



CITY OF  
**PORTLAND, OREGON**

OFFICIAL  
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3RD DAY OF OCTOBER, 2007** AT 9:30 A.M.

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

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

Item 1177 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

<b>COMMUNICATIONS</b>	<b>Disposition:</b>
<b>1161</b> Request of Harriet Sheridan to address Council regarding impeachment (Communication)	<b>PLACED ON FILE</b>
<b>1162</b> Request of Virginia L. Ross to address Council regarding impeachment proceedings against G.W. Bush and R. Cheney (Communication)	<b>PLACED ON FILE</b>
<b>1163</b> Request of Grant E. Remington to address Council regarding a resolution to impeach Bush and Cheney (Communication)	<b>PLACED ON FILE</b>
<b>1164</b> Request of Paul Verhoeven to address Council regarding Portland Saturday Market relocation to Waterfront Park (Communication)	<b>PLACED ON FILE</b>
<b>1165</b> Request of Harlan Hiltner to address Council regarding privatization of parking spaces and developers and the infrastructure (Communication)	<b>PLACED ON FILE</b>
<b>TIME CERTAINS</b>	
<b>1166 TIME CERTAIN: 9:30 AM</b> – Authorize Intergovernmental Agreement with the USDA Forest Service Mt. Hood National Forest for protection and stewardship of the Bull Run Watershed Management Unit (Ordinance introduced by Commissioner Leonard)	<b>PASSED TO          SECOND READING          OCTOBER 10, 2007          AT 9:30 AM</b>

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<p><b>1167 TIME CERTAIN: 10:00 AM</b> – Accept the Portland Urban Canopy Assessment and Public Tree Evaluation (Report introduced by Commissioner Saltzman)</p> <p><b>Motion to accept the Report:</b> Moved by Commissioner Adams and Commissioner Saltzman seconded.</p> <p>(Y-5)</p>	<p align="center"><b>ACCEPTED</b></p>	
<p><b>1168 TIME CERTAIN: 10:15 AM</b> – Appoint four Citizen Campaign Commission members (Resolution introduced by Auditor Blackmer)</p> <p><b>Motion to accept amendment to change term dates on Forsyth to 2011 and McLaughlin to 2009:</b> Moved by Commissioner Sten and seconded by Commissioner Saltzman.</p> <p>(Y-5)</p>	<p align="center"><b>36540</b> AS AMENDED</p>	
<p align="center"><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p align="center"><b>Mayor Tom Potter</b></p> <p align="center"><b>Office of Management and Finance – Business Operations</b></p> <p><b>*1169</b> Pay claim of BRCP/UNICO Lincoln LLC (Ordinance)</p> <p>(Y-5)</p>		<p align="center"><b>181307</b></p>
<p><b>*1170</b> Authorize acquisition of vehicles for use by City Bureaus (Ordinance)</p> <p>(Y-5)</p>	<p align="center"><b>181308</b></p>	
<p align="center"><b>Office of Management and Finance – Financial Services</b></p> <p><b>1171</b> Statement of cash and investments August 23, 2007 through September 19, 2007 (Report; Treasurer)</p> <p>(Y-5)</p>		<p align="center"><b>PLACED ON FILE</b></p>
<p align="center"><b>Office of Management and Finance – Purchases</b></p> <p><b>1172</b> Accept bid of Polydyne Inc. to furnish polymer flocculant for the estimated annual amount of \$750,000 (Purchasing Report - Bid No. 106806)</p> <p>(Y-5)</p>		<p align="center"><b>ACCEPTED PREPARE CONTRACT</b></p>
<p align="center"><b>Office of Neighborhood Involvement</b></p> <p><b>*1173</b> Approve grant agreements for the Neighborhood and Community Engagement Initiative for \$40,863 with Central Northeast Neighbors, Southwest Neighborhoods, Inc. and Human Solutions (Ordinance)</p> <p>(Y-5)</p>		<p align="center"><b>181309</b></p>
<p align="center"><b>Commissioner Sam Adams</b></p> <p align="center"><b>Bureau of Environmental Services</b></p> <p><b>*1174</b> Authorize grant application to U.S. Environmental Protection Agency for brownfield assessment and cleanup funds (Ordinance)</p> <p>(Y-5)</p>		<p align="center"><b>181310</b></p>

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<p><b>1175</b> Authorize an Intergovernmental Agreement with Northwest Service Academy to provide an AmeriCorps placement to coordinate community-based maintenance programs for sustainable stormwater management projects at Portland Public Schools (Ordinance)</p> <p>(Y-5)</p>	<p align="center"><b>PASSED TO SECOND READING OCTOBER 10, 2007 AT 9:30 AM</b></p>
<p><b>1176</b> Authorize grant application for Stephens Creek Confluence Habitat Enhancement Project to National Oceanic and Atmospheric Association Community Based Restoration Project grant program (Second Reading Agenda 1142)</p> <p>(Y-5)</p>	<p align="center"><b>181311</b></p>
<p align="center"><b>Office of Transportation</b></p>	
<p><b>*1177</b> Authorize 2007-2012 Intergovernmental Agreements with School Districts to participate in the Portland Safer Routes to School program (Ordinance)</p> <p><b>Continued to October 3, 2009 at 2:00 p.m.</b></p>	<p align="center"><b>CONTINUED TO OCTOBER 25, 2007 AT 2:45 PM TIME CERTAIN</b></p>
<p><b>*1178</b> Designate certain City property located at the southwest corner of SE 50th and SE Hawthorne Blvd public right-of-way and assign it to the Office of Transportation (Ordinance)</p> <p>(Y-5)</p>	<p align="center"><b>181312</b></p>
<p align="center"><b>Commissioner Randy Leonard</b></p>	
<p align="center"><b>Water Bureau</b></p>	
<p><b>1179</b> Authorize an Intergovernmental Agreement with Rockwood People's Utility District for the Summerplace Water Mains project (Ordinance)</p>	<p align="center"><b>PASSED TO SECOND READING OCTOBER 10, 2007 AT 9:30 AM</b></p>
<p align="center"><b>Commissioner Dan Saltzman</b></p>	
<p align="center"><b>Office of Cable Communications and Franchise Management</b></p>	
<p><b>*1180</b> Extend term of AT&amp;T Corp. long-distance telecommunications franchise (Ordinance; amend Ordinance No. 162822)</p> <p>(Y-5)</p>	<p align="center"><b>181313</b></p>
<p><b>*1181</b> Extend term of a temporary, revocable permit granted to TCG Oregon (Ordinance; amend Ordinance No. 173990)</p> <p>(Y-5)</p>	<p align="center"><b>181314</b></p>
<p><b>*1182</b> Extend term of a temporary revocable permit granted to Qwest Corporation to build and operate telecommunications facilities within City streets for an additional twenty-four months (Ordinance; amend Ordinance No. 175757)</p> <p>(Y-5)</p>	<p align="center"><b>181315</b></p>
<p align="center"><b>Office of Sustainable Development</b></p>	

