks working on it, but those folks sitting at home have to understand they have a role too, and by having a personal plan, being able to contact family, by having a 72-hour biokit, we have them now at the Portland building and city hall, so we could exist for a while. But it's just an important area. Anybody that has been to new orleans to see two years later, half of the city is

June 13, 2007

gone, literally, the people are gone. 80% of the city was under water. And that a good portion of the homes uninhabitable. So if something and when something hits in Portland, I want us to be ready and I want us to take immediate action. The good portion of lives saved are often saved in the first few hours after a major event. So we need to be ready, and I appreciate this evacuates plan as good first step. And I look forward to the top-off exercise. Because it will show us where we are weak and bring home the fact that as much planning as we can do, you can never really be prepared for major disaster. Thanks, folks, and I appreciate your good work. Aye. [gavel pounded] move to the regular agenda, please read item 701.

Item 701.

Potter: Bruce, could you come forward? This was sign and submitted by all of the council in determining how the annual budget for p.d.c. would be developed. So Bruce, thank you for being here.

Bruce Warner: For the record, Bruce Warner, the executive director of the Portland development commission. What you have before you is an ordinance which really does formalize and codify that -- codify the process that our board and the city council went through to developing your budget for consideration this year. Also with me is our chair, Mark Rosenbaum, but I would say it's a good ordinance, we thought the process from the staff's perspective where we had a work group chaired by a city councillor and a member of our development commission was very beneficial, it allowed everybody to understand the issues to dig into the budget and I think will set the stage well for the new charter amendment changes that allow the full council to adopt our budget as the budget committee is required under state law. I'd like to turn it over to our chair, and if you have further question, I'd be glad to answer those.

Potter: Chair Rosenbaum, welcome.

Mark Rosenbaum: Good morning, Mayor Potter, city commissioners, pleasure to be with you this morning. In full support of the resolution which you're bringing forward. I think the process that was undertaken with commissioner Saltzman and commissioner Sten last year and p.d.c. Commissioners Charles and myself, worked very well. And if nothing else I hope it exemplified a spirit of teamwork and camaraderie as it related to dealing with the city's agenda for development, and focusing on cooperation as it relates to those expenditures. I think particularly instructive in the process was not only going through the budget, you are a -- program by program. But also the long-term outlook that it allowed the participants to look at. Kind of identify, this is this year's budget, but what's looming three and four years out that we as a city need to concentrate on? I thought that was particularly helpful, and is leading to more discussions ongoing now with that committee as we look at some of those more important longer term or larger expenditures. So I'm here to add my endorsement and that I think of all p.d.c. commissioners to this resolution.

Warner: If I could just add, the other thing that benefited this resolution is it does say we need a member of the public there, the citizen member. And we also found out very, very, very helpful. John Cruz's insights were very instructive to us in developing the budget.

Potter: Questions from the commissioners? Thank you very much. We look forward to that relationship. Is anybody signed up to testify?

Moore: We have one person signed up.

Bernie Bottomly: Good morning. Bernie Bottomly. I just want to echo the comments of Mr. Rosenbaum. Appreciate the effort that you've made, Mr. Mayor, in bringing this resolution forward. We think it represents a good balance of citizen input, p.d.c. input, and city council input into the p.d.c. budget setting process. Recognizes the role of the city council and the role of the p.d.c. commission in setting direction for the agency and maintains the flexibility we think p.d.c. needs to have to maximize the benefit of its function. So we're fully in support of this resolution.

Potter: Thank you.

Moore: We have one more person.

June 13, 2007

Sal Kadri: Good morning. My pleasure to be here. I'm in full support of this resolution. I echo what chairman rosenbaum talked about, his initiative on this year's process worked very well, and I commend you folks for recognizing that. At the same time as you review this resolution, and hopefully pass it, I also want to encourage you to elaborate on all of the good things that have been going on at p.d.c. and the cooperation that p.d.c. commission, the folks at p.d.c. has well as can with the city council. We appreciate that and we want to continue doing that.

Potter: Thank you, commissioner. Please call the vote.

Adams: Really pleased to be voting in favor of this. Thank you for all the hard work from commissioner Sten, to the mayor's office, to chair rosenbaum, and bruce and his team, mayor's standoff. I really appreciate the work and the p.d.c. commission. Aye.

Leonard: We adopted the same kind of approach with all bureaus in the city two years ago of having a subcommittee to get in and look at the details, and it works well. And I think it worked very well this last year, and I appreciated that. And I look forward to us getting down and looking at the details of the budget each year. I think it's good for both sides to have a perspective a little different that's approaching some of these issues and out of that comes good policy, and I think the public will be greatly pleased with the work that both sideless do in developing a very balanced budget. Aye.

Saltzman: As a participant in the process this year, I think it worked real li well. It helped both members of the city council, myself and commissioner Sten to better understand many of the issues going on in urban renewal areas, also to identify some of the larger strategic issues that need to be addressed by the p.d.c. and the city council in the coming years. And I thought in having a citizen member was really a great addition as well, but it provided more of an informal setting than sometimes the highly charged atmosphere much a city council meeting or p.d.c. commission meeting. I think this does set the template for how we can continue to work together with p.d.c. For the best interest of our citizens of this city. Aye.

Potter: I really appreciate the collaborative atmosphere that this creates. By combining city commissioner was p.d.c. economists, with the citizen, it really gives a perspective, a citywide perspective as well as a citizen perspective. And I really appreciate that. I think with the changes in state law and the city charter, that this will help provide the right platform for coming up with the right budget and implementation at the policy set by this city, and this format worked exceedingly well this last year and I see no reason for it not to work in a similar nature the coming year and into the future. Appreciate p.d.c. and the city's efforts in this. I vote aye. [gavel pounded] thank you, folks. Please read item 702 and 703 together.

Item 702 and 703.

Potter: Two highly qualified candidates for confirmation for appointment to the planning commission. The planning commission is one of our most important volunteer commissions providing thoughtful recommendations to the council on the future growth and development of our city. They provide the highest level, comprehensive consideration of planning and development issues. The next several years the planning commission will be working with the planning bureau, the council, and community on several high-priority projects, including advising on the implementation of vision p.d.c. And community priorities, update of the comprehensive plan, the city's guiding policy document, and the central Portland plan, the first holeis lisa iacuzzi tick look at the city in over 20 years. Catherine ciarlo and jill sherman will bring diverse knowledge and experience to the commission. Catherine ciarlo has training as an attorney and has been in the field of nonprofit management for the last decade. She's currently the director of Oregon lawyers -- strategic planning and community relayings for the organization. Jill sherman has academic and professional experience in urban planning, a half dozen years of experience in all aspects of real estate development. She's currently a development manager with experience advancing sustainable development that meets community goals. She served as a volunteer Capacity with central city

June 13, 2007

concern and the urban land institute and has experience in developing affordable multifamily housing as well. Both women have a passion for Portland and am pleased to welcome them to the commission and service to this city after the confirmation by city council. Are either of the candidates, I understand catherine ciarlo is not here this morning. Oh, she is here. Please come forwards. As well as jill sherman. Maybe it's jill sherman that's not -- that's out of town. Thank you for considering this, and I appreciate you being willing to serve the time. If there are questions that the council has of the candidate?

Leonard: I'm just real familiar with your work and I think you're an outstanding addition.

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

Leonard: I think it's very cottonwood cool you're going to be there.

Catherine Ciarlo: Thanks. I appreciate that.

Adams: I too have had an opportunity to work with the applicant, and she is outstanding, and thank you for your willingness to devote what will be a very large chunk of your life to creating a framework for the future Portland. The ever-renewing and continuously changing Portland. Thank you.

Ciarlo: Thank you.

Potter: Thank you very much.

Leonard: I do have a question. As I said, i'm familiar with and you your work, have I haven't had the pleasure of meeting ms. Sherman yet, but I have reviewed her application and she seems to be an outstanding candidate. Jill is here?

Adams: Timing is everything in politics.

Potter: Thanks for being here.

*******:** Yeah. Sure.

Leonard: So the question I have has nothing to do with ms. Sherman's qualifications. She's imminently qualified to serve on the commission. She would be a fabulous addition. But it was brat to my attention by a member of the community that there is a statute that speaks to the composition of development commissions. So i've had some exchanges with the bureau of planning about the concerns raised by community members, but I think we're also going to hear from as well. But basically the issue comes down to that the statute says no more than two voting members of the commission may engage principally in the buying, selling, or developing of real estate for profit as individuals or be members of any partnership or offices or employees of any corporation that engages principally in the buying, selling, or developing of real estate for profit. No more than two members, this is the last sentence of the statute, no more than two members shall be engaged in the same kind of occupation, business, trade, or profession. Ms. Sherman does work for a developer, and there's nobody that disputes that or questions that. And I think the issue isn't that, the issue is whether or not there are already two people that are developers on the commission. And there seems to be a reasonable disagreement as to whether or not that's the case. So that the current member of the planning commission of which there is some disagreement as to whether or not he is a developer, is engaged self identifies himself as a developer, and he's an outstanding member too. So none of this is a question as to whether or not these folks qualified or not, or are actually doing a great job. I am very impressed with the commission. But the question becomes one of whether or not he is actually a developer according to the definition of the statute. And I guess i've had exchanges with the planning bureau, and I guess i'm left yet with questions about whether or not the current commission already has the two folks in slots that are developers. And I guess I need to have at this point the city attorney weigh in to help me, or maybe gil can come up and help me work through some of this, because I would actually look for an opportunity to be able to support ms. Sherman's appointment because I think she would be an outstanding addition. On the other hand, I think we have to be not just mindful of the letter of the law, but the spirit of the statute as well. And i'm concerned. So I guess it really brings us to the issue of mr. Hanson, who is a current member of

June 13, 2007

the commission, and the title of his company is development services manager for otak inc. The -- what was forwarded to me was, for instance, the daily journal of commerce one mr. Hanson was appointed led -- I know we don't make decisions based on headlines, but it did say veteran developer hanson takes seat on plan can commission. -- planning commission. And he was quoted as saying he is encouraged by the work his fellow develop verse been doing when it comes to urban landfill. So i've read this very specific response that I appreciate from the bureau of planning about kind of the nuance to different -- these are my words. What I consider to be a nuance to difference technically in the spot that mr. Hanson fills versus what I guess people -- what your argument is commonly thought of as a developer, and to quote some of my attorney friends, it appears to be a disteens without a difference. So i'm having a hard time understanding how we don't already have two people on the commission.

Gil Kelley: Thank you, commissioner Leonard. I appreciate the question, because we are doing the people's business here. We're very mindful -- excuse me, gil kelley, director of the bureau of planning. We are the principle staff to the city's planning commission. We've been extremely mindful of these requirements of both state law and city code as we've been selecting members, historically and in the current round of selection. And have in fact consulted with the city attorney on this who supports our analysis in this. I should just remind the whole of the council that we look for the best people, all positions, who have a broad interest as well as the professional skills that they may have in their professions as they come to the planning commission, and we look for those who are best able to weigh and balance and do the public good. And with that in mind, we have always steered clear of the specific preconclusions of having more than two members in any given profession on the commission. And the state law actually singles out those who -- i'll reread the following -- this is our city code restating the state statute and making one addition. No more than two members of the commission may be individuals or members of any partnership or officers or employees of any corporation that engages principally in the buying, selling, leasing, and we've added leasing in our statute, or the -- where the state code is silent, or developing of real estate for profit.

Leonard: You need to read the next sentence.

Kelley: No more than two members shall be engaged in the same kind of occupation, business, Trade, or profession is the other piece.

Leonard: That's the part actually that I --

Kelley: That's of more concern to you?

Leonard: That's I think the part that I think most people would read from a layman's point of view and conclude that where a person may not be directly involved in f. They are indirectly involved in a business, and I don't think -- this is not at all questioning any of the folks on the commission. That's the best group that possibly can be, and I understand that. And I would look forward to even if this didn't work out having you replace the next person who is clear lay developer. But the website for this company owned -- does he own it or does he work for it?

Kelley: He's a principle there.

Leonard: What -- this is a direct quote from the website. Quote -- planning, permitting, annexation, public involvement. These core services provide the backbone of any development project. Unquote. And I get the disteens that Carrie drew for me, which I appreciate of truly what one may think of as a developer. But this last sentence in the statute would seem to indicate to me that at best this is a gray area. And I am very uncomfortable just personally walking a gray area on a commission that carries so much importance and so much weight on how development occurs in Portland. I think we need to default to be an extremely cautious versus being edgy on this particular area to make sure that we're not at a minimum violating the spirit of the statute. And that's my concern.

June 13, 2007

Kelley: The council is free to interpret this. We have interpreted in the past and council has in the past not as narrowly as you might be suggesting, and i'm glad you're relieving us of the first part, because that's the part we're more concerned about. On the second sentence I would just remind you that we have architects on the commission, and lawyers on the commission, in the past have had engineers who also are involved in the development process. This firm is not actually engaged in developing on their own, they're essentially consultants, principally to development entities. And that is the case with -- and has been the case with attorneys we've had on the commission and others. It's -- it's a broad activity in Portland.

Leonard: I get, that but I guess it also brings to mind why one wouldn't look outside at all of that profession, like a neighborhood representative, or --

Kelley: We certainly do, and we have, and catherine is a great representative of that. But we also look for people that have some expertise in development issues. And so we have architects, land use attorneys, and --

Leonard: I would appreciate not being in the position to Vote on this today, and maybe have a month to have the city attorney look at this and mike sure it's a clear, bright line that exist and we're not even approaching crossing it, because I am frankly uncomfortable with the explanations up till now.

Potter: I'm not uncomfortable. If we have architects, lawyers, planners, o on there that provide services to developers, what's the difference?

Leonard: I think the difference is perception. And the perception is that the statute says, the statute says -- struggling to find the sentence. A direct quote from the statute -- no more than two members shall be engaged in the same kind of occupation, business, trade, or profession. I suppose if I was doing the picking, I would make sure there wasn't more than two people engaged in architectural work, or that was interactive with developers primarily. But certainly when you have what appears to be a business that -- there's absolutely nothing wrong with this, but again, it goes to the statute where a business that actually says they provide the core services that are the -- at a minimum, suggests that that business primarily benefits from the work of development if not directly certainly indirectly by the work they do. And again, maybe a very technical parsing of the words would justify having that person not be a developer, but I think the common interpretation of that and the intent I believe of The statute is to make sure have you people with separate interests on the development commission and certainly the -- mr. Hanson's interests are to development. He primarily works for those that do development. And while he may not own the property involved or have a financial stake on a particular deal, he gets a portion of that money in the form of advice and consulting fees and whatever that involves. And I just think intent here is to make sure you have different interests on the planning commission. And with all due respect, it appears with this third appointment you have three people with interests and -- financial interests in development, not necessarily directly, but at least indirectly. And it makes me uncomfortable.

Potter: O.r.s. states very clearly, in terms of how they define whether they're in the same kind of occupation business, trade, or profession by stating no more than two voting members of the commission shall engage principally in the buying, selling, or developing of real estate for profit as individuals or be members of any partnership or officers, or of employees of any corporation that engages principally in the buying, selling, and developing of real estate for profit.

Leonard: This is truly a legal interpretation question. Can harry get some feedback?

Harry Auerbach: The state statute does not define its terms and the city code does not provide a Clearance on the definition either of what it means to engage principally in the development business or to be engaged in the same business or occupation. The code does have a definition of develop, which is to construct or alter a structure or to make a physical change to the land including excavation fills. But it doesn't -- it doesn't define with any particularity who is engaged in that principally for business. What that means is, as mr. Kelley has indicated, the council has to

June 13, 2007

interpret that, or has the opportunity to interpret that provision and to apply it. Looking at it, I think it depends on where the -- in terms of the city council -- the city code provision, the key question is what does the council intend for it to mean? So you all have to make a policy judgment of how close to the dirt does someone have to be before that person is engaged principally in the development of real property for profit. It might be advisable at some point. Are you the decision makers on what it means.

Kelley: I would urge that -- I think rather than parsing out, I would think you're proposing a very broad reading of that second sentence. I would just caution the council in that direction, because, for example, there may be two other existing members of the commissioner one who's an architect and one who's an attorney who have both public and private sector clients, and are outstanding members of the commission, who may fall within that broader definition. By making that broad of a reach I think you'd be severely limiting the number of people applicants for the commission that may have the skills and knowledge that we're looking for. We look for everyone to be a citizen, to be passionate about their neighborhood, to be passionate about Portland. But we also want a mix of skills and knowledge and talent.

Adams: Based on the commonly held perception of the planning staff, can you just go through who is represented on the commission right now, what interests?

Kelley: And again we're -- in addition to today's appointments will be forwarding two more shortly. So we have a current vacancy of four commissioners out of nine. So were anxious to get some appointments filled and as I've said we've interviewed probably two dozen and were continuing over the next two weeks to finish that out so we have a robust pool. But many of them are in professions that you might be concerned about under a larger definition. The current membership of five includes a sustainability coordinator for zgf architects they could reasonable be included in the same definition that you've just made. Don hanson, who we have talked about. Larry hildebrand, who's a retired editor for the Oregonian. Michele rudd who's an attorney with stoel rives who also would conceivably be caught by that broad brush definition. And then paul schlessinger the current chair who is an acknowledge property owner and developer. So he is the one there who meets the strict definition and that's the one that we've always gone by. And again were looking for two other appointments beyond the current --

Adams: If we were to approve these two nominations, what do you believe the next two -- what kind of flavor of their backgrounds should the next two have?

Kelley: We're looking to beef up the design -- the urban design, particularly talent on it -- and additional neighborhood and geographic representation. I think these are the two pieces. A third category we've thought about, if you will, is a strong representative of arts and culture. And as I say, we try to find mix. Both these women were outstanding, I mean, just blew us away in their interviews, and are passionate about Portland, passionate, in jill's case, about affordable housing and sustainability as well as just good development. And catherine, who most of you know, also comes from an activist background in transportation planning as the former director of the b.t.a. So -- you know -- we tend to look for multiple dimensions of our members rather than just pegging them to a slot. That said, we do try to stay clear of these sort of base, minimal requirements or proscriptions that are in the code.

Leonard: I would appreciate hearing maybe some discussion about if we can get past this how you might undertake a process by which you define some of these positions clearer.

*****: Ok.

Leonard: And i'm asking you that now. Can you -- can you give me some kind of an idea of if we can all acknowledge that this is at least a gray area, how you could be helpful and maybe the short-term developing some clear definition of what a developer is, some clear definitions of what the various categories are beyond? 'Cause the statute, I think a common lay reading of the statute would lead one to believe that mr. Hanson falls within that umbrella of no more than or under the

June 13, 2007

umbrella of the same kind of occupation, business, trade or profession. I hear what you're saying, and i'm trying -- i'm searching for a way to resolve this, because I agree these are outstanding candidates, but I need to hear something about what you're going to do to avoid these kinds of definitional problems in the future.

Kelley: I understand. And I think it's kind of unfortunate that his firm chooses to sort of employ the term "developer." I think that's a term of art within that profession. What we'd like to avoid, maybe one way to define that, we have had many and continue to have many members on the planning commission who are architects, planners, traffic engineers, lawyers, housing consultants, and public process consultants, and some of those things are exactly what tom hanson does in his firm.

Leonard: That may be, but maybe it is just a matter of him being more cognizant of how -- cognizant of how he's identifying himself as a self-developer. Maybe that's contrary to the liberal definition. I don't know. But it doesn't feel comfortable to me to have these kinds of questions brought to me and not have clearer answers. I mean, I think, in our appointments, we should be crystal clear about and avoid any possible misunderstandings about who represents whom on the planning commission.

Kelley: Well, I think --

Leonard: I'm looking for some acknowledgment that we need to set down and, for future applications, have clearer definitions of what those positions do or do not include.

Kelley: I hear you. I just don't know what words I can put on the floor at this moment that would -

Leonard: I'm not asking for this moment but that you'll engage in that.

Kelley: I'll be happy to do that. At a minimum, we would -- we would want to be cognizant about people who self-identify, I guess, as developer, even if that's not technically the way we do them.

Adams: Jill, miss sherman, glad you're here. We've been talking about you.

*****: Hi.

Leonard: We actually have not been talking about you.

Adams: We have not been talking about you. I guess it's an obvious question to ask coming from your most recent professional background. What is your view in terms of -- you have many issues before you where there will be competing interests between the needs and desires after developer and a set of investors and the needs and desires of those people that might be impacted by a particular application for zone change or what have you. What sort of approach would you take to looking at the merits of that kind of a situation?

Jill Sherman: I'm jill sherman obviously. You have been talking about me, but I didn't take it personally.

*****: [laughter]

Sherman: I think -- and we talked about this a lot during the interview, how important it is to be able to view different sides of an issue, try to understand different perspectives, and i've had prior experience working with diverse groups of people. And in addition to the development work that I do, i've done a number of different volunteer things -- you know -- in the past and also working with affordable housing, which is what I did prior to coming to gerding england development. I worked with a number of different constituencies. I think really any good development process regardless takes into account all of these multiple constituencies. You in fact cannot get something done unless you work with your neighborhood and have understood -- you know -- other interests and so forth. So that's one thing. But being on the planning commission is different, and the expectation is that you're going to look at any particular issue with as open a mind as you can, try to understand the complexities -- you know -- any difficult issue is complex and not black and white -- and do your best to kind of muddle through that and determine what you think is the right thing to do or the best thing overall given the multiple perspectives.

June 13, 2007

Adams: So even though your current active relationships include a lot of folks in the development community, you won't be unduly swayed by those personal or professional relationships?

Sherman: No. I think, if I wasn't comfortable with that, I wouldn't have been comfortable -- you know -- applying to be on the commission.

Kelley: I would also say what's well-known to council but just for the viewing audience, we have very strict rules on the commission about not -- a member recusing himself or herself from any action for which their employer, whether they're self-employed or employed, as in jill's case, by a development entity -- they must recuse themselves from the proceedings. Not only from a vote but from the entire discussion of the commission vote. That's just for public knowledge. Thanks.

Potter: Thank you. Do we have anybody signed up to testify?

Moore: I did not have a sign-up sheet.

Potter: Anybody here who wishes to testify to this matter? Will one of you folks make way for the testifier?

Amanda Fritz: Good morning. I'm amanda fritz speaking only for myself. The issue here is the balance of interests represented on the planning commission. If the two nominees are approved today, there will be five members who profit from development, two who don't, on the commission. That's not balanced. It is a judgment call for the council as to whether or not there are two members of the planning commission principally employed in land development. It's a matter of policy, not any question of the virtue of the planning commissioners or nominees involved. I have great respect for both paul schlesinger and don hansen, the two members whose work is principally development. I don't know jill sherman, but she sounds like a wonderful person who would be a great choice as the commission's next developer. The code requires a broad representation and allows only two members to be principally in developing of real estate for profit. The definition of the development in the zoning codes has construction as development, meaning people who work on the site would be developers while applicants would not. That clearly does not make sense in this context. Neither does the bureau of planning's contention that only landowners, the clients of otec, are developers. When the 600 acres forest heights subdivision was approved in the early 1990's, absentee owners didn't negotiate and abdicate for the approval by the city of Portland. Don hanson did. When don was appointed to the planning commission, the daily journal of commerce wrote veteran developer hanson takes seat on planning commission. I've provided copies for you. Gil kelly is quoted as saying don has good practical experience in the development business. When I mentioned to a fellow land-use volunteer that the bureau of planning doesn't consider don a developer, her response was, well, then what is he? If don isn't a developer, what professional slot does he fill so that the public will know when there's a second one on the commission and that planning commission has its two spaces. The principle at stake is the balance of interest on the planning commission. I agree with the bureau of planning that not all professionals who provide development services to applicants are developers. Lawyers, architects, et cetera, may help with applications before council, and I wouldn't call them developers. The core question regarding whether don hanson is principally involved in development for profit, if a person plans the development applications, advocates for their approval, is referred to as a veteran developer in the city's newspaper record and has the title manager of development services in a firm that provides services to for-profit developers, I think that makes that individual princely involved in developing real estate for profit. I believe there isn't space on the planning commission for a third developer at this time and ask that the very worthy nomination of jill sherman be postponed until one of the two developers currently serving retires.

Leonard: So what is the slot that mr. Hanson fills?

Kelley: The question is what slot mr. Hanson fills? We don't have designated slots, that is, for teacher, for neighborhood activist, for artist. What we do is to steer clear of preclusions of having more than two in any given profession.

June 13, 2007

Leonard: I see. So there isn't a requirement that you have certain positions filled, just a requirement you not have more than two people in the same --

Potter: Further questions? Call the vote.

Moore: Adams.

Potter: Let's do them one by one. On 702.

Adams: I think commissioner Leonard and amanda fritz are raising some important questions and concerns about this, and I think that my direction to the planning commission or my request to the planning commission as the next two appointments come in sort of with this concern as part of your screening process, but I am going to support jill sherman for appointment to the planning commission. She's addressed any concerns that i've had on the record about any sort of bias and a willingness to vote against her friends and colleagues, which I have to do almost every council meeting. It is a requirement of a good public servant. I know that the questions that commissioner Leonard raised and amanda fritz raised are not personal to you, but I think they're fair, and you've addressed my concerns. Aye.

Leonard: And I really appreciated ms. Sherman's responses to sam's questions, because they gave me a level of comfort in her approach, and i'm going to be checking with gil to see how this process is coming of clearly defining who is what in various professions so hopefully we can avoid this kind of thing in the future. But I very much appreciate ms. Sherman's willingness to serve. Aye.

Saltzman: I think it was a very good discussion on some interesting points we need to take into account, but i'm certainly very happy to support jill sherman, to support anybody who really is willing to take the time to serve on the planning commission, because it is probably one commission that requires the most reading and meetings of any city-appointed advisory committee we have. So welcome. Aye.

Potter: Thank you for being willing to serve. I vote aye. Please read 703.

Adams: I'm thrilled. I don't know jill, but I know catherine. Smart, tough, fair, balanced, willing to stand her ground and compromise based on principle. Aye.

Leonard: I agree. I look forward to having catherine down at the planning commission. It will be a great addition. Aye.

Saltzman: Welcome you, too. Aye.

Potter: Aye. Thank you, folks. Please read item 704.

Item 704.

Potter: Mayor requests council confirmation of following appointment of steven peacock appointed from june '07 to december, 2010 and the reap appointment of michael harrison june 2007 to june, 2011. Are either of these folks here? Ok. Is anybody signed up to testify on this matter?

Moore: We did not have a sign-up sheet.

Potter: Anybody here who wishes to testify on the appointment to the forestry commission? Ok. This is a report. Need a motion to accept.

Adams: So moved.

Leonard: Second.

Potter: Please call the vote.

*****: (aye votes by all).

Item 705.

Potter: I would like to pull this item, because staff has additional information that they would like to share with the council before the vote. Please come forward.

Gil Kelley: Gil kelley with the bureau of planning. With me is jay suggest net, project manager for the airport planning project. Council members may have also received a letter from the director of the port, and that's essentially what we wanted to convey if you hadn't had a chance to read that yet.

They have pulled the agreement from the port commission's agenda that was scheduled for today and that postponed that to july 11th. In the letter, they say they understand and respect the action of

June 13, 2007

council at your last meeting regarding the membership of the planning advisory group but, given the change, they would like some time to consider that and to speak with some members of the council as well as some other regional stakeholders. So I think it's just prudent for us to defer our action until we get a little bit more clarity on where the port would like to go with this, again understanding this has been a negotiated piece all along and clearly the council has the absolute right to say what it would like to have happen here. But I think it's probably in the council's best interest to see where the port would like to head with this. I'm not sure they're entirely clear at the moment what their reaction will be except that they'd like to defer it from today to July 11th for their commission, and it might be good for you to know sort of where they're headed before you take your final action on it.

Leonard: I'm more than willing to hold this over until after the vote by --

Kelley: I don't know if it's necessary to wait until after they vote, but I think it would be nice to get a bit more clarity from the port directors, what issues they're most concerned with and where they're sort of headed. We have given the port's delay -- we have postponed the June 22nd, 26th kickoff for the process. That will likely occur now in September when people are back from summer vacations.

Potter: Any discussion?

Leonard: Yes. Yes. I did talk with the port director yesterday. I had another conversation with Gil, and I fear that this process has become blurry to some. And from my perspective, I need to, I think, get on the record some clarifications of misunderstandings that occur with the port, even our own bureau of planning, about what our role is in this process. We ultimately as a council will go into a quasi-judicial form where we take evidence as to whether or not and testimony as to whether or not to grant the port a conditional use permit on what they may want to see happen at the port in terms of land use. That's our role in this process. The recommendations that come out of this committee, as was explained last week, will take two tracks. It will go to the port of Portland commission in terms of their overall strategic plan for the future, and Gil explained last time that those recommendations relevant to the zoning code and possible amendments to it will go to the planning commission and then to the city council. But both of those are coming out of this process. So what concerns me right now is there seems to be some confusion on the part of the port what our role as a town city council is, and I appreciate being collaborative and working with the port, but we have a charge under the statute in terms of how we make land-use decisions here, and ultimately that's what they want out of us. So in my conversation with executive director of the port yesterday, he indicated that, given that we've added some neighborhood folks, he may go to Clackamas county, have them add some folks, may go to Washington county and Clark county and have them add some folks. I want to be clear you understand what I told him, and that is that's fine. They can add whoever they want. But in terms of our process and in terms of us getting recommendations as to what we amend into the zoning code, we'll decide that. Clackamas county doesn't decide that. Washington county doesn't decide that. Clark county doesn't decide that. And the port of Portland doesn't decide that. We decide that based on testimony we receive, including from Portland citizens. And that's gotten blurry.

Kelley: Well, it certainly is not blurry in our minds, and we described that in a slide I think when you stepped out of the council meeting last time that the two tracks -- actually it's not quasi-judicial. It will be legislative, but that is totally within the purview of the city council.

Leonard: If it gets appealed.

Kelley: The legislation actually comes to you for approval.

Leonard: If it gets appealed, challenged, ultimately it comes back to us.

Kelley: Absolutely.

Leonard: In a quasi-judicial hearing.

Kelley: No. It's a legislative -- it would be a legislative --

June 13, 2007

Leonard: For appeal?

Kelley: If you're a legislative action appealed, it would be remanded to you as a further legislative action. But it's conceivable the legislation could develop requirements for subsequent permitting that could be quasi judicial.

Leonard: The point is that we have a very specific role in this --

Kelley: Absolutely.

Leonard: -- that's prescribed by statute, and my sense is that some are approaching this as a collaborative process. It is in terms of helping the port develop their plan. I'm wondering if it doesn't make more sense to have two completely different groups that look at both of those issues, our group that looks at the part we vote on and our group that works with them in a collaborative process and communities surrounding the development of this strategic plan. We've mixed the two, and it just feels to me like there is some confusion about what our role is, and we have a very, very - - at least I take a very serious part in land-use decisions.

Kelley: Right.

Leonard: If we agree to a third runway, I don't want it to be because -- you know -- the commission, this group weighted with clackamas county folks and Washington county folks and clark county folks and we, as the city of Portland, who have this great as set in our backyard, really have no say in how the land-use decision goes. That just can't be.

Kelley: Well, we agree with you, commissioner, and we'll make it very clear to this group about the two aspects that they're advising on. One is very -- one is narrower because it's the short-term piece that the city will be adopting. And we've already set at the outset that will not include a third runway. Everybody's clear about that. The long-term strategic plan for the port probably will include a discussion in the far-out term of a third runway, and I think the port timely is looking for advice from this group, including the city of Portland neighborhood representatives, about what that longterm strategic to look like. We're going to be very careful in these meetings, on those agendas, to say which portion are we actually advises on today, the legislative piece or to the port.

Leonard: That's what I wanted to hear you say. That's exactly the right approach is to just make that clear. 'Cause I think -- I am pretty sure that, in the port's mind, they're a little fuzzy about that there are two distinct tracks there, and I would appreciate you clarifying that. That would be great.

Kelley: I'll take that was a charge. Thank you.

Potter: What are you suggesting, gil, in terms of coming back to the council? If we're going to continue this, we have to have a date that we --

Kelley: Oh. Correct. I think we'd like to continue at this point to june 27th. If we still don't have good information, we'd ask for a further extension beyond that time. But I think in the next couple weeks we'll be able to get clarity from the port.

Potter: Any -- when will you be back?

Kelley: Well, we could find --

Leonard: I'll be back july 5th.

*******:** Any reason we can't do it on july 5th? July 5th would be fine.

Leonard: Actually I get back july 7th.

Moore: The 11th I have everybody in. July 11th.

Potter: Is the next date?

Moore: But commissioner Sten's gone.

Leonard: That's difficult.

*******:** It works for us.

Leonard: I think you ought to just schedule it. I think we're all on the same page. I really do. I think we've had great discussions the last two weeks. I think I had a productive discussion with bill

June 13, 2007

wyatt yesterday, and I think, although I don't think he was 100% pleased with my message -- I think he understood it, and I think we're moving in the right direction.

*****: To the extent that we hear anything before you leave town, we'll let you know. [laughter]

Potter: If there's a phone number we can contact you --

*****: Yes.

Leonard: You're not getting it.

*****: [laughter]

*****: So we would set it up then for --

*****: Send him an e-mail. He'll respond.

*****: Is it june 27th?

Moore: July. You want to go ahead with june?

*****: Is that ok, commissioner Leonard?

Leonard: Yes.

Potter: Ok. Set it for that date. Thank you.

Leonard: Thank you for your work.

Potter: Please read the next item.

Item 706.

Potter: Please come forward.

Adams: Maybe a suggestion given the time. For some reason people are here not to listen to these issues but another one later in the agenda. Is it possible that you could highlight the changes to the existing policy?

Tom Feely: Yes. We were actually going to be very brief given your agenda this morning. My name's tom feely. I'm with the office of management of finance. With me is robert kunkle, executive assistant to the fire chief and travel coordinator for the fire bureau and tom fitzgerald from the water bureau representing our customers. The administrative rules before you and being approved by the ordinance stem out of b.i.p. 14, out-of-town travel and miscellaneous expenditures, one of the mayor's bureau innovation projects. We had a committee established that had representatives from multiple bureaus. We looked at the existing travel policy, which was long and somewhat confusing. We basically rewrote it, cut it in half, took out a lot of items that weren't really related out of trend travel but they were miscellaneous expenditure related, put them in a separate administrative rule. We also recommended a switch from reimbursement based on actual receipts for meals and incidentals to a per diem system, which the federal government uses. What we tried to do was reduce time and process, basically accounting processing by the traveler as well as the financial staff in the various bureaus. I think employees will get reimbursed sooner as a result of this. It will be easier. The i.r.s. per diem rates are on a web site. They're set. They're easy to understand. The city spends about a million dollars in travel, which -- you know -- in the overall scheme of the general fund isn't huge, but it's still a pretty big chunk of money, so we presented our findings to the b.i.p. Implementation committee in december, and they approved it at that point. Since then, we've gone through the administrative-rule process. It's been reviewed by hundreds of people, and we got a lot of opinions back. We made some modifications to allow exceptions. The bureau heads can make exceptions for employees who vehicle economic hardship in terms of payment in advance. So I think the real critical thing is to streamline it, and we're going to a per diem or we're recommending we go to a per diem system. And actually i've got tom fitzgerald here to talk about a customer standpoint and a little bit about per diem.

Tom Fitzgerald: Thank you. Mayor Potter and members of the council, my name is tom fitzgerald. I'm the accounts manager for the bureau. I administer city travel policy and administer staff who are engaged in processing employee travel expense claims for the water bureau, and i've spent the majority of my career as an accounting manager in the public sector with responsibilities for travel expense reimbursement processes under both an actual expense receipt-based system

June 13, 2007

similar to that currently used by the city and a per diem method. Based on my experience under both systems, I am confident that the per-diem system will significantly reduce the time and effort involved in all phases of travel processing. It will reduce the time spent by city administrative staff in processing travel and enable them to spend more time on other fiscal management and administrative functions. More importantly, the administrative burden and time spent by employees to document travel expenses will be greatly reduced. The per diem system will eliminate the requirement for city employees to obtain and submit receipts for meals and itemize individual meal costs on their travel expense claims, providing them with more time to perform the services they provide to the community. I believe that employees, managers, and administrative staff involved in travel will welcome the change to the per diem method, and I think it's a real positive for the city. Thank you.

Feely: With that, we'll answer any questions you might have.

Potter: Next question comes from the commissioners? -- question from the commissioners?

Saltzman: You get a certain amount for dinner and, if you go over, it's out of your pocket?

Feely: Correct. Unless there's some extraordinary event. In that case, the director can make an exception, but that's the way it works.

Potter: Further questions? Thank you, folks. Do we have a sign-up sheet?

Moore: We did. No one signed up.

Potter: Please call the vote.

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

Saltzman: I just want to commend the b.i.p. project team, number 14, and the major for streamlining this process and making it work better but also maintaining accountability to taxpayers. Aye.

Potter: I'd also like to thank the members of b.i.p. 14 and also it's really good to see a travel policy that we can know that it's really taking care of both the employees and also the fiduciary responsibilities of the city. Aye. Read the next item.

Item 707.

Potter: Very brief description of the --

Randy Stenquist: Randy Stenquist, risk management services. This is a fairly straightforward motor-vehicle accident that occurred last May involving a Portland fire bureau truck striking a parked vehicle, a passenger car, in northeast Portland. The claimant, Mr. Moore, was injured in that collision between those two vehicles. He sustained medical expenses exceeding \$7600, and he is represented by an attorney. The attorney has presented a demand against the city. We have reviewed all of his medical records and reached a compromise settlement in the amount of \$11,500, inclusive of all of his medical bills and attorney fees and costs. We're recommending settlement of the claim at that amount. We feel the settlement at that level will certainly be cheaper than the cost of litigation should the case proceed there.

Potter: Next question comes from the commissioners -- next question comes from the commissioners? Is there anyone signed up to testify in this matter?

Moore: I did not have a sign-up sheet.

Potter: Anyone here who wishes to testify on this matter? It's an emergency vote, so we have to wait for Sam to come back. Go ahead and please explain the next one. Are you going to --

Stenquist: I actually will defer to Becky Chou.

Item 708.

Becky Chiao: Good afternoon, Mayor and Commissioners. My name is Becky Chiao with Risk Management. This is an ordinance to pay a little over \$13,000 for car repairs and car rental resulting from a collision between a police car and a vehicle driven by Cassandra Schreiber. This was a fairly new officer who ran a stop sign when he was distracted by his m.d.t. terminal at the intersection of 62nd and Duke. The police bureau reviewed the incident and found it to be

June 13, 2007

preventable. The officer was very apologetic. It was his first accident. And the insurance company paid for the repairs and then made a demand to us to reimburse them. This ordinance would do so. Ms. Schreiber does have some bodily injuries. She's still receiving treatment and will have to follow up with another ordinance to pay for that.

Potter: Questions from the commissioners? Is there a sign-up sheet?

Moore: I did not have a sign-up sheet.

Potter: Anybody here who wishes to testify on this matter? Ok. Returning to 707, emergency vote, please call the vote.

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

Potter: Aye. Now the 708.

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

Potter: Aye. Please read item 709.

Item 709.

Adams: Are they biodiesel?

Leonard: I doubt it.

Adams: Are they biodiesel? Are they hybrids?

Potter: Doesn't say.

Adams: I'm kidding.

Potter: This is an emergency vote. Is anybody signed up to testify in this matter?

Moore: I do not have a sign-up sheet.

Potter: Anybody here who wishes to testify on this matter? Please call -- go ahead.

Saltzman: I guess I do feel we should know whether they looked at hybrid or biodiesel.

Leonard: I think actually that's a good discussion to have, but my thought was that police cars we're worried about performance and in terms of horsepower.

Potter: I don't really think they make any full-sized sedans that are hybrid, and obviously a diesel engine in a police vehicle wouldn't --

Saltzman: I guess i'll accept those explanations, but I think in the future we need explanations that they've actually made the effort to look. Not the police bureau but any bureau purchasing vehicles.

Leonard: Yeah.

Saltzman: Otherwise this will be fine.

Potter: Ok. Please call the vote.

Adams: So to those responsible for this item, you've heard legislative intent from council is, if you can find green options to get them even for this particular order. Aye.

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

Potter: Aye. Read item 710.

Item 710.

Rich Attridge: My name is rich attridge, a project manager for the facilities division. Worked on behalf of the fire bureau for the construction remodel, seismic upgrades at stations 15, 24, and 43. This amendment will provide additional architectural and engineering services for the completion of the upgrade of the stations at 15, 24, and 43. The total construction costs for those three stations is 2.9 million. The total compensation for m.c.a. architects will, with this amendment, be up to \$348,370, which is 12% of the construction costs. Typically architectural and engineering fees range from 12% to 15% of construction costs. Do you have any questions?

Potter: Any questions? Is anybody signed up to testify on this matter?

Moore: I did not have a sign-up sheet.

Potter: Anybody here who wishes to testify in this matter? This is a nonemergency. Moves to a second reading. Please read item 711.

Item 711.

June 13, 2007

Potter: Second reading vote only.

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

Potter: Aye. Please read item 712.

Item 712.

Potter: Second reading vote only.

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

Potter: Aye. Item 713.

Item 713.

Jeff Baer: Good afternoon, mayor Potter, members of the council. I'm Jeff Baer, director of purchases. Before you is a recommendation to award this Columbia Boulevard waste water treatment plant co-generation facility for the Bureau of Environmental Services to the James W. Fowler Company in the amount of \$4,274,795. And a couple of points to make note of is that, in their subcontracting of this project, they have 4.7% minority women emerging in small business in subcontracting. They also have two other divisions of work that they've not identified as to who they're going to subcontract with and we're working with them to make sure that they apply to the good faith effort program and to look for MWSB firms to use those two different divisions of work. They are also in full compliance with the equal benefit requirements. With that, we also have representatives from B.E.S. if there are any project questions.

Potter: Any questions, commissioners? Is anybody signed up to testify on this?

Moore: I did not have a sign-up sheet.

Potter: Anybody here who wishes to testify on this matter? This is a report. Need a motion to accept and second.

Saltzman: So moved.

Leonard: Seconded.

Potter: Please call the vote.

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

Saltzman: Well, I just want to pause and point out this is really a good project. This is going to take at our treatment plant waste gas methane that contributes to greenhouse gases and use it to produce power to power facilities at the treatment plant, so it's a really green investment, and I know it started under my tenure at B.E.S. I'm glad to see it being finished under Commissioner Adams' tenure. It really is a good thing for our environment and also saves us, the city, money that we would otherwise be buying power from utilities for. Aye.

Potter: Aye. Please read item 714.

Item 714.

Adams: With your permission, the concurrence of council, I'd like to continue this item to July 24th.

Potter: Any objections?

Saltzman: Why?

Adams: Um --

Saltzman: I'm ready to vote on this.

Adams: Right.

Saltzman: We've had this long enough. I don't really want to see it again.

Adams: I'm not ready to vote, so --

Saltzman: What is the point of continuing it then?

Adams: So that we can have the full council here to vote on it.

Potter: Is there a time limit on this?