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<p><b>*1183</b> Extend the performance-based grant from Conservation Services Group, Inc. to market the Energy Trust of Oregon Multifamily Home Energy Savings Program for \$168,079 (Ordinance)  (Y-5)</p>	<p><b>181316</b></p>
<p><b>Commissioner Erik Sten</b></p>	
<p><b>Fire and Rescue</b></p>	
<p><b>*1184</b> Accept a \$463,152 grant from the Department of Homeland Security for Portland Fire &amp; Rescue for the Safe &amp; Sound media campaign (Ordinance)  (Y-5)</p>	<p><b>181317</b></p>
<p><b>*1185</b> Donate surplus fire apparatus to Sister City Guadalajara, Mexico (Ordinance)  (Y-5)</p>	<p><b>181318</b></p>
<p><b>1186</b> Accept \$100 donation from William B. Andrews in memory of retired Deputy Chief Jerry Ivie (Ordinance)</p>	<p><b>PASSED TO SECOND READING OCTOBER 10, 2007 AT 9:30 AM</b></p>
<p><b>REGULAR AGENDA</b></p>	
<p><b>1187</b> Resolve to increase Community Problem Solving and Project 57 funding to appropriately address chronic offenders for drug and prostitution crimes (Resolution introduced by Mayor Potter and Commissioner Leonard)  (Y-4; Saltzman absent)</p>	<p><b>36541</b></p>
<p><b>Mayor Tom Potter</b></p>	
<p><b>Office of Management and Finance – Financial Services</b></p>	
<p><b>*1188</b> Amend contract with Ariston Consulting &amp; Technologies, Inc. to provide systems integration and implementation services for the Enterprise Business Solution Project (Ordinance; amend Contract No. 37074)  (Y-5)</p>	<p><b>181319</b></p>
<p><b>Office of Management and Finance – Purchases</b></p>	
<p><b>1189</b> Accept bid of Tapani Underground, Inc. for the South Airport Sanitary Sewer System Phase 2A project for \$653,394 (Purchasing Report - Bid No. 107845)  (Y-5)</p>	<p><b>ACCEPTED PREPARE CONTRACT</b></p>
<p><b>1190</b> Adopt findings, authorize an exemption to the competitive bidding process to the Bureau of Purchases pursuant to ORS 279 and City Code 5.34 and provide payment for construction of the Council Crest Park Tower Replacement Design-Build Project (Second Reading Agenda 1152)  (Y-5)</p>	<p><b>181320</b></p>

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<b>Commissioner Sam Adams</b>	
<b>Office of Transportation</b>	
<b>1191</b> Vacate portions of NW Quimby St and NW Aspen Ave subject to certain conditions and reservations (Hearing; Ordinance; VAC-10041)	<b>PASSED TO SECOND READING OCTOBER 10, 2007 AT 9:30 AM</b>
<b>1192</b> Allow Portland Office of Transportation to administer the Carpool Program including policy and pricing revisions (Ordinance)	<b>PASSED TO SECOND READING OCTOBER 10, 2007 AT 9:30 AM</b>
<b>*1193</b> Amend contract with Alta Planning + Design for expansion, continued development, and implementation of the Safer Routes to School national model pilot program (Previous Agenda 1156; amend Contract No. 35788)	<b>CONTINUED TO OCTOBER 25, 2007 AT 2:45 PM TIME CERTAIN</b>
<b>1194</b> Vacate SE Kelton St west of SE 28th Ave subject to certain conditions and reservations (Second Reading Agenda 1155; VAC-10040) (Y-5)	<b>181321</b>
<b>*1195</b> Adopt the Update of Transportation System Development Charge rate study, establish an updated fee schedule and amend Code effective January 1, 2008 (Second Reading Agenda 1159; amend Code Chapter 17.15) <b>Motion to accept amendments as stated in the October 2, 2007 memo:</b> Moved by Commissioner Adams and seconded by Commissioner Leonard. (Y-5) (Y-5)	<b>181322 AS AMENDED</b>
<b>Commissioner Dan Saltzman</b>	
<b>Parks and Recreation</b>	
<b>1196</b> Authorize License Agreement with the Japanese Garden Society of Oregon to operate and manage the Japanese Garden in Washington Park (Second Reading Agenda 1133) (Y-5)	<b>181323</b>
<b>1197</b> Accept grant from the State Marine Board in the amount of \$330,500 for repairing the existing tie-up facilities at River Place (Second Reading Agenda 1160) (Y-5)	<b>181324</b>

At 12:10 a.m., Council adjourned.

GARY BLACKMER  
Auditor of the City of Portland

By Karla Moore-Love  
Clerk of the Council

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

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**WEDNESDAY, 2:00 PM, OCTOBER 3, 2007**

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

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**October 3, 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 program. The text has not been proofread and should not be considered a final transcript.]

**OCTOBER 3, 2007                      9:30 AM**

**Potter:** Before we begin the official part of the proceedings, we've got two things to cover. First I want to introduce some of our state legislators that represent this area. And then we will also introduce a young person we normally invite in every wednesday to speak to city council. This is an opportunity to say "thank you" to our state legislators. Our delegation I think has just done a superb job in salem this year, and the Portland city council wanted to take the time to say "thank you" and to recognize the individual members who are here this morning. I'd like to start with speaker merkley. He's resecured historic funding for education. Although the document recording fee increase wasn't successful your leadership on the issue kept it at the forefront, moving critical issues forward. And you were still able to end the session on time. Thank you.

\*\*\*\*\*: [applause]

**Potter:** Representative bonadichi, your advocacy for schools and for consumer protection was particularly appreciated. Thank you.

**Potter:** Representative granite, you truly understood the complex 'tis of the Oregon health care system. We want to thank you for championing the passage of the healthy Oregon act. Thank you so much. [applause]

**Potter:** And representative mcpherson, for your hard work and balanced approach in addressing some of the shortcomings in ballot measure 37 that will be going to the voters this year in november, we certainly appreciate your efforts. That's going to make a huge difference to land use throughout the state and in the city of Portland. Thank you.

\*\*\*\*\*: [applause]

**Potter:** Representative knowland, for your work on ensuring that all students in our school system have the basic resources they need for quality education. Your work during the ways and means process made a difference in many of our children's lives, and your support and leadership for streetcar funding, the underground injection system authorization, and the milwaukie light rail funding is much appreciated. As you can tell by the traffic this morning, much needed.

\*\*\*\*\*: [laughter]

**Potter:** Thank you. Representative chip shields, thank you for your work on the streetcar funds, for helping provide minorities and women access to public contracting opportunities, and for being a champion for affordable housing. Thank you, chip.

\*\*\*\*\*: [applause]

**Potter:** Senator avakian, an outstanding first session in the senate and, as chair of the senate environment committee, your leadership on sustainability, renewability, and climate change makes Oregon a national leader on these issues. Your city appreciates your accessibility and open door down in salem this session. Thank you. [applause]

**Potter:** And senator brown, thank you for your 16 years of service to the city and the state. Thank you for securing long-deserved protections and rights for lesbian, gay, bisexual, and transgendered

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Oregonians. We also appreciate your work on securing funding for the milwaukie light rail. Your leadership and your presence in the senate will be missed by all of us. Thank you.

\*\*\*\*\*: [applause]

**Potter:** Senator ginny burdick. Ginny, thank you for your work on the use of deadly force, traffic and bicycle safety. It's greatly appreciated. Thank you, ginny.

**Potter:** Former senator ryan deckert, thank you for your work on affordable housing, education funding, and economic development. Thank you for your 10 years of service to the state of Oregon and to the citizens. You can bet that you will still be hearing from us even in your new role. Thank you, ryan.

\*\*\*\*\*: [applause]

**Potter:** And finally senator rod monroe. Not the -- the last but not the least. Thank you. For your hard work and your advocacy on the milwaukie light rail package. We also appreciate your leadership in introducing the city's design review bill. So thank you, rod, for all the hard work you do for our citizens.

\*\*\*\*\*: [applause]

**Potter:** Commissioners, would you like to add any comments?

**Leonard:** I just want to say it was so refreshing to be able to go down as a member of the city council and be able to see senator avakian, senator monroe, representative shields, senator burdick in positions and particularly speaker merkley in positions of authority. It was not an atmosphere I was necessarily accustomed to and, to be treated with the courtesies and actually ability to move legislation, it meant a lot to all of us but it meant especially a lot to me having come from the legislature and really appreciating all you were able to do and did do. It made us really proud here in Portland. And we talked about it weekly about just how amazing it was to see the great things you all did. It was really something that all of us hope happens again and again and again in future sessions. Thank you, all.

**Adams:** You all had really hard choices to make and difficult decisions, and I could add to the list for each one of you that the mayor summarized for each one of you, but I just want you to know how -- what a difference you've made to the lives of tens of thousands of Portlanders. It wasn't just about policy, about changing government or even making decisions about right or wrong. You took affirmative steps and like hasn't been done in a generation and, in the process, you made life better for our citizens and allowed us to do a better job for our people. And just a really heartfelt thanks.

**Saltzman:** I would simply commend you for the compassion you've shown for populations in our state. I think each one of you has taken significant actions both individually but also, more importantly, collectively as a legislative body. There's been some very important legislation that's made it through and that affects foster kids, seniors, and those issues are very important to me personally, but they're certainly important to all people in our state. Most important, I feel proud about our legislature again, and it's been a rough few sessions in the past where it was hard to -- it was impossible to make that same statement I just made. So I think you've restored a lot of confidence that you can get things done and, as I said, you've made me proud again. Thank you.

**Sten:** Somebody that's been in Oregon my whole life and an optimist, it was getting tough there up until this last session, because I really do think under not as strong leadership as you have all shown this last session, we were starting to slip. I was talking about when governor schwarzenegger is out ahead of you on global warming, senator rocky and I were talking about this, it's time to step up. Many of the things that make our state the best state in the country have been at risk. And speaker merkley, being able to think through things, not always agree, take things forward, I have a lot of hope again. You get a lot more thanks sitting on the Portland city council than you do sitting in the legislature, and I know you work very hard. You're welcome to stay for an impeachment discussion this morning.

\*\*\*\*\*: [applause]



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**Sten:** But as some of the Portland citizens work up a lather to see how we can maybe change the president, I hope you'll take a few minutes and introduce yourself to the very strong and progressive and good elected officials we have here this morning who I think set an entirely different standard. Thank you so much.

**Potter:** I wanted to also thank two of our senators not able to be here, senator gordly and senator johnson. I want to thank both of them. Senator gordly worked very hard on issues around mental health, public safety. Senator johnson was very key in terms of economic develop and transportation issues. Thanks to those folks even though they're not able to be here.