Saltzman: Like I said, I'm ready to kill this lid. I don't think anybody's in support of it, but if Commissioner Adams wants more time for full council to do that, then it's fine with me.

Adams: You're very generous, Commissioner Saltzman. Thank you.

June 13, 2007

*****: [laughter]

Potter: Any other discussion? We'll set it over to july --

Moore: July 25th.

Potter: Please read item 715.

Item 715.

Potter: I have a resolution I would like to introduce and turn --

Leonard: I wonder if I could ask you to hold off on that just till I make some opening remarks, and then that's fine.

Potter: Ok.

Leonard: Thank you. Thank you, mayor Potter, members of the council. I, depending on your perspective, this is good or bad, but i've received more communications on the subject of taping spots on the sidewalk than any other single thing I have ever worked on times 10. It clearly has touched a nerve in Portland, and i've gotten a variety of responses, some of which I can't read here. One letter, however, I actually and very happy to share with you that was sent to me by the mayor of gresham. Dear commissioner Leonard, I couldn't help but notice your recent comments regarding gresham residents at iteming the grand floral parade in Portland. In the spirit of fun, i've got to say that your words bordered on the grumpy. The rose festival and the grand floral parade are enjoyed by people from around the world. I'm sure that you're proud of your city and you ought to be, but I would hope you appreciate that the millions of dollars of economic activity that is generated within your borders. I want to extend an open invitation to Portlanders, vancouverites and everyone else to come to our teddy bear parade on june 29th. Further, i'd like to invite you, commissioner Leonard, to join me in the teddy bear parade as an effort to show our regional solidarity. I might even be able to talk our fire department into letting you ride on the truck. Of course, if you would rather just be a spectator, we would be happy to tape off a special spot just for you. Sincerely shane t. Bemus, mayor of gresham. I had the distinct pleasure of writing back mr. Bemus to accept his invitation and, for the record, I want to read that as well. Dear mayor bemus, I appreciate your letter inviting me to the teddy bear parade on september 29th. I heartily accept your invitation because, as you know, gresham is very nearly the best city in Oregon. That is why I am planning to annex you next spring using duct tape, which I have affixed around your boundary. Apparently the duct tape will help us avoid a lot of the nasty legal mumbo jumbo and just get to the business of acquiring you. In the meantime, I am hopeful that you are serious about allowing me to ride in the parade aboard one of your gresham fire apparatus as I feel I may need the protection of mew brother firefighters and sisters to escape the parade without injury. Finally, I wanted to address my comments, which were perceived by you and your citizens to be grumpy. For the record, that was me attempting humor, which I should not do because, although I laugh a lot, I am not funny. Your letter, on the other hand, was very humorous, and i'm hopeful we can have lunch soon and you can give a neighboring commissioner a few lessons. I appreciated mayor bemus's nice scolding of me. But whey learned in this debate is that it actually -- people take it very, very seriously. I've had reports over the last number of years of people who have had physical confrontations on the parade without, including families that arrive as early as 5:30 or 6:00 a.m. Only to have themselves evicted from a place that had been taped off by somebody up to two weeks before they arrived at 9:00 a.m. Sometimes Portlanders, being as they are, are polite and leave without comment. Sometimes Portlanders are a little bit more like me and can't keep their mouths shut and end up getting into a verbal confrontation that has, on a number of occasions, led to physical confrontations, including a couple years back a man who was standing in somebody else's quote-unquote taped-off area on crutches and the confrontation got so serious that the man's crutches were grabbed from him and thrown out into the parade route. So this has left for me the area of fun and has become an issue of public safety, and my role, as all of ours is up here, is to make sure that the community is safe and everybody has equal access to enjoy our parade on the

June 13, 2007

same level basis. I was interested to see that on the news one woman was interviewed who, for a number of years, has had a tradition in her family of taping off three separate areas a week before the parade. And on the day of the parade, she arrives with her family and friends and picks which one of the three spots would best suit her and her family at that time. This last time on Craig's list was an advertisement for sale, selling spots that had been taped off to the highest bidder at the parade. And finally this isn't really an issue just between people who tape and don't tape. There are altercations that have occurred between people who tape. One family has had a historical spot on a specific corner for a number of years that they've taped off in advance of the parade only to arrive this year to find that their tape had been removed and replaced by somebody else's tape with their name on it. When the first family came back and saw that, they removed that tape, reapplied their tape with their name on it and then erected a tent over the spot to make it clear that it was their spot.

So I think this has to stop. I grew up here in Portland, and it's been interesting to me the number of folks who have said, you're destroying a tradition of the rose festival parade. That's not accurate. The tradition of the rose festival parade has been families get up as early as 5:00 a.m. Or even earlier, head down to the parade route with their lawn chairs and blankets and snacks and hot chocolate, and stake out a spot that they sit in until the parade starts. To be very clear, anybody who's willing to invest their body in a spot for as long as they want, in my view, that is their spot. The recent -- more recent phenomena of the taping off has hit some people wrong right along, but it's actually got to the point where I think it's actually going to lead to something worse than crutches being thrown into the parade unless the council does something. The mayor is prepared to propose a substitute resolution, and I'm going to do my best here, in a short little time I have, to try to persuade him not to do that. Basically his resolution calls for the rose festival association to conduct a process over the next six months to come up with recommendations that come back to the council. What I've committed to the mayor to do is, if this ordinance that I'm proposing passes as it is -- and I hope that it does -- that I will happily convene a group in my office that includes representatives of the rose festival association, that includes representatives from the business alliance, and importantly includes representatives of the community to talk about what exceptions, if any, there should be. And, frankly, I have heard some reasons to have some exceptions that I think make sense. For an example, I think the argument that has been made to me by a number of elderly citizens is they are currently intimidated to go to the parade because they find themselves there early. They get a spot only to have somebody later on in the morning tell them that they are in their spot. They leave and never come back. That's not appropriate. I've had some folks that are handicapped say, you know, in this debate, it would be nice to have a reserved area for handicapped citizens that is actually a distinct area that tin citizens can go to. I think that is a great idea, and I would like to see something like that even interspersed at spots throughout the parade for handicapped citizens and seniors. So I do think there are areas we can come back and make some changes, but I'd like to pass this today. I'd like to bring those changes back right after the first of the year after I go through a process that I think is more appropriately frankly conducted by the city than any private organization. And hopefully that at that point will have made changes that are acceptable to all the interested hearts and balanced. Thank you.

Potter: So I would like to introduce the resolution, and I hand the gavel over to Randy. Use it sparingly.

Leonard: Ok. You're out of order.

*****: [laughter]

Harry Auerbach: So are you moving that as a substitute?

Potter: Yes I am. I'd move to introduce the resolution. I think the resolution will provide the community an opportunity to resolve this issue at the community level rather than at the city level. I think that I really appreciate what Commissioner Leonard has done in terms of bringing this issue forward, but it's really more about duct tape than just that alone. Marching in the parade on

June 13, 2007

saturday, in between wiping the rain out of my eyes, I observed a number of interesting things along the way. First that there are many viewing stands that are erected by different groups along the way. There are also, I found, a large 50-foot trailer that had a canvas side that had been pulled up alongside of the street, and there were a group of people observing from that vantage point. I found a tent with a bunk bed inside with children watching the parade from that. There seems to be a lot of different ways that people watch the parade and save their spots. Before duct tape, it was about putting chairs out on the sidewalks to save the spots. But it has become an issue that needs to be resolved, and the issue for this council to decide is which way should we resolve it? And basically my resolution asks the rose festival association to conduct a community outreach process to determine the best how to find solutions that provide greater access and viewing opportunities on a more equitable basis. And so it comes down to whether the city should do it or rose festival. My very strong preference, this is an issue that I believe is best decided by the community and that I would rather not impose punitive sanctions that would require the police to be out with their ticket books prior to rose festival but failing every other option, that could be possibly one option, but I would like us as a community took 18 to look at some broader solutions, some broader engagement processes. So --

Adams: Mr. Mayor and commissioner Leonard, is there a possibility that the two of you could come together on something that you could both agree on in terms of a way forward?

Leonard: Well, that's precisely what I was hoping was understood in my remarks is I have agreed with mayor Potter to, if this passes today, include an amendment that would include a work group that would work out of my office that would include representatives of the rose festival association, Portland neighborhoods, and other interests and bring back a report of any recommendations, if any, to the city council right after the first of the year, and i'm prepared to make that a part of the motion.

I just have to say I think it's inappropriate to have a private sector group oversee a process that involves public safety. It's not an appropriate -- no disrespect intended to the rose festival association, but included in the hundreds of communications I have are numerous, numerous comments that complaints in years past about this behavior has gone to the rose festival association unanswered. They have a mission that isn't theirs to decide public safety or order on the sidewalks. That's the city's mission. I respect their role, but this is not an appropriate role for the rose festival association. They should definitely be a part of it. They should definitely bring ideas forward, but it is not appropriate to have any one group run this process. It is a city responsibility.

Potter: And I count at least four existing ordinances that go to controlling how sidewalks are used and markings placed on public property. So my concern just doesn't go to this process. That's an extremely part of it. But it also goes to the fact that I believe that this should not require police intervention and that there are existing ways to handle it. But by going out and talking with the community, by engaging the rose festival association to do that, I believe we would come up with a better product and one that better meets the needs of the community in terms of the issue of equity about how people have access to our rose festival and actually all of the events.

Adams: What if we were to have it co-chaired by the rose festival and commissioner Leonard? Pot.

Leonard: That would be fine.

Potter: But still have the ordinance with the prohibition of the criminal --

Leonard: I think we immediate to pass this and send a message to the community that strictly speaking the activity of taping off sidewalks is not condoned, endorsed or supported by the city. I would like to do that.

Adams: How long do you --

Leonard: And then happily engage in a process with the rose festival association that included all of the items you mentioned that, mayor Potter, and bring them back to the council.

June 13, 2007

Adams: Would you entertain the notion to put the heat on the group to come up with something -- would you entertain the notion of a time limit on this ordinance so that, if there is an action from the group, it expires?

Leonard: Sure. Because there will be. We'll bring back recommendations by the first of the year.

Adams: How long do you think it would take to do that?

Leonard: The mayor has six months.

Potter: The resolution has six months.

Leonard: I'm happy to adopt that time line and do it. This is obviously something I care a lot about, and we will focus our efforts in my office to bring a group together soon, and I actually don't expect it to take six months. I mean, I think there are some pretty common sense approaches that i've heard to make some exceptions for some disadvantaged groups that I support, and I think we can probably come around that sooner. And I think actually the process will happen quicker with us involved.

Adams: Do you agree to a process that we would enact this, it would only last for six months, it would be co-chaired by commissioner Leonard and the president of the rose festival association? Is that something people could agree to as a compromise?

Saltzman: I don't know why we need to adopt the prohibition now and then possibly remove it or modify it in six months. I mean, we have a whole another year until the rose festival comes around again, so why not just delay the prohibition, have the work group, and then adopt their recommendation?

Leonard: I'll tell you what i'd be prepared to do, and I thought about doing anyway, is postponing consideration of the ordinance at all until january in any form and that the council direct me to establish this group that includes a co-chair from the rose festival association, and I can do it that way as well. But what I really don't want to do is to somehow send a message to the community that, with all due respect, mayor Potter, your substitution does that there may be some legitimacy to taping, and it's not. That's a very serious issue, and so i'd like to avoid doing that, and i'm happy to go work with the interested parties and comeback in january before we vote on anything.

Potter: It would be nice to perhaps take some public testimony, and then we can make a decision.

Saltzman: That's a good idea.

Auerbach: There is a motion that either needs a second or will die.

Saltzman: Second.

Auerbach: The mayor's motion has been seconded.

Potter: So now we can take public testimony. How many people are signed up.

Moore: We have six people signed up.

Potter: When you speak, please state your name for the record. You each have three minutes.

Steve Buckstein: Mayor Potter, members of the council, my name is steve buckstein. I'm with cascade policy institute here in Portland. I am submitting written testimony and on the back of it is an op ed that I had published in the "oregonian" on friday dealing with this issue. I am really glad to hear that there are some alternatives being looked at to this. I just wanted to use this as a call to my article as sort of a teaching moment for council and Portlanders. What's going on, said here, is the reason, in my view, why these confrontations are potential conflicts occur. Two concepts, one called the tragedy of the commons. As commissioner Leonard has correctly pointed out, the sidewalks are public property, meaning they're owned by all of us, meaning nobody really takes responsibility for them. When I was a young child and I attended parades I think before commissioner Leonard, 'cause i'm a little bit older, my family owned or relatives of mine owned a business along the parade route, and we got to sit up on the second floor looking out the window. I always sort of wondered at this point why there was all the scrambling for good spots on the street and yet nobody was scrambling for good spots in this building. And of course, as I grew up and

June 13, 2007

realized that it's because the sidewalk is public and the building is private. So you're dealing with the tragedy of the commons here. You're also dealing with a scarce resource, and that's where economics come in. Economics is the allocation, the science of allocating scarce resources. And 364 days a year in Portland, the sidewalks aren't scarce. We all walk by each other, and you don't have confrontations. Nobody's trying to take a spot. As the parade comes up, you have a scarce resource. There isn't enough prime sidewalk space in some opinion's opinion. So you have these ad hoc attempts to reserve space, whether it's taping or putting up lawn chairs, whether it's getting there hours and hours before. And what economics will tell you -- and again this being Portland, I don't necessarily expect this to get too far, but what economics tells you is that basically, with the scarce resource, the way you solve those disputes is to through apprising mechanism. The people who are willing to pay the most for the spots get the spots. And so my suggestion -- and I would agree I think more with mayor Potter's approach of looking at a commission involving the rose festival association -- is -- and in the spirit of the duct tape controversy -- is authorize official rose festival duct tape specially produced, sell it for, say, \$5 a foot and only sell in you have to provide, say, 20,000 feet along the parade route. The parade route's four miles long. About 40,000 feet. That would generate \$100,000 for the rose festival. Some mechanism like that, you'd still be able to have handicapped people, any special group you want. There would be plenty of space for them. But if anyone's willing to go out a week early and duct tape a spot, they ought to be willing to pay a few dollars to help make sure that the festival, the parade continues into the future. Thank you.

William Stephen Humphrey: My name is william steven humphrey, and I thank you for letting me speak to you today about parade goers using tape to reserve their space on the public sidewalk. Now, randy has already addressed a lot of the things i'm about to say, but i'd just like to be here and say hi 'cause i've never been here and I am excited to be here. I'm in violent agreement with you, my friend.

*****: [laughter]

Humphrey: Now, not only am I the editor of the "Portland mercury" newspaper, i'm a citizen who believes strongly in a sense of community. As one of the primary organizers of last friday night's tape removal march or, as it's officially known, the pre-parade route beautification and equalization of viewing opportunity who down -- hoe down, I feel like the practice of taping off the sidewalk by parade goers days in advance of the event is primarily a selfish act. As one parade goer asked me, what's wrong with me reserving a spot on the parade route for myself, my family, and 50 of my friends? Now, while this person truly thought he was being generous, he was actually putting his needs, his family, and his friends over the needs of thousands of parade goers. The sidewalks belong to everyone, and taping off a spot at the parade is tantamount to reserving a spot at the front of the line at the bank, d.m.v. or the new "transformers" movie. As Portlanders, we already agree to a social contract that we are all equal and all share public space. These people are clearly violating that contract and with the city's permission. I personally have nothing bad to say about those who camp out on the sidewalks the night before the parade. In fact I applaud their civic pep and enjoy the sense of community and camaraderie they bring to the streets. But is it really fair to these people as well as those who show up open the day of the parade to be shoved aside by those who feel they are entitled to a piece of sidewalk they taped off days in advance? I think that stinks. Now, there are those who say that stopping the tapers is messing with tradition. I love tradition, but tradition should never come at the expense of others. The real tradition is showing up for the parade early, enjoying each other's company, and sharing the spirit of community. Now, there are those who say that our pre-parade beautification committee should have waited for the council to vote on the matter before ripping up everybody's tape. I respect that opinion, but sometimes nonviolent action is a necessary course in order for an issue to be brought to the public's attention. We politely marched, and we politely tore up the tape for the same reasons thousands of people marched through Portland to protest the war in iraq: Because it was the right thing to do. And

June 13, 2007

we're proud of the work we did and the 400 pounds of garbage and tape that we collected. In conclusion, i'd like to thank the mayor and commissioners for addressing this issue and to offer the reminder that, whether we're dealing with tapers or downtown business owners who want to sweep away the homeless, the sidewalks belong to everyone. Thanks a lot.

Potter: Thanks for being here.

Amanda Fritz: Hope you come back and testify again. I'm amanda fritz speaking only for myself. I don't think I ever felt that excited about testimony, but at least my heart has stopped pumping quite so loudly as it used to. Portland is participatory. We value public participation. We don't value tape open the ground. I support this ordinance, and i'm not able to stay for the next one regarding delay in implementation of the sit/lie ordinance. I want to point out both ordinances pertain to when and how people can use Portland public sidewalks, and the outpouring of interest in taping of sidewalks, I hope that people who are talking about it will consider they're talking about spending a few hours on the sidewalk to watch a parade. So presumably they're affluent enough to be able to take time off work or a way from their family life to be able to sit and watch a parade. How is that different from people sitting on the sidewalks because they're exhausted and they have nowhere to go? How is that different from people who -- children, teenagers, who may have been abused and home and have nowhere to go and want to sit on our sidewalks? Where are all the people who want to sit on the sidewalks supposed to go when the facilities for them are not yet ready? So I support both of these ordinances. I would point out that the city funds the office of neighborhood involvement to do community involvement. So suggesting that the rose festival would be in charge of it, of this process, doesn't match that. And the city should use the facilities, the structure, the volunteers who are already engaged in so many more ways so that -- and if you did, then you could do it far quicker than six months. If you use the long list that the office of neighborhood involvement has of community organizations, if you use the visionpdx project's work in identifying people who are not engaged, you could get the message out to those people, have the conversation in the community, have the discussion within your structure and be done in three months. And I would suggest that that would be a good thing to do.

Potter: Thank you, folks.

Moore: Do you want the next three?

Potter: Please.

Potter: At the conclusion, i'm going to invite representatives from the rose festival to come up and speak.

Marion Haynes: My name is marian haines, and I represent the Portland business owners alliance. This really hit a nerve, and it was surprising, but i've spent some time looking on the blogs and following the conversation that's been going on around this, and it's clear that people are very passionate about this on both sides. We're very supportive of having a community-based discussion and dialogue about what we do with the rose festival and how we deal with the grand floral parade and providing access to all the people that want to see it. And so we are very supportive of moving forward with developing a solution to that that involves the community and allows that dialogue to occur. This is really a celebration of Portland, not just for Portlanders, and we need to make sure we bring everybody together to come up with a solution that will really work for everybody and provide access to those that want to participate. Thanks.

Anthony L. Wehage: My name is anthony wehage. I just have a brief comment. I've lived in this wonderful city my entire life, and i've seen it evolve over the years. Some things I liked and some things I didn't. But what I have seen in this city is its pursuit of fairness. And to be honest, gentlemen, the practice of claiming public property as one zoned with tape is not fair. The citizens have been tolerant for years, but this year the entire parade route was taped off and, in that case, those people who got up early, got the kids ready and came down to stand behind though -- had to stand behind those who taped behind their spot two through three days earlier and came down to

June 13, 2007

watch whenever they felt liable it. My father was fair. He waited until they closed the street, drove his truck, around parked backwards. And my family and he enjoyed a great Portland institution. Not more than two blocks away from here. We never left garbage. And I think a rewarding view of the parade is deserving who those who put forth the effort of getting up early to claim their rightful spot, not those lazy people with no regard for others. Ban tape markings for the good of the city if only for its reputation for fairness.

Jeff Miler: Jeff miller, the president of the Portland, Oregon visitors association. We had the great opportunity to have 46 meeting planners here for the starlight parade in that weekend. It was a phenomenal showing for the city of Portland, and we have the opportunity to attract thousands and thousands of delegates. This is an iconic festival for Portland. I would support the mayor's resolution that we take some time and decide as a community what is the best way to address this as opposed to legislate first and then make the adjustments as need be. We're a community that has done a great job of collaborating, as was said earlier for the p.d.c., on the budget, on the safe ordinance. We do a great job as a community, and I believe jeff curtis and his team can really bring this together and include commissioner Leonard and others to decide on this great event. Pot. Thank you, folks. Could the rose festival association please come forward?

Jeff Curtis: For the record, jeff curtis. I'm the executive director of the Portland rose festival association. In our efforts -- and I want to start my comments that this issue shows what an amazing event we have and the fact that people come together, how it resonates with our entire community and resonates with the visiting public from around the world. But in our efforts to provide the community with a top civic celebration in the world over the past century, the rose festival has a long history of working with the city and city leaders to search for a successful solution to challenges. I want to share some examples how my organization has done so. Most recently we worked with pdot and with the issue of safety and security of people coming down to the waterfront park, late year on naito parkway. We reached a solution that was safe and equitable for all. We've worked with Portland international raceway to make that a safe racetrack and to attract world class racing. We've worked with the parks bureau on two projects. One, development of a store at Washington park that produces revenue for the city and a joint cooperation partnership. We've also worked with the parks bureau with naito parkway and specifically with waterfront park to make that event viable for our community, and we've invested money in that event as well. Our most recent and high pro feel example has to do with parade trash. More than a decade ago, one city commissioner came and said there was an issue with all the parade trash after the parade route. As a direct result of that issue that came forward, the Portland rose festival association, with the maintenance bureau, p.g.e., and solve created what is now known as a world class parade clean-up program. For the last 10 years, that has known as the cleanest and greenest festival. That came out of a problem and was solved by my organization in cooperation with the city and other organizations to make that a solution that's a remarkable solution and very consistent with this city's efforts as a green and clean city. Speaking of the issue as it relates to public space -- and I also want to mention that that program has saved the city thousands of dollars annually on cleanup thanks to the thousands of volunteers that participate. Speaking to the issue as it relates to marking public space, this is actually not the first time it's come up. The city has wrestled with it before, and most recently -- in fact nine years ago -- it was a major issue. What came out of that was that there would be a clear time for folks who come out and mark their space. And what made that work -- and I say work because it was the communication between the city leaders and bureaus and the rose festival association. And when it was ok for the public to mark their space. And so that's not -- that happened nine years ago. That practice has continued thus far.