**Sten:** Certainly senator carter as well helped a ton.

**Potter:** And senator carter, yes. Thank you all. And we're going to proceed with our council hearing. I know you folks are awfully busy. You're more than welcome to leave or you can stay and see how local government works.

**Sten:** It's messy.

\*\*\*\*\*: [laughter]

**Leonard:** Thanks.

**Potter:** The second part to the proceedings before we actually begin officially is that week we invite young people in to talk to us about issues important to them. I always ask the question to this group and also to our audience at home. The question is how are the children? We know that, when our children are cared for, our community is a better place. And so, by listening to the wisdom of these young people, we can learn from them and we can incorporate what they say into our daily actions and activities. And i'm very pleased today to have a young woman named arme johnson and her instructor, roy pittman. We all know roy, and arme is a new face. Could you folks come up, please? They belong to a program that roy started many years ago with faith holmerton called t.l.c./t.n.t. Roy as hundred at peninsula park the wrestling program for many years and has turned out international, national, and state champions in wrestling. But the most important thing he teaches these young people are how to be good human beings. He just uses wrestling as the tool to do that. Roy, thank you for your years of work in our community and to all the young people you've helped.

**Roy Pittman:** Thank you. My name is roy pittman, one of the co-coordinators of the t.l.c./t.n.t. Program. We work with young at-risk youth. We also work with -- we have a component, a college component, for young adults. And arme is one of the counselors who is going on to college that we still work with. We still mentor her. And she's three semesters away from grad waiting. Let me say they volunteer more than what they get paid for. And we'd like to hear from arme. And thanks for calming me one of these -- calling me one of these young people, because that really feels good.

\*\*\*\*\*: [laughter]

**Armae Johnson:** As roy mentioned, thank you for inviting me today. It's a privilege to be here in front of you. Before, as stated, my name is arme johnson. I'm a student at concordia university. I'm a junior, three more semesters left. Right now, i'm a residence assistant. Last year I was chaplain as well as a part of different clubs on campus. When I thought about t.l.c./t.n.t -- I was a counselor there for five years, and they have you begin not getting paid but just starting and just working as a council under the rest of the councilors, and it was a great experience for me all five years that I was there. I believe that an effective leader, one of the main, key components of an effective leader is servanthood. And mayor tom Potter, you would know that by serving the community for over 38 years here as well as commissioners. This is what you do is service. I think that is key for the lives of people. This summer, I was in d.c., and I worked for the children's defense fund under marion wright edelman. That taught me a lot. It opened up, I would say, my view. How I look at things has completely changed. I work under the freedom school division, and those are schools that are pretty much literacy rich, and they focus on reading and building literacy

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within the african-american community as well as minorities just in general. While I was at t.l.c., t.n.t., once you leave the program, they partner you up with mentors from the soroptimist club. My mentor is mim osborne. Truly she thinks she doesn't do much at all, but she does. For me, support and encouragement is what I need through college. I think that's the most that you need, besides finances of course. You need support and encouragement, and that is what she gives to me as well as soroptimist club. They also pay for my books every semester which, as you know, can be very pricey this day and age. But I would say that, to conclude -- I would say that t.l.c./t.n.t. Is one of the best programs that any young person could be involved in, because it teaches you how to serve.

And if you do not know how to serve, you can definitely not be a leader. You cannot be great without having a servanthood mentality. So there for I believe that t.l.c./t.n.t. Is equipping leaders to serve this community not only in Portland but outside of the state of Oregon, across the world. And even overseas as well. They have made a positive impact on my life and well as others, and I think it should be noted today. The focus is children. That's what we deal with 24/7, all the time. I'm a youth leader as well, so i'm around children all the time, and they definitely are our future, and I think it's important to feed into them by these programs here in Portland. So thank you.

**Potter:** Thank you very much. And in politics, we need servant leaders, too.

**Johnson:** Yes.

**Potter:** And I would hope someday maybe you think about that, arme. And thank you, roy, for your service.

**Leonard:** Thank you.

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

**Potter:** City council will come to order. Karla, please call the roll.

**\*\*\*\*\*:** [roll call]

**Potter:** I'd like to remind folks that, prior to offering public testimony to city council, a lobbyist must declare which private entity he or she represents. Please read the first communication.

**Item 1161.**

**Moore-Love:** Harriet sheridan had called and said she was not able to make it.

**Potter:** Please call the next. When you speak, please state your name for the record, and you have three minutes.

**Item 1162.**

**Virginia I. Ross:** Yes, sir. My name is virginia ross, and i'm a Portland native, a former first lieutenant in the Oregon national guard, lawyer, and a patriot. It is the duty of every citizen to stand and defend our constitution, and our constitution is now under attack. This resolution before you outlines several clear impeachable offenses by this never-elected regime. Warrantless spying on americans, condoning and ordering torture, violating habeas corpus, and lying to congress. These provide more than ample basis for impeachment, and they have done so for years. This resolution could and should include an even more serious charge. It should state a criminal indictment against vice president richard b. Cheney for misprison and treason against our united states in connection world trade center attacks of december 11, 20001. Title 18, part 1, chapter 115, section 2382 of the u.s. Code holds in part that whoever, owing allegiance to the united states and having knowledge of the commission of any treason against them conceals and does not disclose and make known the same to the president or to some judge of the united states or to the governor or to some judge or justice of a particular state is guilty of misprison of treason and shall be confined under this. In an argument over 600 pages and 1000 footnotes, this book, "crossing the rubicon," by michael rupert makes a fully documented and compelling case states the means, motive, and opportunity to commit misprison of treason at the highest levels of the u.s. Government concerning the attacks of 9/112001. Vice president dick cheney is named as the prime suspect for this crime. If we are a nation of laws, we must as citizens and you as commissioners, I believe, and you as major must join in this resolution and demand impeach. And indictment and trial of vice president cheney for