Leonard: What was the rule that came out of that?

June 13, 2007

Curtis: Basically an understanding that thursday people could start marking space, and it wasn't a city ordinance, but it was with the mayor's office at that time as well as with the bureaus involved, people could mark their space thursday at midnight.

Leonard: Now they're doing it two weeks before the parade.

Curtis: That's correct.

Leonard: How is the rule working?

Curtis: I'm answering that right now.

Leonard: That's a rhetorical question. It doesn't appear to be working.

Curtis: This public -- the city of Portland and the rose festival association will continue to work hard on communicating that. We can't control all the needs of our citizens but will certainly work to address that in the future, and that's what this point that we're out to make is this task force will address that in a meaningful way. I want to also talk briefly about how we made an investment in this year's centennial celebration, a significant celebration to show our community with a great public event we have. And the city, I want to thank you, randy Leonard, and the city for supporting that and certainly providing extra resources to make that happen, because we put on a great festival. But I have to tell you that we were taken by surprise by this emergency ordinance within days of our largest public event. We are disappointed to have this issue become the focus of the media attention and potentially detract from the years of planning and our efforts to make this the best parade we've ever produced. Since 1907, the rose festival has been designed to unite the citizens of a larger community, not divide them. As well as welcome guests from around the region and the world. A parade that's been called the best we've ever produced really doesn't deserve a controversy about duct tape. We also are concerned about providing safety amongst our parade route, and that's something we're always mindful of. What happened on friday night certainly concerned my organization with the issue of removing duct tape amongst -- along the route with no advance warning to people who with the traditional aspects of rose festival did come out and reserve their space. We don't condone the issue of duct tape. It's the fact that those folks didn't receive warning of the process, that this was going to take place. On behalf of the board of directors, staff of the rose festival, and in cope presentence investigation with pova and the business alliance, we support mayor Potter's proposed resolution that allows more time to study this, to collect valuable information not just here in Portland but from around the world. How do they handle this issue? Working with colleagues of event producers across the united states and the world and certainly work with our constituents among. Public and also a voice that doesn't get heard much, our parade viewers, people that come to the parade every year. They also deserve a valuable voice in this, and we want to open that process up and certainly resolve this issue. The point being the issue of reserving space along the route of the grand floral parade, if it is a problem in the city of Portland, which is why it's in front of us today, the rose festival association, as always, as i've showed examples to you before, would like to be part of the solution, and we can lead that process to make it a solution that's fair and equitable to our entire community.

Adams: Would you be willing or someone from your organization willing to co-chair such an ever forthwith commissioner Leonard who has a reputation for getting things done?

Curtis: Yes, we would.

Adams: How long do you think such an event like that would take?

Curtis: Well, I would like to stick with the mayor's recommendation of up to six months to really go through a good, thorough process. What I would not like to happen is to go -- to steamroll this too fast without a fair process to all, and I think that will take six months.

Adams: Thank you.

Curtis: So i'd once again, just to conclude -- we want a fair resolution to this. We respect the commissioner's position, but this ordinance, as an emergency, is too fast for the purpose of making a fair and reasonable decision for the future.

June 13, 2007

Adams: Would you be willing to have this referred back to your office to conduct the six months chaired by you and the rose festival?

Leonard: Absolutely. I do want to clarify something, because I don't want there to be a misunderstanding that you might think this was some preplanned kind of ordinance. It wasn't. I was on the bob miller radio show a week ago monday. He asked me about this practice. I gave him my opinion. He said, are you going to do anything about it? I said, no, i'm not. A channel 2 news reporter heard that interview and called me and said, i'd like to come talk to you about it. She came in. At the end of her interview, she said, are you going to introduce anything about this this year, and I said, no, I am not. When her story aired tuesday night, the onslaught with me began. I don't think you've captured exactly how people feel about this, and I can't speak definitively about a lot of things, but I can speak definitively about how Portlanders feel about taping at this point in my career, and I got reports of violence, of intimidation. I got reports of children crying and leaving the parade. And I made the judgment last tuesday that that's not appropriate. And I appreciate your role. I mean, your role is to conduct the parade, and I respect that. And I actually disagree with your suggestion that somehow the attention diminished the parade. I think it made it better. I think it sent a message to Portlanders that this is your community. This is your parade. And the bigger community. And if you want to come see it, you're not going to be run off by somebody who two weeks before that taped off a spot. That is the clear message I got back. I thought it was one of the most frankly healthy discussions i've seen in Portland in my lifetime. And I also had reports back for me, because I was obviously very concerned that some of the activities that grew out of that could lead to a confrontation, which is exactly the opposite of what I was trying to have not happen, and I got reports back from people who went to the parade who told me over and over, it was the politest the crowd has ever been. No reports of confrontation, no getting out of my spot, no shoving that had been fairly routine, as I understand it. And you're probably more aware of that stuff than I am. I didn't know any of this stuff until I did the interview with channel 2. So I apologize if there was any misunderstanding, but my goal first is the safety of the Portland citizens.

Adams: Would you, mayor, be willing to withdraw your substitute if we send this back to commissioner Leonard's office with the legislative direction to undergo the six-month process? His ordinance would not be enacted until or his ordinance would not take effect. We'd have the, I think, city/community process. Would you be willing to withdraw your substitute?

Potter: You mean if commissioner Leonard pulled the ordinance.

Leonard: Yes.

Potter: As opposed to holding it in abeyance.

Leonard: Send it back to my office with the direction. Jeff and I will sit down, come up with a list of people to participate that's balanced, and I am convinced -- I think we can do it in three months. If it takes six months, that's fine, too.

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

Leonard: We'll sit and come back and have a resolution that's a consensus-based resolution.

Adams: Does that require a council action?

Auerbach: You could just move it back to commissioner Leonard.

Adams: We have to have a second. Are you ok with that?

Saltzman: I'm basically ok. I guess I do want some ground rules here. You know, commissioner Leonard, you're a strong personality. When you take an issue and you take a position, you argue it forcefully and -- you know -- some had times you override other people and who are maybe not as forceful, and I guess i'm looking for a commitment from you to be respectful to the rose festival association, to any diverse points of view, because you've already stated where you want to be. So i'm looking for a commitment to be truly fair, and i'm also looking for a commitment -- you know -- I really did not like -- and I know you've apologized publicly, but I did not appreciate the stereotypical slurs from people from vancouver, people from gresham --

June 13, 2007

Leonard: I didn't say that. If you're going to say that, be accurate.

Saltzman: Just be no words that say "those." get the word "those" out of any references. Those people, or suburbanites.

Leonard: I didn't say those people and those suburbanites. Read the paper to be clear on what I said. I appreciate, especially coming from you, your admonition that I try to be open-minded.

Saltzman: I'm saying --

Potter: Folks, can we just --

Saltzman: Just not to be appreciate of other people's points of views.

Leonard: I don't think I need a lesson on how to process problems. I've been pretty successful at that. My intent is to do what I said i'd do. I may be strong willed, but i'm also honest. I said I would have a collaborative process, involve people in the community. I said it will be a consensus, and it will.

Potter: I think we also said it would be jointly chaired.

*****: Right.

Potter: So you would be coequals in that sense.

Leonard: Absolutely. I'm making that commitment. You can pass something if you want, but i'm promising to do that.

Auerbach: You can move to refer it back to commissioner Leonard's office.

Adams: Do we vote on that?

*****: If there's no objection, the mayor can just order it.

Potter: It's so ordered. And what I would like is to have --

*****: Oh.

Potter: Just to have something brought back to council --

Leonard: Yes.

Potter: -- just to show the composition of this committee and its charge and approximate time lines.

Saltzman: If we're not voting, at this point I would like to say that I think some of the ideas suggested by steve buckstein about the possibility of official rose festival tape to be used to tape off certain areas of the route and be a fundraiser for the rose festival or for in fact maybe some children's charities or something like that -- I think that's --

Leonard: You can bring your ideas to the committee.

*****: [laughter]

Adams: I want to say, now that we've gotten -- now that we've moved forward the great duct tape controversy to some problem solving, I think everyone on the council would join me in saying that this centennial celebration fulfilled and exceeded all of our wishes in terms of taking a great festival and making it even greater, breathing that and different life into it, and I know you've got lots of plans to build on the huge success that you had this year to continue the success and more success in the future. And I was able to attend a lot of events, and it was a lot of fun. For those people who didn't attend or don't attend the rose festival, this is not your grandma's rose festival anymore.

*****: Thank you. Thank you very much.

Leonard: Good job.

Potter: Thank you very much, jeff. I really appreciated what the rose festival did and your willingness to participate. Appreciate commissioner Leonard's bringing this issue forward.

Curtis: Thank you.

Potter: It's been redirected to commissioner Leonard's office.

Leonard: Thank you.

Potter: That does mean you'll have to cancel your vacation, but other than that --

Leonard: Not on your life.

*****: Where are we?

June 13, 2007

Potter: Please read; 716.

Item 716.

Leonard: There have been some misunderstandings about this ordinance, that it's attempting to repeal or have a second bite at the apple of the original sidewalk obstruction ordinance that passed this council in may. And it is none of that. In many ways, it is a reaffirmation of what I think was - - and I said at the time, and I'll repeat again, was a brilliant balance of various competing interests in order to tackle something that has evaded solutions in communities not just in the united states but all over the world. And that is how do you have this balanced approach where you have the homeless that may be sitting, lying, sleeping or otherwise living on the sidewalk giving reasonable alternatives, which would will you in this case a day access center that allows people who are told that they can't be on the street to go which where, have a place to go, which includes showers which I thought was a simple yet -- and I think I even said at the time when the vote was on this that this is simple yet brilliant in its simplicity. The showers, the public bathrooms that are recommended by the safe group and the toilets which I think are just kind of a basic common sense thing but somehow has evaded us. And then finally, for those who aren't interested in the day access center, adequate benches and places for people to sit. I just want to reemphasize how much I appreciate the balance that was struck with that deal. But as I've told many of my friends in the last few days, I would -- if advising you on purchasing a car, I would suggest that you take cash, and I would suggest that, when you hand over the cash for the car, that simultaneous with that the keys are handed to you. Do not give the dealer the money and with the promise that he'll send the keys to you in the mail at some point in the future. It has to be a seamless transaction as a package. And my concern with this is that it has not been a seamless transaction, that this balance that was achieved and the brilliance of that is that all of this stuff came together in a package and, in my view, it has to be implemented as a package so that, if we're enforcing the sidewalk obstruction ordinance, people at the moment that it's enforced are told there is a day access center over here. There is a day access center over there. There are public restrooms here. There are places to sit over there. Have specific addresses. What concerns me is that, in this interim period -- and I think at some point we'll get there. But in this interim period, where do you expect the people that are being displaced to go to? That's a rhetorical question, the answer of which is across the burnside bridge to brentwood, abernathy neighborhood or points east. It displaces the issue into another neighborhood. It is one of the reasons, for an example, I do not support the exclusion zone. Same reason. People who buy or sell drugs, people who are prostitutes are excluded from neighborhoods because of those activities. Does anybody honestly think that a prostitute is going to quit prostitutes because she can't be within a certain boundary or a drug purchaser will not continue to purchase drugs if he or she can't do it in a specific boundary? To me, these are very related issues, and I think I'm being consistent in my approach on these issues, and that is have reasonable alternatives. I'm a huge supporter, for example, of treatment, and we have spent dollars from this council and given them to the county to provide drug and alcohol treatment for offenders. A lot of the folks we're talking about here are mentally ill, have substance-abuse problems. I would like to see us approach this as a package implemented at one time and the date at which the last nail is driven in the day access center and the date at which the last lock is unlocked at the last restroom and the date at which the last bench is erected for folks to sit on legally is the date at which we enforce the ordinance. It just strikes me as a fair and balanced thing to do. Thank you.

Potter: Did you have folks who would like to come up and testify? I did. I'd like to have the oversight -- if there are representatives of the oversight committee, and also I would like to have the police bureau -- and I don't know beyond captain mike reese. As you know, the ordinance went into effect saturday.

Leonard: Right.

June 13, 2007

Potter: I'd like to get an update from the police bureau about how the ordinance is working and what the police bureau's doing to try to provide that balance but also have the oversight committee provide you additional information.

Maria Rubio: Good afternoon. My name is maria rubio, public safety policy manager. City council empowered the safe oversight committee to monitor and oversee the implementation of the street access for everyone initiative. Council had previously agreed that the city would not move forward with the safe ordinance until the safe oversight committee certified that services and infrastructure were moving forward enough to begin enforcement. The co-chairs of the safe oversight committee sent a letter to all of the members of council on may 2nd certifying that enforcement could begin. In keeping with that commitment made by city council, we would like to allow the safe oversight committee to continue its work. In terms of implementation of the ordinance, the ordinance will be implemented in two phases. Phase one will run for four weeks, during which time police will only be educating about the ordinance, referring to services, and issuing warnings. No written warnings have been issued to date, and commander reese will update us on that. Phase two will take effect on july 9th at which time full implementation to issue full citations if needed, in addition to continuing to refer to services and warnings. The mayor's office continues to be committed to the work of the oversight committee and to keeping everyone at the table to help implement and monitor this collaboration. I am personally impressed with the commitment and dedication of all of the committee members that continue to come on a regular basis to work together as we continue to build the trust, because actually, at the end of the day, that's really what's happening here is that we are building trust between the community and our city government. And to me that's an unintended consequence or maybe intended in the long run, but we have continued to learn from each other. Both sides of the table have made concessions. We've been learning from each other. Much learning has occurred on both sides of the issue and at many will levels. At this -- and i'll be happy to give you an update of where we are in terms of the facilities. Number one, the day center facilities, the julia west house is the day access center that we are contracting with, and they are estimating that they are serving between 120 and 150 people daily. They're open monday, tuesday, wednesday, friday, and saturday from 8:00 a.m. Till 4:00 p.m. And on thursdays from 8:00 a.m. Until 11:00 p.m. The hours of operation continue to expand. The total hourly number of climates served are more than 50, have been more than 50 at least 23 times since service began. And in may, they served up to 70 people per hour at three times. With the installation of a new hot water heater, they will be able to provide showers beginning at 6:00 a.m. Monday through friday, and we hope to have that done by july 1st. This was a need that the homeless community identified as important to their being able to go out and look for work. In terms of the benches, we have six new benches that have been installed for quite some time now. On tuesday, we identified 22 other locations to install 25 additional benches, and that will happen within the next four to six weeks. In terms of --

*****: Maria, did you say 25 additional benches?

Rubio: Yes. We have ordered 25 additional benches. We have located venues to install them for 22 this week. In terms of restrooms, three restrooms at two separate locations downtown have been reopened, one at southwest 4th and clay. \$20,000 have been spent on that particular venue on upgrades to make it safer and to increase the capacity. On southwest 8th and ankeny, we have two restrooms that had been refurbished and two others that are in the process of being refurbished. We've spent \$53,000 on those so far.

Leonard: You said they're open?

Rubio: Two of them are open now. We did have four of them open during rose festival, but we've closed down two of them to continue refurbishing them to bring them up to the same condition as the others. The hours have been extended until 11:00 p.m. Year-round on all eight downtown parks restrooms. And signage will be placed at 11 locations and 250 window signs that currently

June 13, 2007

say no public restrooms. What we're going to say is we're going to give them the location of the nearest public restroom, and we hope to get those up within the next four to six weeks. In terms of code enforcement, I've already mentioned that it took effect on June 9th. I would like to turn it over to Commander Reese to give us an update about how that's going.

Mike Rees: Thank you. I'm Mike Rees, commander of central precinct, and I'll be very brief. In May, we had our training for officers, and we brought together our neighborhood response team officers, our bicycle officers assigned to p.p.i. and mounted patrol unit, who are the primary users of these types of tools. As part of the training, we had deputy D.A. Present, a city attorney, Mark Jolin with Jolin, and two homeless advocates from Sisters of the Road and myself. And we presented the training component to our officers, and I included Mark and our folks from Sisters of the Road so that they could pass on their message to our officers from their constituencies' point of view but also so our training component was transparent to everybody that has been involved in the safe process. As Maria said, the ordinance went into effect on June 9th. We are verbally warning people of the behavior that could get them into trouble with the ordinance. We are not citing or issuing written warnings at this time. We're going to do this process of education for about 30 days and then the oversight committee of course meets on a very regular basis and discusses these issues. The oversight committee will get copies of all the written warnings and any citations issued after July 9th. In addition to that, this is a very collaborative group of people. As Maria said, we've had a lot of give and take on it. There are advocates of full of the constituencies present. I am certain that, if there is a breakdown in the restrooms or benches, someone on that committee will bring it forward as an issue and we will address it.

Leonard: Can I ask a question, Commander Reese?

Rees: Certainly.

Leonard: So you're issuing warnings currently. What do the warnings say?

Rees: Right now, officers are providing a verbal warning to people, telling them, if they come across someone whose behavior would get them -- could get them a written warning.

Leonard: So they're sitting on the sidewalk in violation.

Rees: Sitting on the sidewalk or we have people who sometimes spread blankets out around Pioneer Courthouse Square and sell products, things of that nature. We walk up to them, say there's an ordinance in effect that would prohibit this behavior. I'd like you to move. We have a day access center, the Julia West House, at 13th and Alder that you can go to. There are appropriate seating. We did, as part of the siting, a survey of the seating already available in downtown, and there is substantial benches already present. We direct people that they can sit there. They can also go to our parks. As part of our process, we got street routes to provide us with a resource guide. Those came in this week, and officers are distributing those out as well. That provides a list of services to people in the homeless community.

Leonard: So the day access center currently is the Julia West House.

Rees: Yes.

Leonard: And that houses how many people?

Rees: As Maria said, they've gone up to 50 plus people at any given time. They see -- having gone up there and talked to them about it, they see probably 70 to 120, 130 people on any given day. I think part of it is whether the weather is inclement, things of that nature.

Leonard: We've agreed as part of the safe group's recommendations to have a second access?

Rees: I think the oversight committee is looking at pushing the city into a permanent day access center and putting our efforts towards that. It has been very problematic finding the location for a second day access.

Leonard: I understand that. So how many people will that occupy?

Rees: I would hope that it would hold up to 150 as well.

Leonard: So --

June 13, 2007

Potter: I think the number is 170, isn't it? Over the length of the time that it's open, not at any given time.

Rubio: The permanent one?

Potter: Excuse me. The temporary one.

Rubio: It serves up -- actually, they indicated that it serves up to 150 people per day.

Leonard: You're not talking about the julia west house?

Rubio: Yes.

Leonard: The julia west house serves up to 150 people a day?

Rees: It can. Those are individual numbers that they've counted. At any one time, they do hourly counts. At any one time, they have 50 or 60 people in there. Very well used.

Leonard: Is the capacity 50 to 60, but they happen to serve up to 150 people a day?

Rees: I would say their capacity is about 50 to 70. It gets pretty crowded with more than that.

Leonard: I'm just trying to understand the logistics of how many people we're talking here. So the proposed new day access center would hold up to 170 people at one time?

Potter: No. I was speaking, I thought, of julia west. I thought that was their maximum capacity.

Leonard: And I was asking about the proposed one.

Potter: It's consistent with -- it was in the 10-year plan to end homelessness, and it's the same criteria, which I don't really have available right now that is in the plan that is what they're going to put into the permanent day center.

Leonard: Do we have a number of how many people we're thinking that would hold?

Rees: I don't.

Leonard: Is it something more than the julia west house?

*******:** Do you guys know?

Monika Goracke: I'm monika goracke, co-chair of the committee, and I will try to speak to this point, and then I have some other stuff i'd like to say. But the original safe recommendation called for a day access center plan. It has several components, including suggestion that more space be found for adults, more space be found for young people, and certain types of services be available for that space. The number that we picked as what we thought seemed adequate was space for up to 150 people. That's what it says. 150 people. I mean, just like the rest of the document, as a lawyer, I might have wanted to make it more precise, but we were trying to put together a plan and a set of recommendations. In the process of implementing the safe work group's recommendations, we looked and we -- we meaning the oversight committee members and members of other city bureaus and offices, made a big effort to look for space whether existing or new space that could fulfill the day access center plans. The first thing that we came up with was the julia west house. They stepped up. They said, with some additional resources, we could expand our hours. These are the types of services that we provide. So our thought was, let's have the julia west house and since we think there should still be more capacity, let's look for a second place, a second day access center. We had an organization that was ready to provide that service. They just didn't have a location. We looked for a location. That proved impossible at the time due to the political nature of having a day access center in a neighborhood. I mean, it's not an easy thing to just open one. In this process, there were tons of discussions. One thing that we did was we went and met with folks at sisters of the road to talk about the different options, and the feedback that I heard at that meeting from people who live outside and are homeless or have experience of homelessness was that, rather than a large space where they could just go and sit, what they really needed was services such as showers, lockers, restrooms, and they needed those today. Like, they needed to have them right away so they could go out and look for work or take work that had been offered to them. And so we talked about that. We brought that back to the committee. The committee said that sounds like a good idea. We've got jewel a west house. Rather than look for a second place, maybe we should consider getting these services up and running. And we brought that to you as council. And you all

June 13, 2007

-- we actually put that in a letter, and we brought that to you, and you all, as I understood it, gave your approval to that approach. We currently have an r.f.p. Out for all those services. As much as I would work that we had -- wish that we had the services right now today, I also think it's overall fair and the best thing to do to put it out in an r.f.p. So that we're getting the better service we can for individuals. Then on a parallel track is the permanent day access center. I believe commissioner Sten is sport of spearheading that planning process, and that was already part of the 10-year plan. I don't have information right now on how many people that will serve, but my understanding is that it's at least two years out from being actually implemented. I see that as a parallel track, but it's not something that we are right now putting within our group. I hope that answers the question.

Leonard: I want to be really clear. The purpose of this ordinance and discussion, from my perspective, is not to second-guess the policy decisions you all have made. As i've said, I think those are excellent. This is, from my viewpoint, a logistical discussion and only that. And the reason I was asking commander reese about what is happening currently with the police and the homeless folks on the street and want to get an idea about these numbers is because I would hope we could all agree, even if we don't agree, that we should delay the implementation, we would all agree that in this interim period, until those things that you want done are done, the effect on the people who are being displaced is not what you ultimately want to have happen. I mean, you don't want people to show up to the julia west house and have there be no room for them. You don't want them to show up to take a shower and there's no showers and you don't want them to have these issues without having a bathroom that will be done, and you don't want them to be displaced and not have the benches then. I think we all agree on that. But what has happened here is we have on the one side agreed with one part of the community that wants the ordinance enforced while the other side of the community has had promises to have these things done, but they're not done. And I just -- i'm sorry. I come from a bargaining background, and i'm not familiar with deals where both sides don't consummate their end of the deal simultaneously. And I just, from a logistical point of view, have to ask where did you think these folks would go when the police were enforcing the ordinance if all these services weren't available? I know the answer. I think commander reese knows what the answer is. They move somewhere else. They don't get into the services you want, because they're not done yet. That's my only point. And trying to get us all to agree as kind of a logistical strategy that we not implement the enforcement piece until all the pieces that you want and have been agreed to are in place.

Rubio: The committee -- the oversight committee reached a level in their work that they felt they had enough services out there to authorize us to enforce the ordinance, and I guess I just keep going back to the fact that we authorized the oversight committee to make those decisions.

Potter: And I want to reiterate the council voted with that in mind. It was in the information presented in your letter. It was discussed. And we voted to have the ordinance go into effect on june 9th.

Leonard: From my perspective, it was not clear that all of the elements were not going to be in place on june 9th. And i'm not even saying 100% completion, but even reasonably all the basic elements are not in place. I don't --

Potter: The basic elements are.

Leonard: They aren't. The bathrooms aren't open 24 hours a day. The day access center isn't available every day. The capacity isn't what it needs to be. The seats are four to six weeks away from being done. I'll bet you today, if this passes and the community knows you're not going to enforce the ordinance until at least the seats are done, they'll be done by the end of the week, not four to six weeks. And that's my point here is we have to create incentives to get these things done, and right now, with all due respect to my friends in the advocacy community has lost their hammer, because they've agreed to one half of the equation without getting the other.

June 13, 2007

Adams: We sort of gave administrative authority to the oversight committee to make this decision for us or to make this the city implementation I think is my impression of our earlier action. Monica, you are co-chair of that committee. Was this a close vote? Was this controversial? This did raise a lot of concerns or was there a reasonable amount of unanimity on the committee to allow enforcement?

Goracke: And you're talking about the decision we made back in the beginning of may or whatever the date was to recommend to go ahead with enforcement the?

Adams: Correct.

Goracke: I would say it was fairly contentious. And as just about everything -- you know -- in this process has been. I just, I guess, my understanding of the way that this process has been moving forward -- and really my understanding of the only way that it can work is through a series of incremental steps and changes and good faith efforts on the part of everybody involved. And I really believe that we have been working in good faith. I think everybody, not dependent on where you come down on whether we should have an ordinance or not, believes that the parties have been working in good faith. And part of this whole discussion relates to whether there should be an ordinance or not and whether there should be an ordinance tied to services or not.

Adams: I don't think that's what commissioner Leonard's point is. He's spoken for him self. He's not debating the underlying issue. He's debating whether there are enough services in place to merit implementing the ordinance. Could you speak, if nothing else, your own point of view? I assume you were one of the votes to move forward with enforcement.

Goracke: Yes.

Adams: Could you just speak from your own point of view why you felt that there were enough services in place to move forward just so that I benefit from your thinking process?

Goracke: Ok. From my perspective, we had, as I understood it, reopened several bathrooms downtown. I know that the restroom -- there's a restroom subcommittee that's working on new restrooms. Those aren't going to come online until quite a bit later. But there are extended hours at restrooms in the downtown area, and there are these newly refurbished restrooms.

Adams: So you felt that there are enough new restroom facilities. That's one area. What are some other areas?

Goracke: With the extended hours at julia west house, that's another restroom that's available to people that wasn't before.

Adams: Any of the other service components that you feel are well under way or enough under way in terms of their operations? Was that part of your thinking? Any other components?

Goracke: I felt that the day access facilities at the julia west house were doing a great job. My sense is that it's being well-used, but I don't -- maybe other people can speak to this. I don't believe people are being turned away, and I don't believe there's numbers of people that are sitting on the streets currently that are going to be displaced into other neighborhoods. I just frank I don't think there are that many people, and I think that, with the existing benches that we have, the ones that have already been put in and the ones that are going to be put in, we're going to get that a place where I have rel doctor everyone will be able to sit very close to where they would have been sitting on the sidewalk. Those are the reasons I felt it was fair to move forward. While all this progress had been made on the services, the ordinance was languishing, and like I was -- like maria said actually, this process has been about building trust and relationships and historically very few of the parties have trusted each other in this process. And I saw it as our commitment that we should stick to to move forward all pieces of the ordinance incrementally. I anticipated that would have a phase-in period, as we have. I hear that some of the implements, the recommendations, need more implementation. I understand those concerns. That's why the phase-in education period was really important, and I supported that.

Adams: If I could ask maria a question --

June 13, 2007

Potter: Yes.

Adams: As a staffer and commissioner in charge of bureaus directly, I know he that we give authorization or get authorization to move forward, and in transportation there's a process of figuring out how to figure out the implementation for the rest of the project. Are you at a point as your team where you could put together a work plan and a time line of where you think everything will be delivered? Do you have enough information on what it will take to implement all the various pieces that you could give us time line for which we could take some comfort in of when this stuff is supposed to get done?

Rubio: I believe so. I think that we discussed this extensively at the meetings, and I would say that -- and I would have to defer to kyle cusich, who is actually staffing the oversight committee now, but I would think that by mid july to early june we would have everything in place.

Potter: June?

Rubio: I'm sorry. July to early august -- july to early august.

Mark Jolin: I work for join and i'm a member of oversight committee. I can't put words in monica's mouth, but for those of us on the committee who are working with folks on the street or advocating for them, I think it's important to sort of recognize that no one is saying that three bathrooms is adequate for anything in terms of the needs of people who are living on the street, and 150 day spaces is going to be adequate. We've got 2000 people a night who are outside in this town. And so -- you know -- I think -- and I absolutely respect where commissioner Leonard is coming from in terms of his concerns around where people are going to go, but part of what I was sort of saying in my testimony before you a month ago is that the sit/lie ordinance is just one piece. I mean, it is going to displace people off the sidewalk to benches, to the parks, on to the railings. And if they're waiting for services, they're accepted. The bigger issue around where people are going to go comes from an overlap of various ordinances of, like, the camping ordinance. The park exclusion ordinances. Public urination ordinance. And trespass ordinances coupled with enforcement strategies. Because -- you know -- there are lots of ordinances on the books that can make it very uncomfortable for homeless people to be downtown or in any other neighborhood. So from my perspective -- and I was not on the safe work group that sort of signed off on this deal. It's important to note it wasn't the oversight committee that sort of signed off on the deal that came before you. It went out to the whole work group and was adopted by them. But I think the opportunity that's here is to not just effect a change in this one ordinance or that there are three bathrooms or 15 or 20 benches but in the whole way that we work with people who are on the street downtown. And as I understand the commitment that's being made, it's yes to benches and bathrooms and day spaces that we need but it is a commitment from the police and from the business alliance to not take strategies that push people out and to make them unwelcome downtown. And that commitment thus far hasn't been tested in a sense. So far they've participated in these meetings, been good to their word in terms of putting money on the table, having a transparent process, and the next stage of this is the ordinance going into effect and seeing how it goes and are they willing to engage us as advocates and providers around the bigger questions that are out there around what do we do with camping? What do we do with park exclusions? How are we going to engage people who don't have any where else to go? That is absolutely right. It's not that they don't have somewhere else to go because we have a sit/lie ordinance. They don't have somewhere else to go because we don't have adequate services across the board to get them off the streets. The big challenge, it seems to me, a as community is to engage that process and keep the Portland business alliance and all the other folks engaged in that dialogue and trying to make change at that level.

Leonard: But the devil is in the details. You're talking about broad-ranging approaches that are very important. I very much agree with you. But it would just seem to me that, if you don't totally agree with my approach of having them all done -- and I can understand why a reasonable person

June 13, 2007

might disagree with my approach -- why wouldn't you at least say have all the 25 benches. At least have the 25 benches installed before you have the ordinance. You're six weeks away from having them installed. What is the hurry? I mean, we're not talking about years. It's six weeks away before the benches. At least you could say, hey, folks, we have 28 benches in the downtown quarter. You can't sit here, but here are the addresses of those.

Jolin: Commissioner Leonard, I don't disagree with you at all on that. There are pieces that could have gone quaker that I certainly would have liked to see go quicker.

Leonard: Time the enforcement with whatever the time line is to install it. I'm not saying do it next week. I'm saying why wouldn't you agree to say, ok, the bathrooms are going to be difficult. There's some permitting issues there. But at least we can get the 25 benches installed before we enforce the ordinance.

Jolin: Let me try to answer that from my perspective because its really whey wanted to say in my testimony which is of course, if council wants to do that, you can. I just think it's very important that, if you do, you don't do it because there's a perception out there that the police or the p.b.a. Or anyone else has been at the table in this has not honored their commitment --

Leonard: This is not about you or the police. It's about the people that have no ordinance support. It comes back to we did this, we did that. I appreciate that. That's not what the discussion is about, not about me or you or the mayor or commissioner Sten and all our efforts that improve it. It's about treating people fairly. I'm sorry if people feel like their toes have been stepped on, but my concern is the people in the street. Why wouldn't you at least say have the benches done. Can we agree do that? Have the benches done, and then we'll enforce the ordinance. It's not about questioning their integrity or the police or the mayor's office process. It's not about that. It's about a common sense kind of agreement that you get something for something. And it happened. Not a promise that it happened but it actually happened.

Jolin: Certainly this is about folks on the street and what their needs are. I think, with all due respect, the issue of what the safe chitty has done has been framed to some extent in the public dialogue around whether this project -- process -- has somehow been taken over by the Portland business alliance or has not been honored by the police or that they're somehow running the show, and I think that is where I -- that's the only distinction I want to draw. I mean, if this council -- would it be better if we had 25 benches in place tomorrow or before this ordinance went into effect? From my perspective, yes. But, again, if that's the decision, it shouldn't come from a place of believing that we haven't honored the safe work group's agreement somehow by going forward with the ordinance now, because my understanding of what the agreement was that came before you was that we had certain services already in place on that date when we came to you, and then there was a commitment, not a numerical commitment to additional benches or bathroom stalls being open before the ordinance goes into force but that there was money on the table at this point -- a half million dollars has been committed and is out for r.f.p. That is going to bring those additional services online. Here it's important to decouple the services from the I know cary men tat displacement of fact that's going to occur from the sit/lie ordinance. The commitment of money, the investment of political capital into bringing the services online, that was there, and it is there, and from my perspective as someone who sort of vouches, has been vouching for the process thus far, that process has had integrity and people have honored it. I'm not saying you can't change the timing of the implementation of the ordinance, but I do think please be clear that, if you do, it's not because somehow the safe oversight committee or any members on it have not done what they committed to do when they came before you a month ago. If the enforcement commitments that have been made aren't honored, if that happens, I for one will be here to point that out and ask you to reconsider the ordinance. But I don't think we're at that point right now.

Potter: We've got some other folks to need to testify. Thank you, folks. How many folks are signed up to testify?

June 13, 2007

Moore: We have five people.

Potter: Could you call the first three?

Potter: Did kathy oliver leave?

*******:** I'm going to speak on her behalf.

Potter: Thanks for being here. When you speak, please state your name for the record for the record. You have up to three minutes, but our next council begins in about 20 minutes. We would sure like a break.

Leonard: If it means anything to you, i'm on a blood sugar low right now. We haven't eaten.

*******:** Filibuster.

Potter: Go ahead, folks.

Rev. Chuck Currie: Mr. Mayor, council, my name is reverend chuck curry. I'm here today to support commissioner Leonard's proposal. Under the leadership of mayor Potter, there has been much progress as to bring compromise and compassion to the long controversy over how to best treat the people on our streets, and I appreciate this very much and also applaud of course the long time and steadfast commitment to these issues mad I buy commissioner congressmen. However I cannot find the logic or moral justification for moving forward with the sit/lie ordinance which allows our police to cite people living on the street until such time as alternatives are in place. Commissioner Leonard has brought force a common sense plan that simply asks for delay in enforcement of the ordinance. It would help afford some of Portland's most vulnerable citizens their basic civil rights. Delay in this instance is I think the best moral choice. Dr. Oliver has asked me to tell you that the proposal submitted to you by the safe was a compromise proposal and that it was difficult for some of those opposed to oppose criminalizing basic human activities such as sitting and sleeping, rights that went along with it, as it was, because of the increased services. But those services have not been fully implemented, and that she would support the delay and that she had adamantly opposed to the ordinance until the services are in place, services for both adults and for young adults, but I know that she also agrees with me that this council has been the best council we've had on these issues in many years, and we support your work wholeheartedly.

Israel Bayer: Israel bayer with street roots. I'll be brief. We want to say we think the mayor and the safe committee -- thank -- for all the commitment they've made to tackle the issue of homelessness. However, we are opposed to criminalizing people for sitting or lying on a sidewalk with no other option. We support randy Leonard's resolution based upon the idea that in good faith services would be in place before enforcement the began. We also want to note that we're very concerned that street roots has received reports that the Portland patrol incorporated a private security firm had already started enforcing this ordinance prior to the june 9th enforcement date. We again want to say we have full -- we believe in the safe oversight committee to move things forward. We don't look at this as a way of delaying anything. We just look at this as a way to be able to give our advocates the tools they need to move things forward.

Potter: Are you aware that the ordinance does not allow the p.p.i. Folks to issue citations or warnings?

Bayer: That's why we believe that there should be oversight and transparency with the Portland patrol.

Bernie Bottomly: Bernie bottomly with the Portland business alliance. Given our previous discussion, I thought maybe duct tape would be a viable solution here. I think i'd like to echo some of the comments that have been made by others and really thank the safe committee for all of their work. I think it's been a really good process and one that is kind of in the best tradition of Portland and citizen involvement and the interface between citizens of a wide variety of backgrounds and the government. So I really want to applaud their efforts and thank them for all the time and energy that they've put into this. I think, to commissioner Leonard's question or issue of how are we treating individuals who are being displaced or affected by the implementation of this ordinance

June 13, 2007

and are there services that are available to respond to that issue, I think the answer to that is there are. And we've made tremendous progress. I think the number of new facilities, the energy and attention that's been given to this is really tremendous, and I think, by the time the police force begins to actually enforce this ordinance in the first of July that the majority of the facilities that were discussed as being in place will be in place. I mean, we talk about 25 benches. There are 400 benches in downtown Portland. Adding 25 more is significant but not a fundamental change in the availability of benches in downtown, so we're making incremental progress, but we're doing it at a very rapid rate. Getting new restrooms open is -- while it seems a very straightforward and easy thing, it can be problematic, but it's been happening at a very quick rate, and we've had very good success with building owners downtown and other facilities in agreeing to open their spaces. And in being able to renovate those spaces and get them up to code and up to a condition where they can sustain the kind of use that they're going to be getting. Julie West House is a new facility that wasn't available before, is available now, and is facilitating up to, we understand, somewhere between 50 and 70 people per hour or around 150 to 170 per day. That's a new facility that's new space that's available to get -- that's available to folks who need a place to go during the day. So we've made significant progress. We've made it rapidly. We are committed to continuing to make that progress and to fulfill all of the services that were discussed. I think to move backwards from where we are now would really break trust not only with the members of the safe oversight committee but with all of the folks who have been focused on and putting resources into making sure that this ordinance is carried out both in terms of enforcement and in terms of services as well. Thank you.

Sten: Could I ask a question? Let me apologize to the audience and my cause for being late. I was called to a trial, one of the few things that doesn't care that you had a city commission. I apologize for being late.

Bottomly: Not as a defendant I hope.

Sten: No. I was called in at the last, very periphery to the trial. I guess I'm trying to think how to frame this question. I think we've made historic progress, having been somebody that's been in the middle of this debate for many, many years and many different versions of the sit/lie. I think the things that have been done already are terrific. I think the mayor's call to focus on the permanent day center which is really at the end of this process what we're really after as good as some of these temporary services are has been solid. I think we're really on the trail of that. On the one hand, this is kind of a big argument about a moment in time when you're hearing both sides agree. On the other hand, it's sort of, I think, for some of the people who probably have the most difficulty for good reason to be honest and are the least likely to sort of be in a partnership with the Portland business alliance, they're saying we're just about there. But at this date and time, we haven't gone over the bar. And to be honest, I think they're probably right. I delayed this thing a couple months ago for the exact same reason. I can't delay it, but I made a motion that essentially ended up being carried. I voted for it in May thinking that -- you know -- we'd be just a little further along by June 9th than we are. I guess somebody -- we're coming to a moment here where we're going to take an up/down vote. I suspect it's going to be 3-2. I might be the swing if I'm reading things right. One side's going to win and one side's going to lose, and I'm suggesting you ought to pull back and find out a way not to do that. Because you win, people who are just about to work with you that you desperately need to succeed walk away pissed off. How do we go about -- I'm asking you, a thoughtful, political leader who's been in this thing for a long time, how do we get your organization to get us a compromise right now before we make this vote.

Bottomly: Commissioner Sten, I appreciate your softball question. I guess I don't have an easy answer to that. Our position has developed over a number of years. The p.b.a.'s position has developed over a number of years. I can't presume that change that position here this morning or this afternoon. I will say that we are committed to continuing this process, that we've been involved in it in a way that I think is, if not unique to the alliance, at least unusual in terms of our

June 13, 2007

commitment to making sure that services are provided. And I think we and our board clearly understand that the longevity and success of this ordinance is going to depend on being able to provide the services that have been discussed, and so we're not going to let up in our efforts to make sure that that is accomplished. At the same time -- and I don't want to diminish or in any way lessen what I think is commissioner Leonard's very legitimate and thoughtful concern about what actually happens to folks that are at the receiving end of enforcement on this ordinance. I think it's also important to recognize that our members have had some very skeptical thoughts about whether there would be the basis for working agreement on this, and I think at this point moving away from the time line that has been agreed to previously would really break trust with those folks, and I think it would be very difficult to continue to keep them involved in the process in the way that we've had them up to this point.

Sten: I think it's unfortunate. I basically was offering a way how to show some leadership when you basically just made the situation worse because you're using terms like trust, and I don't think it's a matter of trust to say -- you know -- I mean, if I signed a lease with one of your members and it stipulated that the tenant improvements would be done before I start paying rent, would they expect I pay rent if they hadn't done the tenant improvements?

Bottomly: Well, I think the issue here is not.

Sten: You've made it one of trust. Now we have to break through that. It's not a matter of trust. The two sides are working together, and the trust is going to be lost on this vote with one side or another unless we back away from this vote. I'm not criticizing the two sides of my council that decided to do that, but somebody's got to show some leadership here. I'm calling on the p.b.a. to do it and show a way out of this path. You guys want to change, act differently. We don't want to send out an e-mail saying we delay this for a couple weeks because it's going to lose trust with folks who aren't really tracking it? You guys have to step up and explain to your board, here's how we're making this work, and here's an opportunity to try and figure out a way to make it work about the very folks who are going to continue their advocacy and make the program not work if we can't find a third way here.

Bottomly: When I say "trust," I think what i'm talking about is the work that's been done by the commission, by the oversight committee. And I don't -- I think that there's broad agreement among the members of that committee that the comment approach is appropriate, and I think they've had good discussions about that.

Sten: What I hear testifying -- again, it's out of respect for the changes your organization has made and your abilities that i'm putting this in front of you in what I admit is a tough fashion. I hear the homeless advocates on the committee itself testifying very clearly. It makes sense to us to hold this up just a little bit to get it route. But we don't want to insult the p.b.a. and the police who are going to take offense at this. One way to solve it is for you guys to say, come on, guys. We're all everything working together. And instead -- instead you're saying we are going to take offense. Our members might walk away from the table. Those are lines in the sand that push me away from your position because they seem unreasonable.

Bottomly: I don't mean to suggest that we would abandon the effort. I don't think that's true.

Sten: You just testified that your members would walk away if you didn't --

Bottomly: What I said was I think we need to be mindful of the fact that there's an issue both sides, one of trust, and I think there are members in our organization who would be very concerned and very -- and feel that the trust had been broken with them if there is a change at this point.