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criminal offenses against this country. I am here today in the hope that we are still a nation of laws, and I implore you to pass this resolution at the very least to demonstrate that, at least here in Portland, we still respect the constitution and our nation of laws. I will quickly state the case made within this book that demonstrates the vice president's criminal conduct. The reason this case is vital, important for you to hear is that this evidence relates to his command authority over all military and civil terrorism training. Portland will be the target within the next two weeks of the largest terrorism drills ever held, topoff 4 and vigilant shield 8. Just as during the 9/11 attacks, vice president cheney still has command and control oversight over these upcoming drills. If we are a nation of laws, vice president cheney's role in the attacks of 9/11 should become the subject of a criminal investigation. I will tell you quickly about some of the things in this book but also ask you to review the extensive collection of books and articles and videos at Oregon truth alliance.org that will substantiate all of the following statements. President cheney had the means, motive, and opportunity to commit misprison of treason on 9/11, 2001, the motive to foster a new pearl harbor as called for in the new american century report, rebuilding american defenses which was signed by him and numerous other leading neocons serving in the bush administration. This evidence shows that vice president cheney was running a completely separate chain of command and control via the secret service. His separate chain of command led to a paralysis of our air force response on 9/11. The secret service has the technology to use the same radar screens the f.a.a. sees in realtime. They also have legal authority and technological capability to take supreme command. I'll skip ahead. There's a motive. Peak oil. But the key issue I hope you'll examine is opportunity. Vice president cheney had more than any other u.s. Government official had opportunity to commit this crime of complicity in the attacks of 9/11. He was in charge --

**Potter:** Ma'am, you're going to have to stand down.

**Ross:** There's a whole array of military exercises, northern vigilance, global guardians, and they simulated a live hijacking and a plane into building attack on 9/11. They set up tripod 2, which set up a command and control center. Vice president cheney had charge over this command and control center before the hijackings occurred. I would just urge you to please look into this. This is a very serious matter. These exercises are coming up, and we feel that this is a very serious question and it should be looked into.

**Potter:** Can I ask folks to keep their comments to three minutes? Please call the next.

**Potter:** Thank you for being here.

\*\*\*\*\*: Thank you, mayor.

**Potter:** Please state your name for the record when you speak and you have three minutes.

**Item 1163.**

**Grant E. Remington:** My name is grant remington. I'm president of the american veterans for peace. I'm an army veteran. Before I get to my printed remarks, I would like to thank you for asking how are the children instead of is our children learning.

\*\*\*\*\*: [laughter]

**Remington:** And segueing into that, I would like to congratulate carole smith just hired as the Portland public schools superintendent. You go, girl. She'll do a good job. And to quote sheriff bart from ""blazing saddles"" -- excuse me while I whip this out. I always carry this with me. And if you guys don't have one, I have copies here if you'd like one. I'm here in support of the resolution to impeach, and my prepared statement is as follows. Duty, honor, and country. These three simple words make up the model of the united states army's military academy at west point. They're placed in order of importance. In reverse order, we can start with country. Patriotism and selfless service to that country and appreciation of the services we enjoy, although many were hard fought to obtain, and the with issue to pass these on to future generations could describe country. Honor is more elusive in that one must have a value system to rely upon in order to find your definition of honor. Honor is a code of trust, of speaking truthfully, of not tolerating the lying, cheating or

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stealing that sometimes crops up in public and private enterprises. It might be as simple as noticing the cashier gave you a 20 instead of a 10 and correcting that error. It might be speaking up when you hear a racist remark. If you have a system of values, honor is just being true to them. The duty is where rubber meets the road. Obligation, responsibility. We have a duty to do the right thing no matter how inconvenient, difficult or dangerous. Duty before self. This is why i'm here today, because I have a duty, a duty that was placed upon me, when 40 years ago, I raised my right hand and swore that I would support and defend the constitution of the united states against all enemies, foreign and domestic, and that I will bear truth, faith, and allegiance to the same. I don't believe that oath was negated when is discharged. You all know what article 6, clause 2 says about international treaties. They are the supreme law of the land. The geneva conventions and others, the administration has violated any number of these. You can see the list. It's quite extensive. As members of city council, you also took an oath to included protecting the constitution. I urge you to revisit that oath, to examine what that oath means to you, and put it in the context of duty, honor, and country. This administration has broken the law and must be held accountable. Please do your duty and honor this country by reporting the resolution. Thank you very much.

\*\*\*\*\*: [applause]

**Potter:** Please call the next. Good morning. When you speak, please state your name for the record, and you have three minutes.

**Item 1164.**

**Paul Verhoeven:** paul verhooven, executive director of saturday market. I want to thank you, mayor and fellow commissioners, for allowing me this opportunity to come before you today. In the last week, more than 2500 postcards from members and supporters of saturday market have been sent to the mayor's office asking the mayors and commissioners for the continued support for the 351 individual businesses and family businesses that comprise the saturday market. Over the past 33 years, Portland saturday market has grown from a hand full of determined artists into an internationally recognized institution with combined annual sales of over 10 million dollars. It is often easy to overlook the fragile nature of saturday market. Like many arts-related businesses, individual members are often severely uncapitalized and operate on very thin margins. Minor interruptions can be painful and severe, repeated interruption could be fatal. Therefore it is critical to the successful relocation of the market that our transition to our new permanent home in waterfront park be handed in a manner that presents as little disruption as possible to the ongoing market operations. In order to assure that this will happen, we are asking for the support of each of you and the city bureaus that you oversee. When we first started the planning for the revival of the old town neighborhood around the skidmore fountain, it was presumed that the new location for saturday market would be secured before our existing site was redeveloped. Now, due to the length of the planning process and the complexity of the project, we find that the work in waterfront park necessary to relocate saturday market will not be completed until march of 2009. With the completion of the work for the university of Oregon and the white stag building and mercy corps ready to break ground on their new project in the skidmore fountain building and adjacent lots next spring, we have struggled to find an interim site for 2008 that will keep saturday market whole. After careful consideration of alternative sites, we have determined that the best option is to remain on as much of our existing site as possible, underneath the burnside bridge and in ankeny plaza, and to ask for the use of two lanes of naito parkway to connect the pieces together. This option appears to offer the least disruption for continued operations in 2008 and will present a smoother transition to waterfront park in 2009. In order to make this happen, we need your support and the assistance of the city bureaus that you're responsible for, particularly important the continued partnership with p.d.c. And parks and recreation. We have been working closely with commissioner Saltzman and his staff, and we appreciate the fact that bureau directors have been putting regularly to coordinate efforts. As we move forward, i'd like to specifically ask for the assistance of pdot in helping to

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resolve the issue of multiple users of naito parkway and the bureau of developmental services to ensure that the complicated permitting process necessary in waterfront park, which is both in a greenway and a historic district and part of the downtown, does not delay the completion of work in waterfront park by march of 2009. I'm confident that, by working together, we can make this happen and look forward to a prosperous future for saturday market and the old town neighborhood.

Again, I thank you for your time and allowing me to speak this morning. Thank you.

**Potter:** Thank you.

**Verhoeven:** I just wanted to say I hope that the other commissioners have had a chance to see the postcards that have been coming in. We had hoped that they would arrive here to the city clerk and be presented to all of you, but the way they were addressed, they ended up in the mayor's office. So I encourage all of you to take a look at them if you can. I believe they've received over 2200 so far, and they not just have the printed matter that's on the copy I gave you, but they have individual comments from many of our members and supporters. Thank you.

**Potter:** I'll be glad to share those with the commissioners.

**\*\*\*\*\*:** Thank you, mayor.

**Item 1165.**

**Potter:** Would you repeat the name?

**Moore-Love:** Harlan hiltner.

**Potter:** Communications to the consent agenda. Do any commissioners wish to pull any item from the consent agenda?

**Leonard:** Virginia ross, did we hear from her?

**Moore-Love:** She spoke.

**Leonard:** She did speak. Ok.

**Potter:** Did you have one?

**Adams:** I need to pull --

**Potter:** 1177?

**Adams:** I need to move item number 1177 to a 2:45 time certain on october 25th.

**Potter:** Has that been scheduled?

**Moore-Love:** I think that was 1195.

**Adams:** No. This is the safer routes to school.

**Moore-Love:** Ok. 1193 was the one they wanted to move to the 2:45 time certain.

**Adams:** I have the safer routes to schools 1177. Let me see. 1193 is --

**Moore-Love:** Unless they wanted to move both of them.

**Adams:** It's both of them. Sorry for the confusion.

**Moore-Love:** Pull 1177 out of consent and continue it to 2:45 on october --

**Potter:** And 1177.

**Moore-Love:** To october 25th at 2:45 time certain.

**Adams:** Please.

**Potter:** Thank you. Does any person in this room wish to pull any other item from the consent agenda? Please call the vote.

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

**Potter:** Aye. Please read the 9:30 time certain.

**Item 1166.**

**Leonard:** We have eddie campbell and gary larson joining us. As two of my colleagues know, this is a process that we are reaching the end of that began back in august of 2000. So for fully seven years, we have been negotiating with the u.s. Forest service on redefining the roles of the Portland water bureau and the u.s. Forest service in the bull run watershed. The bull run watershed is the primary drinking source for roughly 20% of the state's population, including all of the folks that live in Portland and mostly surrounding communities. Because of the current agreement, signed

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originally in 1979, the relationship has evolved and changed because mostly of budget cuts that the federal government has had to endure. As a result, we've redefined basically how we're going to interact in the watershed, a place that is prohibited to have anybody but forest service employees or water bureau employees within it to preserve our drinking water. We are really fortunate to have Gary Larson be the person that's dealing with at this point, because he truly exemplifies partnership particularly at the federal government, has worked really diligently to get this product but also is working very closely with myself and David Bragdan to extend the spring water quarter trail all the way out to not just Bull Run but also all the way up into Mount Hood. And he has just been a great person to work with. I'm really pleased to introduce him and Eddie today to talk about the elements of this agreement. Again, thank you, Gary, for all your help. You've been just a great partner.

**Edward Campbell, Portland Water Bureau:** Edward Campbell, Portland water bureau. I'm the resource protection and planning director. As Commissioner Leonard laid out for us, the purpose of this agreement is to define and help the two agencies in their joint management role for the overland management unit, and the major factors that have changed over the last decade have been that, as of 1977, the city and the forest service were actually charged by Congress at that point to be joint managers of the Bull Run watershed management unit, and that was followed by legislation that ended all logging on federal lands in the management unit going forward. And so, as that occurred over 1996 and 2001, what we found ourselves was in a situation where we had different management focus in our joint role with the forest service, and that focus was aligned in a way that it never had been in the past. So the need for this, as I said, came about from those changes in federal legislation and in alignment of our missions. And then, as Commissioner Leonard mentioned, there's also been a decline in the amount of funding that the federal government has been able to devote to the maintenance of facilities within the management unit, and so the city has been stepping up and taking more substantive roles in its comanagement role in the management unit. So the agreement describes the activities we believe the agencies need to work on and spells out how the agencies are going to actually work together. The agreement is a framework. And so essentially when that means is that no matter what it is that the agencies find themselves working on in relation to the Bull Run, we know we're going to do it in a certain manner. I would say the basic principles that govern how we're going to work together is that we're going to identify the lead agency or joint agency responsibilities and authorities for all things that we -- authorities for all things that we deal with and declare those and be clear about them. We're going to devise efficient regulatory and consultative processes so that we're not basically getting in each other's hair for things we don't need to but that we're going to provide proper oversight of the things we need to jointly work on. The third piece of this is that we're going to communicate with each other and the public on a regular basis to make sure we have feedback and to help coordinate our activities appropriately with the community. Some key items that we envision working on include security and nexus management, emergency planning and response, fire planning, prevention, detection, and suppression, protection of natural resources within the unit, and this includes both the aquatic resources and the terrestrial resources. And conservation is a topic of great interest to both the forest service and Commissioner Leonard, mechanisms that will increase our public's awareness and understanding of the importance of our management unit and our watershed. So we believe many of these activities will require separate plans to guide how we work on them and, in those cases, we propose to develop functional plans that will actually spell out and ensure clarity and a mutual understanding of what we mean and what each of other responsibilities and authorities will be relative to these issues. The two most significant items the agencies plan to work on are a coordinated approach to the road network within the management unit and then also a potential land exchange that would create a more rational landowner ship pattern for both parties. In just a moment, I'm going to show a couple slides to illustrate what we're talking about relative to those