Sten: I'll stop. I'm sorry for repeating things if they've already been said. As I understand it right now, we're talking about soft enforcement. So by anybody's estimation, there's a big difference between i'll tell you about this law and i'll bust you. So we're already into a compromise ground. Is there anything there to work with on terms of --

June 13, 2007

Bottomly: Absolutely I think there is, but I think that the police force and the oversight committee have done a good job of phasing in enforcement to make sure that it's not punitive. I mean, that's not really -- the purpose is not to go out and see how many people you can cite or how many folks you can roust. It's really to be informative, to provide information about where there are services, and to make sure those services are available. So I think we would be comfortable in talking about are there additional phases. Are there additional time lines that could be rolled out?

Sten: If I could ask the other two witnesses, is there anything there in kind of the concept of no citation period? I'm not making a proposal. I'm trying to search here. I really think, reverend curry, you're right. I think there's more at stake here than just the perception of whether or not one side wins. I think that could blow it given the heat i'm hearing from both sides. I don't think we're that far apart. There's something around perhaps, no citations are issued until, as proposed to the -- opposed to the ordinance in effect right now it is in effect. So it would actually have to be repealed or something like that technically. Could we do something like no citations will be issued until the full piece is done? I don't know. Is there anything there:

Currie: I've know Bernie since I was 15 years old and he's a good an honorable man and a good citizen and represents good people. And I do think there's always room for compromise as long as the police were not issuing citations. I would be comfortable with moving forward. Until we have all the other pieces in place. I don't mind the police having interaction with people I don't mind the police trying to direct people to services. I think that can be a good thing.

Sten: Did you have any other comments on that idea?

Bayer: I think we should note we're against the ordinance all together but given the circumstances I do think that there is room to move forward. And I think there's ways to work together that we can make this thing happen so.

Bottomly: I guess -- sorry.

Potter: A clarifying question. All the pieces I place include a permanent day care center.

Sten: No. I think it's going to be several years in all likely before the day center is open. I just want to share with the group the mayor has put significant money into the predevelopment of the day care center, has asked the development commission to make it a day center a priority and has asked my office which Margaret bax is leading to take a city hall lead. So i'm reasonably confident we'll have a site for a day center this fall, but I don't think we can wait until it's open. I would say everything else in place with clear commitment to keep the center as fast as humanly possible.

Currie: And with the temporary center available.

Sten: Absolutely.

Bayer: I think some clarification needs to happen around the Portland patrol and what their officers were kind of enforcement guidelines are being given for the ordinance to make sure they're not --

Bottomly: There should be no misunderstanding about that. Portland patrol is not allowed to enforce the ordinance, they have no involvement. Like other citizens they can indicate there is a city ordinance that is in effect that prohibits sitting and lying on the sidewalk, but they have no authority to enforce, issue citations of any kind.

Adams: What we heard earlier before you joined us was that the full implementation minus the permit day center maria thought could be achieved by the first part of mid august, is what we heard.

Potter: For the benches.

Adams: That's just the benches.

Potter: That's my understanding. We've got four new restrooms now. One at fourth and clay, two on eighth and ankeny, and one at the julia west.

Leonard: None of them are 24-hour?

Potter: No.

June 13, 2007

Leonard: When is the 24-hour one scheduled to be open?

Adams: Is soft enforcement -- i'm sorry.

Leonard: Do you know, mayor?

Potter: I don't.

Leonard: Does maria know the 24-hour --

Kyle Chisek: Kyle Chisek with the mayor's office. I'm staff on the oversight committee. First i'd like to point out that the ordinance is only in effect from 7:00 a.m. to 9:00 p.m. So the ordinance doesn't -- isn't in effect 24 hours. We do recognize --

Leonard: Excuse me. My question is, do we have a 24-hour -- when is the 24-hour restroom scheduled to open?

Chisek: We're currently in negotiation with some of the s.r.o.'s. There was never a 24-hour restroom on the table with the agreement with the safe work group. The oversight committee has pointed out there's a need for a 24-hour restroom and we're working either temporarily with the s.r.o.'s to open a restroom 24 hours, or when the new restroom is built, the possibility of pilot testing 24 hours on it.

Leonard: I appreciate that --

Chisek: Problem is it needs to be attended 24 hours.

Leonard: I appreciate that. I'm asking, when is the date by which you'll have it open?

Chisek: There is no date.

Leonard: But you're negotiating with the s.r.o.'s?

Chisek: Yes. Currently.

Leonard: Have you come to an agreement, when is your idea to open it?

Chisek: We could fund it -- fund the staffing for that. We offered to fund additional staffing immediately if an s.r.o. steps forward and agrees to open the restrooms.

Leonard: We had the funding in place to pay staff to oversee it, but it's a matter of locating and opening the restroom.

Chisek: It's a matter of finding someone who is agreeable to opening a restroom 24 hours.

Leonard: We have the money in the budget --

Chisek: We have the money right now, yes.

Leonard: What are the logistics that one needs to work through to get that done if we have the money?

Chisek: We need to continue negotiating with s.r.o.'s or someone are a restroom available who would be willing to do it.

Leonard: This is kind of my point. If we have a contingency that says the ordinance isn't enforced until - just for an example just on this one subject. 24 hour bathroom open, we have the money in place, we have the ability to oversee it, it's going to get open sooner than later if the contingency is the ordinance doesn't get enforced. What I'm hearing right now is it will happen when it happens. There's no urgency. With all due respect I think there's urgency.

Potter: I don't think you heard that.

Leonard: That's how I interpreted it.

Potter: With all due respect they're negotiating what more can you ask of them?

Leonard: What I'm saying is there will be urgency if the ordinances isn't enforce until have you a 24-hour bathroom open. That will create a dynamic under which we'll get it done. I'm not hearing a date or a thought of a date, and it may or not happen this fiscal year. The money is in the budget, and the intent is when the council passes something and it's in the budget that it will happen on july 1st or thereabouts.

Adams: So if I could ask maria, I know -- maria answered the -- you thought the components of -- maybe you can clarify this as well, because I know it's a team effort, and you focus on different aspects of this pretty sprawling project, important project, so do you believe that all the

June 13, 2007

components, can one of you resummairize what the definition of all the components and what would be in and out would be in place by mid august? It is just the benches, or would it be your goal to have the 24-hour staffed restroom up and running even on a temporary location by mid august?

Rubio: I have not been staffing the oversight committee recently, but I am up to date with the information. We by mid july, maybe first part of august, we will have the shower put in place at julia west house. We will also have 25 benches, additional benches installed in the areas that are already identified. We plan to have showers and locker capacity implemented. We have an r.f.p. Out right now and we hope -- I believe on the 18th is when we're going to be making a decision on who and where we place the lockers and the showers and so forth. So those three things we hope to have in place by august 15 at the latest.

Leonard: Are you familiar with the date by which we could get a 24-hour bathroom open?

Rubio: I know we are working with s.r.o.'s and we've been going --

Adams: S.r.o.'s --

Rubio: Single room occupancy --

Adams: Is that an organization? You're just talking about s.r.o. providers?

Rubio: Yes. Locations that are already in existence who we could contract with to open up 24 hours a day. But we don't have a date for that. It's something that came up in the oversight committee as a need. So we're working on that.

Adams: We would -- the record would show this is just a guess, but based on your poking around on that particular issue, and understanding that the ordinance is not enforced after what time?

Chisek: 9:00 p.m.

Adams: But if you had to make a guess on when we could get 24-hour staffed restroom facility online, when would that be, do you think? And if you can't, I guess that's fine too.

Rubio: Yeah, I really can't say. I can't imagine it would be longer than august. It just is going to take some staff time.

Leonard: The same date, august 15, you think that might be able to happen at the same time as the benches and --

Rubio: I believe so.

Adams: Commissioner Sten, you mentioned the phrase "soft enforcement." would that include my understanding the warnings, or not include the written warnings under your idea of soft enforcement?

Sten: I have an open mind on that. There would be no citations. I don't know 100% what's accomplished by a written warning, if that's building a case i'm not so supportive. The idea of the officers getting out and talking with homeless people is actually in part the whole point of this new approach. And so I would -- I don't have any problem with that. In fact, I think the more we can, without sanctioned help, get people information as to what might be a possibility and what problems they might face in a couple months, I think that's a good thing. Essentially nobody would get busted, in my sense. I don't know if there's interest in pursuing that, if that could get us to -- i've heard some sense from both sides it fits within the -- the lines of what they're --

Adams: In terms of the points that are being made, or someone else out there, in terms of the points being made that -- why -- a group of people are saying there's enough of the facilities enough of the amenities have been -- are in place to begin enforcement, and others are saying there's not enough to begin this kind of enforcement, how would you reply to those, the side that says there's not enough in place to begin enforcement?

Bottomly: My first reply is, i'm really sorry mike took this week to go on vacation. I think from our standpoint we feel that there's either in place or will be in place by the first part of july or thereafter, soon thereafter, enough facilities to begin enforcement. I think you think about the fact it's summertime, there really are a lot of alternatives that aren't available necessarily in the winter

June 13, 2007

that julie -- julia west is available. So I think the slow rollout of enforcement is -- we don't think untoward based on the number of facilities and services that are -- that have been made available.

Adams: How do you define slow rollout, then?

Bottomly: Well, I think -- I just wanted to clarify something that I heard eric say -- erik say earlier, commissioner Sten, i'm sorry. That there would need to be a repeal of the ordinance. I think we would -- that would be a significant concern to us. If we were talking about extending the period over which officers are simply providing information and education, and not doing citations, I think we're comfortable with that over a longer period of time than the 30 days that is currently envisioned. I think we'd want to sort of revisit how much longer that would be and we -- I think one of the issues in saying when are we done with all the amenities, the committee has had the flexibility to look at what the amenities are and whether there are different amenities than were originally suggested that would be better. For example, I don't think the 24-hour restrooms was necessarily part of the original discussion.

Adams: Could you live to august 15th?

Bottomly: Yes.

Sten: I think part of what happened in good faith over the last 30 days, what I was intending to vote on is different than I think the way the committee has interpreted. I believe, if I read it wrong, that's my fault. I believe I was giving the committee the authority to interpret when the services were in place, and then to move forward. They have -- that is now sort of morphed in a way things do, we're interpreting there's good faith efforts to get the stuff in place, therefore let's move forward. That is a little different than what I had conceptualized. I don't think that's anybody's completely acting wrongly on that, but I think -- my sense is the committee is going to rule the stuff is in place.

Rubio: With all due respect I don't think -- I think the committee should respond to that because this gentleman is not on the committee, and I think it's unfair and not to have the actual members of the oversight committee to respond to that.

Sten: And with all due respect if I ask a question, i'll ask for a response, but that was a statement.

Rubio: Oh, I'm sorry.

Sten: That was a statement of what I believed to have done. I'm confident I may have not believed the same thing as other folks, but nonetheless, I voted for that legislation for a reason. So i'm not really asking anyone a question.

Rubio: Ok. I apologize.

Sten: No, that's fine.

Potter: I think we should hear from the rest of the folks signed up to testify.

Adams: Can we order some pizza or something? I'm starving.

Parsons: I believe you've heard all the people who have signed up.

Adams: Is monika in the room?

Dan Handelman: Dan handleman with Portland cop watch. I just think that the question commissioner Adams raised before about the written warnings is very important, because if this so-called soft enforcement is going to go in place, you're going back to the sit-lie ordinance that existed until early this year. Under which I think it was two years that it was in place, it was only used 11 times to actually cite people. And the reason for that I believe is that people were just being moved around. People were being given warnings and being told to move along, and nobody was ever cited. I'm afraid the soft enforcement will just bring us back to where we were before, where a lot of people were getting moved around, there will be no paper trail and no way to keep track of how many times that's happened. I would hope if you're moving towards this compromise, and we are among the people that don't think this ordinance should go into place at all, but if you're going to move forward, you should include and make it so the written warnings are being given out so there's a way to tell how often it's being used.

June 13, 2007

Sten: They should be given out.

Handelman: Should, yes.

Sten: The argument is whenever you warn somebody you should keep a record of it.

*******:** Exactly.

Adams: Monica, would -- what's your reaction? I'm interested in hearing from the mayor and his team as well, but what's your reaction to the idea if we can get at the bulk of these amenities in place by august 15th, what is your reaction to waiting until august 15th to do the full enforcement?

Goracke: I don't have any problem with that. I think that is an acceptable compromise. What it raises for me is sort of confusion around how we as -- as this committee can continue to work together and go forward, and how can we understand our role, and --

Adams: And I would venture a reply, that this is sort of a getting off the ground issue, a developmental issue. I don't think that it important tends that we will both continue to be very interested in this issue, but I will continue to look for you for sort of the fine sift implementation issues, but since we're just launching this, there seems to be a lot of concern around trust under the various sides, and I think we're trying to come up with something that speaks to the urgency that the p.v.a. Feels, but also tries to address some of the concerns about if we start implementing this on the enforcement side, but we don't have the amenity side in place, trying to strike a balance. So you would be ok with the compromise?

Goracke: I would. And just -- I was just going to add, in terms of how the process works -- I agree with commissioner Leonard that the devil is in the details, and because we have a balance between broad strokes and really specific details, it would really help us as chair and committee members to be maybe more in contact with you as counselors on this, and I wanted to also say that I think we probably could have done more than we have this far to keep everybody aware of the progress that we've made, and in the original resolution creating our group we invited -- in the resolution it said we encourage all the commissioners to appoint a liaison to the group, and I just want to reiterate that. I feel it would be helpful for communication if there were -- we knew who to contact in each office, and you guys are too busy to come to all the meetings, but certainly maybe somebody in your office could, and I know we've already had some of that, but would it help to have all much you at least let us know who to talk to when these issues come up.

Adams: We're really pressed for time, sorry. Thanks.

Sten: I'm not seeing the logic of setting a date. If they beat the date, great, that's -- commissioner Leonard's prediction is if we hold things up things will happen faster. I hope he's right. If they don't make the date, why would we start that day?

Adams: Why not just say it's soft enforcement? No citations, written warnings are required. So there's a record to see how it's being used, which is a great thing to do during a test period of anything until such time that the full compliment is in place.

Sten: No citations?

Adams: I agree. I was going off the estimated time. I would be to be specific for the legislative record. When the 25 benches are installed, when the shower at the julia west facility is open and operational, and when the showers and locker are yet to be determined location are open and operational, they estimate august 15th, but whenever those are open -- and the 24-hour bathroom, when those four items, shower, benches, more showers, and locker, and the 24-hour bathroom --

Potter: What's the third item, more showers and lockers?

Adams: I heard we were going to get up and running a shower at the julia west center right away, but you're also looking for an additional shower and locker room facility that would be somewhere else. So you have two showers, 25 benches, and a 24-hour bathroom and when we get those services installed, then enforcement can be -- can begin. Are you ok with the group deciding that? Who decides that? I'm not clear.

June 13, 2007

Leonard: I think it should come back to the council in the form of a report and we decide that. And I have proposed the police bureau come back with a report when it's ready to be implemented.

Potter: It really would be the committee, not the police force.

Leonard: That's fine. About the --

Potter: About the shower and locker facilities I missed the shower part. I thought we already had that completed.

Rubio: The committee decided instead of a second day center that they preferred to bring some shower and locker capacity for individuals. And so we've got an r.f.p. out for proposals to actually purchase and staff a locker facility and also showers in existing facilities.

Potter: Do you think you'll have that done by the middle of august?

Rubio: We have the r.f.p. due next week, and we're moving quickly.

Saltzman: Do you know there's going to be respondents to that r.f.p.?

Rubio: I don't know.

Saltzman: Is this a total stab in the dark --

Rubio: We're working with bhcd, and liora berry and they've reached out to their constituent groups.

Potter: I'm concerned. I wish we had -- because there was some confusion last time, I don't want any mistakes or anybody thinking that something was going to appear. But it sounds like with the -- what the direction is, the ordinance is in effect right now. And it's enforceable, but not being enforced. But in terms of these other things, if we don't get adequate shower facility, or locker space, we have an r.f.p. out, but what if it doesn't appear? What happens if for any reason the -- we get 24 benches up instead of 25? What's going to happen at that point? Is that sufficient?

Adams: As someone who helped oversee purchasing for some time, I can express my own personal view that if this r.f.p. for whatever reason doesn't follow through, you would have my support for a soul source waive the purchasing requirements. So you don't have to go out for whatever many weeks -- we could do a soul source provider that could actually build the facility. There are ways to speed this up if we as a council decide as a group that their extraordinary circumstances that we believe merits waiving some of the normal bureaucracy for procurement.

Leonard: Which is driving your discussion, you're not having a date. You're saying these elements have to be in place and it's implemented. So I think the response is it doesn't hold anything up, other than the enforcement. I think just the brief conversation that commissioner Adams and you had makes my point. If we know that the ordinance can't be enforce the until it's in place, we'll do everything necessary to expedite this process. Frankly u. I think august 15th is later. If you have no date I think you can have it done before august 15, because bureaucracy will kick in.

Sten: Commissioner Leonard, let me try something. If you were to -- if there were an amendment to replace in your title to delay enforcement to read "direct the Portland police bureau to issue no citation and document all warnings of Portland city code until adequate day excess facilities public restrooms and -- " would that meet the same intent with a little more specificity?

Leonard: Yes.

Sten: I would move the language I just suggested.

Leonard: Second.

Adams: Please say it again slower.

Saltzman: I thought we had some numeric goals.

Adams: We have four project goals is what I heard. The julia west shower --

Saltzman: I would prefer being more specific. The word "adequate" seems to be a moving benchmark.

Adams: A friendly amendment, so we don't go through this painful process again, the julia west shower facility, the 25 benches on order, the shower and locker room facility that's under r.f.p. right now, and an operating 24-hour bathroom.

June 13, 2007

Sten: That would -- I would take that as a friendly amendment. To replace the less specific language. I only went fast through reading the stuff that's already there. My original amendment was to replace to delay enforcement with the words "to issue no citations and document all warnings."

Adams: Of the four things.

Sten: Yeah.

Potter: I thought it was to issue warnings. That's different than documenting warnings. To actually issue a warnings that officers --

Sten: I was thinking that's the same thing. However the right way to say it s the idea being if someone is warned, it should be in writing. That's good policy, so we can get a sense of who's getting warned, when, what's provoking this law to be used before we start issuing citations.

Potter: They were up until july 9th not issuing any warnings, just providing education information.

Adams: This would be a level of increase --

Leonard: That's not what commander reece testified to.

Rubio: They were actually started on the july 9th educating and referring -- .

Potter: But not issuing warnings.

Rubio: No.

Leonard: My understanding was you said were you warning people. And as he's coming up I want to make sure that we replace the portland police bureau, mayor potter, language to report to the safe committee.

Rees: Our policy regarding the ordinance is for officers who take the lowest level enforcement approach possible. So we issue a verbal warning, we escalate to a written warning if the person doesn't comply and if there's further violations, we move to a citation. That was part of the consensus I think that came out of the oversight committee that we wanted officers to be more welcome can and friendly with their approach are and more information guided and part of that is providing information resource guide that we have.

Potter: Specifically between june 9th last saturday, and july 9th, are you issuing written warnings?

Rees: No.

Potter: Only information and education.

Rees: We're giving verbal warnings and information about what behavior is appropriate.

Leonard: How do you interpret what's being discussed here would you have the authority to do?

Rees: I haven't heard all of it. It sounds like it's still a work in progress.

Adams: You tuned out some of our --

Rees: It's a work in progress.

Adams: You're the only one in the room that did. I'm sure.

Rees: The two issues I would bring to council if you delay it for several months would I ask we not have officers warning people at all for that period of time. Because if we have months and months where we're warning people, it would be I think an untenable position for officers on the street. When people don't comply, what do you do? And to do that for months is going to set up some problems for us. So if we're going to delay enforcement, I would delay it from the police bureau policy side completely. And I agree with taking the police bureau out of the reporting back to council. That the components have been more in place. I think that would be more appropriate for the safe oversight committee.

Adams: Is it possible to follow up on what you said, commissioner Sten, is it possible to record your contacts?

Rees: At this point it is not. In terms of -- they certainly could do 90 a notebook, but we have hundreds of encounters every day. With this ordinance --

June 13, 2007

Adams: It's not practical.

Rees: I don't think it's practical to document it every time.

Leonard: My suggestion would be that we just delay the enforcement until --

Sten: The commander is arguing for the original language.

Leonard: Yes, he is.

Rees: I'm not actually advocating we proceed with the ordinance, which the safe oversight committee asked council to do when they came before you in may.

Sten: You're arguing for his language over my language.

Rees: Yes.

Potter: No, he's agriculture within that -- arguing that we go ahead with the implementation of the ordinance, but failing that --

Sten: I agree.

Rees: You've heard from people today who are opposed to the ordinance fundamentally just opposed to it, and I certainly understand after having been on the safe committee for a year there are thoughts and feelings, but the oversight committee and the committee did recommend to council that we proceed with the ordinance, that there were the facilities in place that we agreed upon.

Adams: Linly, do you have based on this discussion, could you read us some proposed amendments so we might move to decision making.

Linly Rees: This is my interpretation of what has been done so far. Feel free to correct as we go. Both the title and the first be it resolved would be amended because they're identical statements. They would be amended as follows. This is based on commander, sergeant rees, I'm not sure?

Rees: Mike.

L. Rees: Mike. According based on - -

Sten: Linly, before you get too deep, i'm going to withdraw my suggestion based on what the commander said.

L. Rees: So based on Mike's language it would be, now therefore be it resolved the Portland city council directs the Portland police bureau to delay enforcement of city code sections -- section 14a 50.030 sidewalk obstructions until 25 benches are installed, the shower in the julia west facility is open and operational, the shower and lockers under r.f.p. proposal are open and operational, and a 24-hour bathroom is open and operational to accommodate the implementation of 14a.50.030. The second amendment would be the second further be it further resolved would substitute safe committee for Portland police bureau.

Adams: Move.

Leonard: Second.

Adams: Good job linly.

Leonard: Excellent.

Rubio: Your honors may I say something? As a staff person, staffing the work of the oversight committee, I would -- as you vote, I would like for to you keep in mind the hundreds of hours that the community has spent negotiating, collaborating, coming to consensus, consensus falling apart, people giving and taking. At the beginning of my testimony I said that my goal was to try to keep everyone at the table. And I think we've done that for a very long time, and people have worked very hard. The committee did its work with the understanding that they would determine when things were to move forward, and if there was any misunderstanding, I apologize for that. But I would advocate on their behalf that the authority that was given to them or at least the decision making and problem-solving ability to do that for this committee maintain its integrity. Thank you so much.

Potter: Call the vote.

Adams: I want to thank bernie and the p.b.a. for showing willingness to be flexible, monica and the committee as well. Aye.

June 13, 2007

Leonard: I appreciate this discussion very much. These are important discussions to have even though they are uncomfortable. I actually think that the result of this passing cause these various -- very important amenities to be completed soon era they're than later. That's my hope. So thank you for everybody and a great discussion. Aye.

Saltzman: After much discussion i'm going to regretfully vote no. Mainly on the comes -- this committee has worked hundreds of hours, it does have a lot of -- we gave them the charge, they fulfilled the charge, and I do think there's more -- it's not the business community versus the homeless. There are people who are just against anything, any ordinance whatsoever. And they're not going to move. But we have had people like veronica, and others from mark, who have tried to come together and work in good faith, and I think this is -- we keep moving the goalpost. I just think we talk about showers and lockers, we don't say how many showers and lockers. So I can see us coming back august 15th and people debating about it's not enough showers and lockers. It's 10, it should be 15. And it's people who just don't want to see progress occur whatsoever on this front. So I think it's time to honor what this committee has done and to move forward with their recommendation. So I vote no.

Sten: I do appreciate the work on all sides. I could not be even more vigorous disagreement with my colleague. I think i've been clear all along that this is a package. The package is almost there, but it's not there. Aye.

Potter: There seems to be disagreement on this council about what happened back in may, but we did vote on a package. And that -- we understood that package was not complete. And i'm sort of sorry it got to this stage, because I thought things had gone fairly well and that we had if not consensus, a clearer decision from the oversight committee, that all along this has been reported to be a balanced ordinance that not only -- that first took the consideration of homeless people, but also took into consideration the fact that along with rights comes responsibility on how we use space. We had this discussion a few hours ago over the taping that no one has a universal right to use any public space as they wish, that there are restrictions. There are restrictions about how we use public spaces as pedestrian and people walking in the area. And that's called responsibility. So I think when folks don't meet the responsibility side, that there should be consequences. And even with these proposed fixes it will not fix the issue of homelessness in Portland. And it will not be enough to take care of the problems we have. And so I am disappointed that it has come down to this, I felt we could do better, that we could do both the enforcement and continue to build resources. I'll continue regard will to work towards ensuring that every homeless person can get off the streets of Portland. But that's in the foreseeable future. And so i'm going to vote no because I believe that this does not live up to the spirit of which this was proposed initially. No. [gavel pounded] we have three other items --

Leonard: That was just the amendment. You have to vote on the main resolution.

Adams: I think that the mayor, his staff and the committee are doing really good and important work on this issue. The discussion today clarifies what the definition of adequate is. I take my piece of the responsibility for being part of the council that approve this. I thought it was clear what adequate was, but it clearly wasn't adequate. I think this clarifies what adequate is. I think it will incense all involved to move as quickly as we can to implementation. So we can get into full implementation of the partnership. This is a little bump in the road, but I would say take heart. I think if we can persevere, that this will be a national model for reducing or for making streets of Portland and center cities throughout the united states a much better place for everybody. Aye.

Leonard: It's a mistake to interpret this as an inflexion on being the council's judgment of their good work. It is not. It is not about people who are working on this. Many of them are mentally ill, compounded with drug and alcohol addiction. That's the reason for this debate today. And I appreciate very much mayor Potter's work on this initiative. This is I believe when it's fully implemented will be a modem for any major city in the world to use to deal with the issue of

June 13, 2007

homelessness. It is that significant. What we did today was tweak to it make sure it is implemented as a package and not in pieces. So I appreciate this discussion a lot. And the work of my colleagues. Aye.

Saltzman: No.

Sten: A couple things. Briefly. I think it's important to recognize that this has been negotiated consistently through the spring. It's not a package that people agree to. The original agreement that everybody voted on and shook hands on was two day centers. That was the agreement. One on the east side, one on the west side. It was then decided not to have two day centers, and we walked away from that and made it a commitment, which is important, and I support, but it's a completely different one than we started with, that we're going to try and do really fast forward the work to have a permanent day center rather than two temporary. This has been negotiated every step of the way. In good faith on all sides. I do think it's a good package. The safe committee itself, part of what's interesting to me about this dynamic is it's become for the first time that I work order these issues, which is about 15 years, a very dynamic productive form for the two sides to discuss things and work. And so when I see the homeless advocates and others agreeing to move forward, that's a very, very good sign. At the same time we did put a package in place, and there were representations that we were going to be further along than we are. As far as I'm concerned that's where we r I do want to maybe try and take us up a notch to kind of get our eyes on the real issue here. This community in the last 30 months as moved 1,000 people into permanent housing who were living on the street for a year or more. That's a tremendous accomplishment. We have a long way to go. We're meeting with church groups, community groups, developers, for-profits, nonprofits, trying to find how do we build a little piece of the solution for everybody in this community so that we can actually end the problem of chronic homelessness in this community. And no law that we ever pass will be effective at cleaning up the streets. I think we all know that at the end of the day. This is a management tool that's negotiated with the police and the Portland business alliance. It will be -- at the end of the day as much as we've debated this, whatever version passes, it will be incidental compared to the problem and the focus needs to continue to be as it has for all of us under mayor Potter's leadership, getting the people off the street and house and productive. It's less expensive to house people than to jail them and run them through emergency rooms, and it's more human and the right thing to do. As we move through this, I hope those of you who are smarting and you feel like you lost on this, can really take a deep breath and focus back on the real issue at hand and all of us work together. I think we're committed to getting these services in place as quickly as possible. To end this debate. Whatever you might think about, whether things should be enforced now. Let's get the services in place, let's get this package up and running as soon as possible before August 15th, and then let's -- as we continue to work on the big picture, which I want to remind people that we've been very successful o. But we still have a lon journey ahead of us. Aye.

Potter: No. [gavel pounded] i'd ask the council's indulgence, we have three items left, rather than hear them, put them after we've had the 2:00 p.m. time certain discussed because of the number of people here to testify on that. Hearing no objection, please read the 2:00 p.m. Time certain.

Item 720.

Potter: It's my pleasure to bring before council bertha ferran for reappointment to the Portland development commission. As most of you aware, she was my first appointee to the p.d.c. Board after I became mayor. She joined in 2005, filling a vacancy that had been carried over for mayor katz's administration. If approved this will be bertha's first full three-year term on the commission. I've enjoyed working with bertha, find her to be a sharp woman of incredible integrity, with unshakeable commitment to her values. She gives up her time selflessly and inspires others to follow her example. She seeks to create opportunities for those who have not had the advantage in life that many of us take for granted. She brings 25 years of experience in the real estate street to

June 13, 2007

her work on the p.d.c. board where she has played a leadership role in support of homeownership programs. Presently serves on the steering committee for operation home loan program for which commissioner Sten and I are cochairs, she serves on the committee to develop guidelines for the implementation of affordable housing set-aside and tiff funds, most recently she brought forth a proposal to establish a mortgage credit certificate program which would enhance p.d.c. And the city's 8 about it to meet first-time home buyer and minority ownership goals. So bertha, would you like to make a statement?

Bertha Ferran: Yes. Thank you very much for allowing me to do this. Good afternoon, mayor Potter and commissioners. I'm honored to appear today for reappointment of one of five commissioners for the Portland development commission. As most of you know, I came to this country 45 years ago as a 13-year-old cuban refugee, not knowing how long I would be here. Through the course of my life's events, Portland has become my home. During the last 45 years, the city has changed significantly. Our economy has become stronger, many of our neighborhoods have transformed, our population has increased, and our demographics have changed. These changes bring new opportunities and as a community, we need to take progressive steps for an evolving city. My goals have been and will continue to be to serve all the residents of this city with integrity, independent thought, and common sense. While helping to create and support policies that will enable every person to receive the basics in life. A safe place to sleep, food to eat and an opportunity for decent living. It is for this reason that my passion in housing developed and throughout my career I have witnessed many life changing moments in the life of Portlanders. Single mothers, young couples, families, you name it. Many of whom had never felt as if the american dream of homeownership was possible for them. In my capacity as commissioner, I feel honored to be in a position to help bring that dream of economic stability to reality for even more people. All of us are in the cusp of making Portland even greater than it is in addition to housing, we can continue to focus in job creation, livable wages, and assistance for a small business. This small business is comprised 70% of the total number of businesses in Portland and represent an opportunity gateway for many immune orthopedics and emerging communities to create local jobs, wealth for our families, and to also help our city maintain much of our local revenue. P.d.c. And the city are making strides by employing more technical assistance and loan programs that will help Portland citizens achieve their dreams. Economic self sufficiency is an -- healthy community to offer a better life and future for each and every Portlander. I also bring encouragement where Portland citizens will become involved early with input as to the need of their communities. So that together we see the transparency of the result and its accountability. I look forward to working -- continue working with you all of you. As we build our city's future together and I thank you for your support.

Potter: Thank you bertha.

Adams: Thanks for your willingness to serve.

Potter: Thank you.

Potter: I'd like to have the p.d.c. chair come up.

Sal Kadri: It's nice to be with you here for the second time today and endorse bertha as commissioner for p.d.c. I think the work in terms of the housing set-aside, the minority contract and prevailing wage issues, the budget committee work we've done, are all the result of a different approach I think taken by the commissioners appoint bide mayor Potter, and something I think you'll see extended over the months to come. I think bertha has added great insight and direction, particularly with her knowledge of various ethnic communities within Portland, her deep knowledge in terms of financing and appraisals as it relates to residential homeownership, and her creativity in looking for new ways for those who want to get their first leg up into homeownership. She's really provided extraordinary leadership. I commend your reconsideration for bertha for a second term and think that is an excellent idea.

June 13, 2007

Potter: Would you like to make any comments, any of the other commissioners?

Sten: Did I have a question too.

Potter: Ok.

Mark Rosenbaum: I'll make it brief. I thank you, mayor Potter, and commissioner and the president of the council. The city is fortunate to have a social worker like Bertha. She has the energy, the expertise, that we need at P.D.C. Her wide focus on people of those who are left behind, homeless, and those who do not have ability to have shelter on their head has been enormous. She does enormous amount of work that some of us may not recognize behind the scenes to find ways and means to help affordable housing to those who do not have it and those who cannot own one. Once again, I have had the pleasure of working with Bertha Ferran, and I'm fortunate to be able to do that. She's the most senior person on the commission, and I would like to recommend that we continue her services at the commission, because the city will be better off as a result.

Sten: --

Charles Wilhoite: Good afternoon. I just came today to speak on Bertha's reappointment as well. I joined the commission late August/September of 2006, and since that time I have seen nothing but 100% commitment and some very deliberate thought on Commissioner Ferran's part. As Chair Rosenbaum has mentioned. She brings to the P.D.C. an expertise that would otherwise be lacking in the area of housing and homeownership. And as we all know, that is one of the cornerstones of P.D.C., homeownership, housing, those development and those areas. So I come today to strongly support her reappointment because she is 100% committed to those issues, both of people of color and all of the citizens in general. I commend you for reconsidering Bertha for reappointment, and I would endorse her reappointment.

Potter: Thank you.

Sten: I think Portland's strength how we're -- we work rehard, and it's a small town. I think sometimes it's a weakness because we're not supposed to cause any discomfort if you raise questions. I don't think it's any secret, though I was surprised that emails went around that I raised the question whether we should reappoint this commission. And I raised that in city hall. I am going to support Ms. Ferran today. I've had a great chance to talk with her, but I wanted -- I think there are people here who got those and I want to explain my thinking and ask a question. I have felt as individuals it's been good to work with all of you, but I think it would be inaccurate to escape the sense, it's my sense that the commission has had a pretty consistent focus on the importance of staying independent. And to be honest, I think it's come at the cost sometimes of working together in progress. I was startled Chair Rosenbaum to hear you testify you weren't so sure that the ballot measure to give us a vote on your budget shut be honored were it to pass. And your words were the ballot measure was deceiving. The title. That was the ballot title that was passed. And that not enough people voted. You certainly have the right to raise though questions, I would never ask you to testify on your own behalf, it does raise a question to me, should I be reappointing a commission who doesn't agree with where this council is going? And not because you're not talented people, but she was the first one up, so I used that to raise the question. It is time to get past that. Lofts public to -- if the council had a budget vote would it -- if that's your view, I don't think you should serve as commissioner. Because the council has that vote. I need to hear from you Mr. Chair how your words to the senate committee play out now that the ballot measure has passed.

Rosenbaum: I suspect if your characterization were accurate, I wouldn't vote for the reappointment of anyone on this commission either. My first amendment rights to reflect my personal opinions about whether the 2692 was in the best interests of the city or not, I exercise. Not as a P.D.C. chair, but as a citizen of Portland. And a while down in Salem my testimony was primarily aimed at my terrific surprise that it was possible that the state legislature might pass legislation that would mandate a change in who controls P.D.C.'s budget in advance of any vote of the citizens and in fact without any regard to the vote of the citizens of Portland. So I went to Salem

June 13, 2007

first and foremost to express my terrific surprise at the possibility that the vote the citizen were about to take might be made meaningless. It was really a side comment that said hypothetically could one make an argument about whether a state legislature should change 50 years worth of law on the basis of an electoral turnout that at the time was predicted to be 18% of the total population. It was really a passing comment. I think if you check the testimony, what you'll find I said also to the state senate as I did with every editorial board that I met with and in every public meeting I attended, was that these were my personal opinions, not those of the development commission, never one, and number two, the development commission was going to implement at 110% of its capacity whatever the voters of the city of Portland elected to pass. And that has what happened. My this morning in terms of the 2-2-1 f budget committee with the citizen representation reflects that attitude. And I don't think there's any action anyone here could suggest this commission, p.d.c. commission or this chairman has taken other than -- that was team oriented in its approach and its outcome. That is our intention. But as my friend mayor Potter and I agreed before 2692 came up, did I not agree with that, and my language calling the ballot title deceptive wasn't originated by me but was rather a direct quote from the sierra club report analyzing 2692 which was subsequently repeated in "the Oregonian" editorial and if i'm not mistaken, perhaps in one other two editorials on the comment. So those were my personal observations at the time. The citizens have voted. Portland development commission and its commission is going to work at 110% to implement in as effective way as possible a collegial and team approach to the joint priorities of this committee. But I also remember, i'll state this, the development commission as the urban renewal agency is supposed to be the governing body. In that respect it is supposed to exercise a certain amount of judgment relative to the expenditure of its dollars. And that's what you look for us to. If you -- if this commission f. This body wanted to be the governing body of the Portland development commission, that would have been the vote would you have taken when you referred it to the voters. So I think what it means, commissioner Sten, is really a function of an approach of mutual respect and open process as it relates to reviewing the city's priorities and the expenditures of p.d.c. Dollars, and I think you and I have worked very well together in that respect, and I have every reason to believe that's the way we're going to continue. My -- the reason I believe mayor Potter appointed me and bertha and the other people to this commission was to set a new tone of openness and transparency as it related to these decisions-making processes. And it didn't necessarily mean complete 100% agreement, but what it did mean is any disagreement or any discussion would take place in public, and everybody would have a chance to influence the outcomes. And I am completely committed to that process and believe that this group of people will serve Portland and the city council very well in terms of pursuing our future goals.

Sten: I agree with that. I think you should speak out. That's why i'm intending to support this. I guess your first statement was that if what i'd said was not misleading, you would in my shoes not vote for this person.

Rosenbaum: There's a great deal of difference between what your personal opinion is and the statements you make in advance of the public voting. And what the stance in terms of action is after the public votes.

Sten: You stated you weren't sure the legislature should honor this vote.

Rosenbaum: We had a hypothetical discussion very brief in nature following my statement that said we're going to implement 110% what the voters do. Which said if I was sitting in the state senate in Oregon, looking at 50 years worth of history of terms of economic development activity, and 18% of the registered voters in the city of Portland vote, and of that 18% 10% vote in favor of a change to budget law, could I make a case? Could I make a case? That the state legislature should not change the budget law? The real question for you, commissioner Sten, would be, has chair rosenbaum followed up in any way, shape, or form in respect to saying the senate should not take that vote? And in fact, exactly as I said, during my meetings with editorial boards and everything

June 13, 2007

since then has been no, we're going to adopt as 110% the policy of the city as city council is the budget committee for the Portland development commission. We're going to make that work and we're going to make it work as phil mickelson lively as we can. I think as some of you may know, my initial hope had been that rather than making city council the budget committee for p.d.c., we would have implemented the 221 configuration from get-go. And that would have been the citizens vote order. My personal opinion would have been different in that respect too. You now have on record my statement in case there was any doubt prior that I endorse what the citizens of Portland are working for. You're not going to see any hesitancy from me, nor has there been any hesitancy from me in terms of the direction of staff that we'll make this work well within the infence of the since of voters and city council.

Sten: Is it fair to sigh now longer believe the commission is weakened by this vote?

Rosenbaum: I don't think I ever said it was inalter bring weakened.

Sten: It was pretty strong argument.

Rosenbaum: My sentiment was I would -- in general I would prefer that for reasons you and I can discuss certainly outside of this forum, that the agency itself, and I believe the city, was best served with more autonomy. Given that as it -- it is my sentiment we can set that aside and make it work? Absolutely.

Sten: Thank you very much.

*******:** You bet.

Leonard: I wasn't going to weigh in on this aspect of the discussion, but I don't know that i've even told my colleagues this, but the day you testified in salem senator walker called me and was outraged by your testimony. And I know senator walsch walker. I served with her in the Oregon house. And so just so I knew for myself, I went ahead and followed up to listen to the actual testimony. And I did. And I had the same reaction commissioner Sten did. And the same reaction senator walker about. It was very concerning. Parsing what kind of votes the public take as to whether you should honor them or not just -- you can't win that discussion as you learned at the committee because I heard the exchange. It was a heated exchange with senator walker. She was not happy. And hadn't calmed down at all by the time she called me. I think it's -- you hit me on a particularly forgiving day terror saying things you wished you hadn't said. And so I respect that may northbound retrospect you could have phrased it different. But it did not create a great impression, with respect to your comment, the mayor pointed you and the other appointees to create a new openness and transparency. If I quoted you correctly. I agree that that's his motivation to do that, but again, only because we're having this discussion, and so we can finally put it behind us and move forward. I want to remind you that we literally had to almost subpoena financial information to get it from you. This commission. And that's just inappropriate. We should have a relationship whether this charter amendment passed or not, whether we had this discussion or not, where -- if I have something I need, you just get it to me. And anything related to that. And I think that's the concern. That's the discussion that's been happening in the back rooms here, has that approach changed? And i'm hearing you, and I had a nice discussion with commissioner ferran yesterday, and frankly followed that up with discussions with people I rely on heavily to give me advice. And have come to a conclusion about her appointment that I think I can support. But I just think we -- it's really important that we don't just say we're going to be open and transparent, we don't just say we're going to support roles, but we do things that demonstrate that. That's my concern, I appreciate the words that are said here, i'm just really hoping that these kinds of issues that we've had are behind us, and we demonstrate on a daily base that each of us are going to do the things that we verbalize to make sure that we develop a great relationship, because -- i've been touting this project you guys did I think I mentioned this to bruce and was kind of trying to get bruce to take advantage of this wonderful project you guys did out in lents between holgate and powell on southeast 92nd. It is transformed that neighborhood in installing the l.i.d -- the urban renewal

June 13, 2007

dollars you guys spent to build sidewalks and bioswales and a new street. I have never seen such a physical transformation of a street in my life. And I've lived here all my life. And that with a probably one of the most unfriendly streets one can imagine in the entire region. And it went from that to this -- almost like a magical transformation. I thought when I was looking at this, this is the example of the kind of thing that if the p.d.c. Did more of this, it would be as popular as the fire bureau. That's a pretty high standard, but honestly, had that impact on me and others in the neighborhood -- I might add, others in the neighborhood I've talked to about that. A wonderful project. So we have the elements of all of us I think putting this behind us and moving ahead. And I'm not interested in having more hard feelings, I want to build on these really great changes that have happened and make the future better.

Warner: You'll see I think absolute endorsement of that here. I guess I would -- if you get a call from the legislature or anywhere, what the she can rosenbaum doing, you pick up the phone and ask. So you and I can talk about it long in advance of a public session such as. This I really view the ultimate success of p.d.c. Being that we're out of the headlines, and that people are talking about the effective work we're doing as a result of the work we do giantly. And I think that's in everyone's best interest. No question.

Potter: Do we have a sign-up sheet?

Moore: We have seven people signed up.