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two issues. I want to talk a little bit about the process commissioner Leonard referred to. This has been a long road to get here finally, through three different commissioners from the council. So there is a history here that began when dr. Ralph crawshaw, a very committed stakeholder and very committed advocate for the bull run challenged both of the agencies in the year 2000 to start to work together to reflect the new policy landscape that the legislation that I mentioned earlier had created. It was as a result of that challenge that both agencies actually got together and focused on trying to change the nature of the relationship. And I think, since that time, we've actually had two separate comment and response processes for the document and, as a result of this long process, I would say that we actually have put a lot of what we're embodying into the agreement into practice, the actual activities of working on this process having improved our working relationships. I'm very happy to say that I think the working relationship between the city and the forest service at this time is the best that it's probably ever been in the history of the two agencies. I want to just reflect some of the key changes to the document that we've made based on public comment. One of the things we heard early on is that the document, the original version of it, was rather long and some people felt it included too much, and so we split the document actually into two separate documents. And commissioner Leonard has ensured that all of you have received the second piece of this. And so we took the background and history associated with the agreement and separated that into a report to the community. And so you have that before you. And folks that are interested here in council chambers can get a copy of that as well. We reduced the term of the agreement from what we had originally proposed at 30 years to 20 years again based on comments from the public, and we increased the public involvement of our city forest service work group meetings. That was a strong comment that we received, and so we, in negotiating with the forest service, came to, I think, a very good compromise and opened up those meetings for public participation and review. Finally, based on concerns that came up in our process relative to the proposed land exchange, we had also proposed to bring forward a city ordinance that would enact the same timber cutting restrictions that apply to federal lands to city-owned lands. As a result of stakeholder feedback that we received prior to bringing that forward, concerns that they wanted to work through, we pulled that ordinance and are committed to working with our stakeholders to address their concerns, and we will bring that forward once we've gone through that process. We had originally submitted that, but we're going to continue to work on that and plan to bring that back. With that, carla, I think i'd like to show just a couple slides briefly. The first slide i'm showing is the bull run watershed management unit. The dotted line within the gray line there is our water supply drainage. And the red lines that you see on this map of what we call the legacy road network in the management unit. You'll see on the left our two drinking water reservoirs. Reservoir 2 on the left, reservoir 1 in the middle portion of your screen. On the far right of your screen, you'll see bull run lake. This road network at its full buildout was at 373 miles. What we've done working with the forest service has identified that we need far fewer roads than are currently or were, I should say, in the management unit. And so this next slide shows you the legacy road network that we plan to have in place once the forest service actually finishes a road decommissioning process. We're down to 238 active road miles in the management unit, and our goal, once we get to what's represented, will be a road network of approximately 168 miles. The city's responsibility ultimately will be to maintain the remaining road network once the decommissioning program has finished and once we actually change the city's ownership role in relation to the road network. And so we're working on that as a part of this agreement, and ultimately the city will take care of maintaining the necessary road network for our water facilities, and the forest service will complete the decommissioning that needs to occur. A bit of good news recently is that the forest service has actually secured funding next year to remove about five more miles of road network that are necessary within -- necessary to be decommissioned within the water supply drainage. We have about 20 miles remaining of decommissioning, and that will take it down another chunk. This next slide illustrates what we're

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talking about in terms of the proposed land exchange. The blue colors on the screen represent city ownership of lands within the bull run watershed management unit and the green are federally owned lands. The city owns lands scattered far away from the actual reservoirs most important to our water supply operations. What we have discussed is the possibility of actually swapping out equal amounts of land with the forest service to obtain lands that would give us a land ownership give us a landowner ship right around our reservoirs. If we go through with it, we would have a land ownership pattern that would look something like this. And then the forest service land for the uplines. What we hope to achieve with this is basically to allow each of the agencies to focus on its principal management role, the city in terms of drinking water, and the forest service in terms of maintaining the ecosystem health in the management unit. That concludes my comments. I'll turn it over to gary for a few words now.

**Gary Larson, U.S. Forest Service:** Thank you. It's a privilege and honor to be here before you today. I have had the unique privilege of working with three commissioners on bull run issues, and I thank you so much, commissioner Leonard, for your kind words, and I just very much appreciate and value our strong working relationship. It is highly unusual for any agency, whether federal or state, to comanage lands. Often we collaborate that partners. Often we cooperate. But it is a very rare circumstance when we actually comanage lands, when we have joint responsibility. The implications of that are subtle. Our public involvement processes are very different. They both strive in the end for the same thing, but they're very different at the state and local level, here at the city. You have sunshine laws. Federal officials, what they're required to dubai law is to keep discussions with citizens at arm's length to make sure we don't have ex parte communication prior to making decisions and stuff like that. So it's been kind of a unique challenge bringing together the disparate federal and city interests. But I have to tell you that I think that we have done it. It didn't bother me that we have taken as long as we have. Anything worth doing -- anything that's important and worth doing well, it sometimes takes time. We've put a lot of time into this from my perspective. It's a very highly polished document, and I would urge you to pass the resolution. I want to spend just a minute to show one power point slide, if I may, and this slide shows the framework for comanagement of the bull run watershed management unit. First, one unique thing is that there are a suite of federal laws and policy. First is the safe drinking water act. Second is the bull run management act that you're all familiar with, p.l. 5200. Third is the endangered species act. Fourth is the federal policy of the northwest forest plan guiding management of forest service lands in Oregon and Washington. Next is our mount hood land and resource management plan, the national environmental policy act, and then the last one i've listed is the federal powers act. But what you need to know is that there's actually -- I have a two-volume reference on my desk that's the principal laws guiding the forest service, and it is a suite of laws. So it's against that backdrop that we're managing the land. Then the agreement that's the subject of this resolution, we've prepared a draft agreement. We did a federal register notice, put it on web sites, newspaper notice, news releases, and a series of public workshops. So that culminated in public review and comments which led to the final agreement and then a city council resolution. If the resolution passes, I will then take it forward to my boss, the regional forester, for her concurrence. Then, from that, we have a series of multiyear functional plans, and i'll just name them quickly and not go in any detail. First is the access management security plan. Next is the emergency response coordination protocol. We have had several opportunities to use that protocol, and it's worked well. The transportation management plan and fire protection plan. Then we will be publishing periodic reports as part of our public accountability, annual programs of work, a five-year agreement review, an update, annual report to the community and annual public meeting. Then, from this agreement, a new special use permit and conveyance of rights will result for all activities that currently happen in the watershed. I believe there are probably 17 separate agreements you all have, and our idea is to streamline those into one or two. That will lead to use and occupancy of national forest lands and