Ailyson Spencer: My name is alison spencer, I'm a native Portlander. Currently I work as the director of resident services for the Portland community investment initiatives. They own 714 affordable housing rental housing units. In primarily north and northeast Portland. We also provide services that help people move from just surviving to thriving. Before I work for p.c.r.i. I worked for six years at the Portland development commission as a member of the housing department in policy and planning. I'm currently also working on the operation home initiative. It's Portland's effort to close the gap in minority homeownership. These are all organization and efforts that bertha in her role has touched and impacted greatly. I feel we must have a p.d.c. Commission in place and commissioner who's understand, articulate, and support through their decision-making the needs and aspirations of those who seek p.d.c. support in order to implement positive action in the areas of housing, economic development, revitalization, and those areas. Throughout her tenure, commissioner ferran has been available with a listening ear, suggestion and opinions on what could and should happen to advance these important initiatives. Initiatives like operation home, and the redevelopment of martin luther king jr. Boulevard. I have sat in on housing meet cans in which commissioner ferran encouraged us to keep on trying to make things work. I see her in the same effort in the operation home meetings where we both sit on the affordable and wealth committee subcommittee. I view her as a friend who the -- to the mission of p.d.c. and a friend to the city of Portland. She continues to grow in her role and I look forward to her continued service as a p.d.c. commissioner. Thank you.

Potter: Thank you.

Jay C. Bloom: Hi. I'm jay bloom I'm former president of morrison child and family services. And currently a part-time director for Multnomah county's task force on vital aging. I'm here to support bertha's candidacy as well. I also serve with bertha on the united way board of directors. And I'm a firm believer in the three b's of public speaking. Be brilliant, be brief, be gone. So a couple of things would I add to bertha's qualifications that may not be apparent to you above and beyond her skills and commitment to the broughter community. She's a great lover of pets as well. And a great dog lover. So wayne to make sure that you incorporate that as well as her beautiful sense of humor. I think she would be -- continue to be abgreat asset to the commission. Thank you.

Gale Castillo: Good afternoon, my name is gale castillo, I am the president of the hispanic metropolitan chamber. Thank you for allowing me to speak this afternoon. Before I guinea want to say we have here with us today members of our board of directors, and our members in general that

June 13, 2007

are here to support bertha's reappointment as p.d.c. Commissioner. So I would ask them to please stand. You don't want them all to talk, I know you don't.

Potter: Sometimes you just have to force roy.

Castillo: I've given you copies of my testimony, so i'll just go through it quickly. Honorable members of the city council, as you know, the mission of this the hispanic metropolitan chamber with over 700 members is to work with all members of the community to support the economic advancement of latino businesses. We therefore value the economic development efforts of the Portland development commission and we support your reappointment of bertha ferran as the Portland development commissioner. Since joining the board of the p.d.c. in 2005, she's taken on an active role in housing and development work of the agency. She brings over 25 years of experience in the real estate industry to board discussions and decisions concerning affordable housing, mixed use development projects, and homeownership programs. That's been mentioned before, she recently proposed to establish a mortgage credit certificate program to enhance p.d.c.'s and the city of Portland's ability to meet first-time home buyer and minority homeownership goals. She serves on the operation home loan program, she also served on the committee to develop guidelines for the implementation of an affordable housing set-aside of tax increment financing funds with urban renewal districts. She volunteers her time to represent p.d.c. and those of you who know the commitment of the commissioners, these events occur in the morning, they occur at lunch, they occur at night, and she is there 100% of the time. She's there to educate the community and to listen as well. And to listen to all the concerns of all citizens in the Portland area. As it relates to housing development and economic development. That to her contribution of time and effort, she is the highly regarded and long-time Portland resident who serves in leadership positions with other o.s. that are key partners with the city of Portland. These include being on the board of directors for the hispanic chamber, she also serves on the regional investment board, she's a member of the Oregon state university president's board of visitors for minority affairs, she has served as chair of who'sen da community development corporation and she's been on the board of unit way. She's a well qualified professional a. Dedicated volunteer, she understands, listens, and she is interested in the needs of all Portlanders. Having a commissioner such as mrs. Ms. Ferran is vital to p.d.c.'s ability to accomplish its goal of serving all communities effectively. I would urge your positive vote for bertha ferran. Thank you very much.

Alyjandro Tozi: I used to practice -- I came here to the states. I have the chance to meet bertha a few years ago when I was fairly new to Portland and to the united states. From the first time I met her from our first conversations and throughout all of these years, I always notice her strong commitment to helping our community. And particularly, the low-income families. Especially minorities. Everybody knows bertha and described from the very beginning that when it comes down to -- what she thinks she needs to be done, she can speak up. I think we are very lucky to have somebody like bertha in our community. And for that reason I strongly support her to be reappointed as the p.d.c. Commissioner. Thank you.

Jim Francesconi: Jim francesconi. I was asked to come and testify on commissioner ferran's behalf. I agreed to not because she's been a long-time tremendous community advocate and not because of our relationship on the board and my friendship for her, but I agreed for two reasons -- I thought commissioner Leonard was going to be in italy and wasn't going to be present. And the second reason -- [laughter] the second reason was because of my professional involvement, on behalf of the carpenters and laborers before p.d.c. and I had a chance to watch in a way I hadn't ever done before the tremendous work of the p.d.c. commissioner grappling with the very, very difficult issue. And I got to watch commissioner ferran in particular. The issue of prevailing wage and how that interplayed with the important issue of minority small businesses and diversity -- could have been very tense and it could have come in front of you, because of historic issues and discrimination that have existed. But instead I watched the commissioner working hard to try to bridge the gap in

June 13, 2007

a way that would be best for all the communities, that would allow prevailing wage, but in a way that helped people of color. So commissioner ferran understood that unions have helped people of color historically in many ways, but she was also tough. So she wanted to make sure that unions and labor and nonunion employers reported on a regular basis to make sure that there was progress from a. [-- from preapprenticeship to journeymen. She was really focused on the lack of people tyler eklund of color at the journeyman level and was insistent on ways of improving that. She also understood are that these agreements, development agreements that p.d.c. has, that contractors were actually not signing them. It was the owners. Now with the new policy, the contractors also have to sign up. So there's a legally enforceable document. And then she came up with other members of the commission that were equally passionate about it a. Small business strategy for people of color too. And she helped put all these packages together in a way that work the for working people, people of color, and minority business folks. We have much more work to do, but having commissioner ferran part of it as we work together is the reason that I support her and I come before you. Thank you..

Harold Williams: My name is harold williams, mayor Potter and members of the council, kind treatment goes where it's wanted and stays where it's appreciated. Bertha represents one thing that sometimes we all forget. We are one race, the human race. And she represents that and echoes it in a positive way. Diversity is important, but if we blend what we all have, the creativity of human beings, which she reflects, would make us be even greater than we already r what you represent on this council, great men that open up to the hearts and desires of people who have been left out. She's carried that message in a positive way and -- as you look at eagles fly to the top of the mountain top, and give the crest of hope for those who haven't had a voice, she's been that person to give a voice to those who are disenfranchised. I would hope that we would look and embrace what we are as better people and the discussion that we've had today at this council to bring a healing to a people to the city so we vick a better relationship as we move forward. That she would be part of that orchestration, to make this place even greater than what it is. Pdc is a phenomenal organization. Bertha offers a cameras that she orchestrate as she paints a picture of hope to give desires of this city the vision that it should have. That we are truly one race and the -- in the -- the bouquet of hope is that we can all work together. And I hope you will give her another chance to stay on the commission. Thank you.

Potter: Thank you, folks.

Melanie Davis: My name is melanie davis. I'm vice-president and sales and marketing. We're a multimedia source. That exemplifies the diversity of this state of Oregon and particularly at the national level our founding publisher, who recently passed, the publication was purchased by clara andrews who currently serves as the national association of hispanic publications president. I wanted to share a couple of words of how fantastic bertha is. I'll probably share a couple after that. The 5% p.d.c. commission board is made up of volunteers nominated by the mayor to serve three-year terms. The board oversees this semi autonomous economic development agency. For which -- of which focuses on neighborhood revitalization, housing, and job creation. Of which bertha ferran reflects this in not only by her being on the board, but clearly demonstrates to not only the state of Oregon, but to the rest of the nation how truly we -- how important diversity is to us. And how we really believe in investing in these efforts. I'll stop right there.

Bernie Foster: Thank you. Good evening. Mayor Potter, distinguished commissioner, high name is bernie foster. I'm at 415 north killingsworth. I'm here also today to support bertha, but I was -- i'm going to repeat some things I heard earlier, because I think it really reflects what I do and what you guys do. It was interesting to sit here and listen to some of the things that some of the other commissioners was praising bertha for her open commitment. So I want you to know that I have had disagreement with bertha. I probably had disagreement with every council member up here. Probably had disagreement with commissioner rosenbaum because I wonder things -- I believe the

June 13, 2007

fact that what i'm doing today, what we're all doing today is talking about free speech. And I think commissioner -- the other commissioner here in my opinion had a duty, an obligation to talk about his free speech. I remember him talking to us about p.d.c., he made it perfectly clear he was talking about for himself. And far too often I think you were right, far too right we have a tendency of sugar coating things. Sometimes we have to say what's on your minds, what's important, I think people deserve to be heard. Each one of you are four the six years, four to eight years and you know the deal. I think you exercise your free speech as well. That's a political free speech. Which is totally different than some of the things we talk about. And I did want to get off into a tangent, but I want to say i'm here to support bertha. I think she's done a fabulous job and I have had disagreement was her? Absolutely. I think homeownership is a key issue and she's keen on, and i'm keen on it, and it's important element of what we do. So I will hope that you would encourage her to reappoint her and I appreciate it and thank you for your time.

Moore: That's all who signed up.

Potter: I need a motion to accept the report.

Adams: So moved.

Sten: Second.

Potter: Please call the vote.

Adams: I'm pleased to vote to confirm bertha for another term. I think your passion perspective, life experience, and your commitment to public service are just a few of the reasons. Why I support reappointing you. I look forward to working with you in the new partnership that exists between p.d.c. and the Portland city council. I think it's going to be positive for p.d.c., positive for community, and I look forward to it. So thank you for your willingness to serve again. Aye.

Leonard: This is the last in what was a series of different discussions we had, I think it was four different discussions we had on different issues that has made a number of people uncomfortable. But sometimes it's important in order to move on. I personally feel like today ha been amongst the best discussions i've had in public service. We've talked about difficult things, everything from seemingly non-life-threatening as duct tape, to issues of import dealing with folks stuck on the bottom of the community's ladder to this. We've talked about I think our vision for the future with the p.d.c., where we all want to be, and I personally feel like this is the first day in the rest of the rest of the relationship that will be between the council and the p.d.c. I'm looking forward to it. I think this is a good time to celebrate. I welcome bertha back and look forward to having future great discussions on a variety of topics. Aye.

Saltzman: I'm very pleased to support the commissioner for another term. I appreciate her commitment to homeownership, she is very passionate about that and very dedicated. Also to small businesses and opportunities for minorities in general. And I think I was very impressed, I didn't realize the full accident of your membership until gil read your other services and it's a very impressive list. I'm surprised you can find time to fit the p.d.c. Commission in with that and also doing a business. But we're the better for that, so thank you for agreeing to serve again. Aye.

Sten: Commissioner ferran, i've enjoyed working with you, and have learned quite a bit. We have spent quite some time working on the question of mortgages for people who aren't documented and trying to figure that out. And actually came up with some pretty innovative ideas after about an hour and a half. I'm confident there's nobody else I know that could have helped me think that through in that way. So I think do you play a key roam, and i'm looking forward to continuing that work. I thought it was important to use this opportunity to air out some concerns I had. And I do think that I couldn't agree more that we want independent people that are going to have -- I also think that as somebody who has a title in front my name, that it's very hard to distinguish your personal opinion from your post. It won't work if you're on the city council. It may work on the p.d.c. commission, but I think it's a time now for all of us to come together, see what the landscape is, and push forward hard on the issues. We don't have time to waste. Not saying i'm innocent

June 13, 2007

starting those arguments, i'm saying it's time to move forward. We have a new playing field, and I think commissioner ferran. You've served with distinction, and I expect more from you, because I think as well as you and I have work order this issue, we have not made the progress we need to make. I expect more of myself as well. I look forward to get there with you and congratulations. Aye.

Potter: Bertha, congratulations. Be careful what you wish for. You now have three more years to serve on the Portland development commission. But I want to tell all of the members of the Portland development commission all of the staff at the Portland development commission how proud I all of you. You folks have done some remarkable things. We can disagree up here about what those things are, but I can tell you from my experience, looking at some of the past Portland development commissions, this is a much more open commission. You've had some remarkable accomplishments. You've mentioned a number of them. As two of the council members have said, I want to reinforce what they said, it's time to put any of the bad feelings or other things behind us and move forward. The work of the people of the city of Portland is too important not to. So my commitment to the commission to the staff of the Portland development commission, is that the Portland city council wants to be your partner. We want to work with you to make sure that no people in our community are left behind. That everybody has a chance to acquire homeownership, everybody has a chance to take their business as far as their skills can take it. So we have I believe a new day, I look forward to working with all of you folks and with my fellow council members to make sure that as we set policy, that it reflects what the community's concerns and issues are. That we do it in a spirit of collaboration. Knowing that in the end it's not for us individually, but it's for the greater good of our community. Thank you, and again congratulations, per that. Aye. [gavel pounded] did you want to make a final statement? You look like you need to.

*****: [inaudible]

Ferran: I appreciate your support for me, and I look forward to working with all of you to make Portland the best city in the world. Thank you.

Potter: Thank you. [applause]

Potter: Do you have people here you need on this emergency ordinance?

Potter: We have some four remaining items. We have two emergency items I want to hear first. Going back to the original docket, items 7 -- 717 and 718, but let's read 717 first.

Item 717.

Leonard: Thank you very much. We have david here from the water bureau, our marathoner. We've been doing that ourselves today, so I sympathize. It hurts.

*****: Yes, you have.

David Hasson: I'm here because we have before a proposal for utility safety net assistance program. As the council directed late in 2006, you asked to us come back with a program to address some of the customers of the water and sewer utilities who might be slipping through the cracks in terms of our existing assistance program. We have an extensive existing assistance program. Nationally recognized, actually, with 40% discount on utility bills. We have -- that amount to about \$300 a year for these customers. We have \$150 annual crisis voucher braham. In-home fixture repairs of \$1900. And goodwill write-offs and so on. Almost \$3 million worth of assistance we're currently providing. Having said that, there are some customers who do slip through the cracks and face shut-offs, despite having that level of assistance. We went forward with the direction from council to develop a safety net program to deal with those. We talked to our customer service folks and they identified three types of customers most likely to need assistance on a temporary basis. One type is those who have had temporary change of employment status. The temporary reduction of work hours, reduction of pay, possibly even unemployment. That's one type. Second type is people who have extraordinary medical expenses. You may have too large of an income to qualify for our assistance program. But they have medical expenses that just

June 13, 2007

overwhelm their budgets. The third are people who have had changes in household status. Such as death of a spouse or partner, separation from a spouse or partner, divorce, those kinds of things.

[Transition]

So that's the program features the maximum benefit in terms of reduction of bill that would provide a customer would be \$405 off of their balance. We estimate that the typical benefit that a customer might get is about \$180. In term of the total cost of this assistance program, our best estimate, and it's not a very good estimate, I have to confess, is about \$100,000 a year. But it could easily double that. We don't know because we don't know how many people would fall into these categories. And so water and b.e.s. have each budgeted and planned for \$125,000 each, so \$250,000 total for next fiscal year, assuming this passes, this proposal. [siren] and based on actual experience, in subsequent years, if we go forward with this, we may adjust the budget up or down depending on our experience and how many people seem to fall under this category. The administration of this has a unique feature I wanted to emphasize. The program would be basically administered by two to three of our most senior customer service experts who would hear customers about what their situations were, and evaluate those situations and say, yes, you are, or, no, you aren't eligible for this safety net assistance program. And what's unique about it is that we're not putting forth absolute rules. We're putting forth guidelines. And the reason for that is we want to maintain flexibility. There's a wide array of circumstances out there in the community that people have problems in all sorts of different ways. And we want to provide flexibility. So unlike many city programs including our low-income discount program, it's not a hard and fast rule. We're relying on our top people to exercise good judgment in the application of this program. If a customer is denied it, this program, and wants to appeal it, we've provided for an appeals process. So that they can appeal to the existing administrative review committee. And while low-income is not a criterion for receiving the safety net benefits, we certainly expect that most of the beneficiaries would be low-income customers. So to kind of summarize, we've provided, in or proposal, additional assistance that would be available during temporary periods of personal or family crisis, maintain the certain level of customer responsibility to pay for at least part of their services received, and we have tried to defer shutoffs for a substantial period of time, a year, without undermining the city's fiduciary responsibility for collecting for the cost of its utilities. There are a number of benefits to this program but I think two that would I want to emphasize are the flexibility of the program, and for the customer, avoiding shutoff for a year. Questions?

Saltzman: How will this new safety net program be publicized?

Hasson: We would anticipated putting information out to customers, both on websites of the utilities, also the folks who do the intake or the low-income assistance program, we would have them provide information on this. And probably most importantly, the customer service staff who take the phone calls of the customers. They would be encouraged to provide information about this when anyone calls up and starts telling about the circumstances they're facing. And at the current time those right primary means by which we would try and publicize it. We would want to evaluate later on whether more of a mass media kind of communication might be useful. But at the --

Saltzman: How about something in the bill?

Hasson: Bill stuffers, yeah, we would probably look for an opportunity to put a small little piece about it. Not an entire bill stuffer on this program because bill stuffers are very expensive when you add additional postage to bills. We don't want to run the administrative costs of this thing up too pie high but we would probably put some brief notification in there as well at some point relatively soon.

Saltzman: Great.

Potter: Further questions? Thank you. Is there a signup sheet?

June 13, 2007

Moore: I did not have one set out.

Potter: Anybody here wish to testify on this matter? It's an emergency vote. Please call the vote.

Adams: Aye.

Leonard: This is really great work, david. I know how difficult this was. I appreciate you doing such a great collaborative manner. Aye.

Saltzman: Well, I also want to thank b.e.s. and water and commissioner Leonard and commissioner Adams for moving this forward quickly, getting it in place for the next fiscal year. And I particularly like the mechanism that would be giving flexibility to front-line customer service specialists who operate in the very, very tough environment but giving them the ability to be compassionate, and I think particularly when we recognize that as of june 1, everybody's electric bill went up 13 pest, we are probably going to see a lot of, a lot more interest in this than we have maybe budgeted. We need to keep that in mind and we also need to get the word out of its existence. All the more important because of the electricity increases happening. But good work. Aye.

Sten: I agree. Thank you. I think this is very important. The water and sewer agencies have been very good about working with the council to increase the percentage of the low-income discount as the price of bills have gone up. So I think that's not usually what people do. We do need this extra piece, though, because it's for folks whose incomes are stagnant. I appreciate it. Good work and I think flexibility makes a lot of sense as well. Aye.

Potter: It is great work and we really appreciate it. And also appreciate the fact that the water and b.e.s. Worked together on this and that our citizens are the ultimate beneficiaries of this. So thank you, david, and thank all the good folks in the bureaus and the two commissioners. Aye. Please read item 718.

Item 718.

Saltzman: This is the first official step in creating a plan for a 28-acre thomas cully property owned by parks and recreation. This came at request of the mayor when he was out there visiting with neighbors last year that we start master planning what is a former land fill to become a beautiful park. So we are really pleased and we think that's a very cool thing to do. And, you know, in summary we are taking the first steps to reclaim a damaged landscape and restore it to a place that will be one of the most distinctive park. If you have been out there it's got a great panorama of the mountains and columbia river. It be really a beautiful park and a park vision area. If there are any further questions, our senior park planner is here to answer any questions.

Potter: Questions from the commissioners? You have a sign-up sheet?

Moore: I did not have one.

Potter: Anybody here wish to testify on this matter? It's an emergency vote. Please call the roll.

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

Potter: Thank you. I'm very pleased about this. And I am sure the good folks in cully neighborhood are going to really appreciate the fact this is accelerating. Aye. [gavel pounded] please read 719.

Item 719.

Potter: Second reading. Vote only. Please call the vote. Oops.

Adams: Aye.

*******:** I know it was the last agenda item. I was here in case you had any questions.

Potter: Good save.

Adams: Good answer.

Potter: Ok. Please call the vote.

Adams: Aye again.

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

Potter: Aye. [gavel pounded] go back to the 2:10 p.m. time certain. Item 721.

June 13, 2007

Item 721.

Potter: Staff, thank you for being here. If you could keep your remarks salient we would deeply appreciate it.

Barbara Sack: I had just a short power point.

Potter: Ok.

Leonard: That's an oxymoron.

Sack: Ok. I'm barbara from the bureau of planning and this is dan williams from the Portland development commission. And we also have larry smith here from g.l.c. properties.

Sten: As the housing point person, I might just ask you, does this meet all of the guidelines of the new proposal that the council passed very recently?

Sack: Yes.

Sten: Yes. I had to be somewhere else but my colleagues sitting here they might actually be interested in voting on this. I have done the due diligence on it.

Leonard: I am more inclined to vote yes the shorter the time is. As the seconds tick by.

Potter: I am really pleased the money is going to the folks purchasing the housing.

Sten: I reason I really tied that, mayor, so as not to rush important discussion. We would a very detailed discussion of a much more targeted focus to restrictive program at council and this meets all of the guidelines.

Adams: That was brief I already received a briefing.

*******:** Is there a way we could change this into an emergency ordinance and vote on it now?

Potter: This is a vote. This is the second reading.

Moore: This isn't. First reading.

Potter: First reading. You could.

Moore: You could put an emergency clause.

Leonard: I move for a emergency clause.

Adams: Second.

Potter: Call the vote.

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

Potter: Aye. [gavel pounded] that was an excellent presentation.

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

*******:** Glad you enjoyed the power point.

Potter: Please call the vote.

Adams: I have been briefed. Good work. Thank you. Aye.

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

Sten: Pleasure to have the new guidelines. Aye.

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

At 3:48 p.m., Council adjourned.