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then the agreement contemplates considering a land exchange. That also will have neva public review and comments and will also govern use and occupancy of water bureau lands. So taken together, the point is that it's a pretty comprehensive framework. Not only do you have the city resolutions and policies. You also have a federal framework that this takes place on. That concludes my power point. Thank you. In closing, i'd like to read a couple of highlights of a document that our staff and the forest service and water bureau worked together on seven years ago, and it was at the beginning of the process. What we did was state our joint interests, and I thought in closing that might be an interesting thing for y'all to hear. This is what started the process in response to dr. Ralph crashaw seven years ago. It's unfortunate he can't be here, but he played a really catalytic role in urging us to get together and find our common ground and figure out how to work together peacefully, sometimes I am patient with the length of time it took, but he also continued to be patient with us and helped guide the process. Our joint interests first are to protect and conserve the natural resources, ecosystem processes, and other assets of the bull run. Second interest was to champion, represent, and redeem the public's interest in securing benefits from the use and management of the bull run watershed. Our third joint interest was to work together to improve governments and help people redeem their responsibilities both for stewardship and citizenship. Our fourth interest was collaborate with each other and interesting parties to make our greater community a better place and to move toward social, economic, and environmental sustainability. Fifth, forge a new partnership and healing to enable the water bureau, forest service, and other stakeholders to engage in responsible and well-informed dialogue, policy formulation, planning, and decision making. Then we both had the desire to improve our working relationships with each other. And then lastly we had a joint interest in managing both the natural resources and the water ewe till in a businesslike, cost he have if he can tiff and efficient manner that returns high value for public investments. In my judgment, the agreement that's before you responding very positive l to all those interests, and I want to thank each of you for the particular role in making it so, commissioner Leonard particularly.

**Leonard:** I just have to say that, if each of other federal officers performed their duties in the way you've demonstrated to me you perform yours in representing the best interests of the public and true public service, why, half this crowd wouldn't be here today watching. So I really am just -- as a person who's been in government a long time -- impressed with your service and commitment and follow through on your word and everything that you have demonstrated to three of us up here over the last number of years. It's been really outstanding, and we greatly appreciate it.

**Potter:** Second reading.

**Sten:** I want to thank you both, the water bureau and particularly gary for his work. I think actually some of my fondest memories were driving around the bull run with gary larson. If you have not had to chance to do that, you should do it. It's not only exemplary federal servant but also a philosopher. We spent a lot of time thinking about how to do this and eddie and terry thatcher and people who have worked on this a long time, I think it's done something that not only needed to be done, but it was tricky. Everybody agrees bull run needs to be protected and managed in the right way. The environment has changed, and the difficulty of contracting with the federal government has not changed. It's been a relatively difficult thing to pull off. And so the fact that you guys have stuck with this and despite having to deal with three commissioners is the way I would describe it, it's very, very good. Thank you, gary. It's a great, great pleasure to see you this morning.

**Saltzman:** I didn't realize this was an ordinance, not a resolution, but I also wanted to add my accolades both to the great work that edward campbell has done but gary larson, as commissioner Sten says, has persevered through three of us and kept his head up and a smile on his face the whole time. And then we have a good product here in front of us. This is a very rational approach to joint management of the bull run watershed that makes sense for the federal government, the water

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bureau, and for our public as well. I think it will protect and serve our resources for a long, long time to come.

**Campbell:** I'd like to recognize Dick Robbins and Terry Black from my office and then Rick Acosta and Terry Adono. They've been key movers and shakers.

**Sten:** I'd like to mention your predecessor, Rosemary Minard, also.

**Leonard:** We have going to have public testimony.

**Moore-Love:** We have two people signed up.

**Potter:** When you speak, please state your name for the record.

**Regna Merritt:** I'm here representing Oregon Wild, formerly known as Oregon Natural Resources Council. We've worked for over 33 years to protect Oregon's wild lands, waters, and while life and have worked closely with many of you in efforts to protect the Bull Run and our drinking water. I want to diverge for one minute to thank you for the council's support of legal efforts to fight the E.P.A.'s costly and unnecessary mandate to increase treatment of Bull Run water. We filed an amicus brief in support of the city's legal position, and we're with you on that. I also want to thank you for working with the congressional delegation to protect the federal lands and the Bull Run. As you know, the Bush administration has struck a sweetheart deal with the logging industry, and we could see logging levels of old growth go up 700% as a result of these deals. Thank goodness the Bull Run's not at risk for that right now. Many other municipalities are facing increased logging in their municipal drinking watersheds. As in any negotiation between the Forest Service, the city, and conservationists, the negotiations in this document were complex, and we thank the agencies for several improvements made to the documents, but we still have some difficulty. It's a complex document, and I just want to bring up two items that make it difficult to support the memorandum. The first is the agreement that the city take over maintenance of the road structure on federal lands. And I know why that's been done. I know the federal government under the Bush administration is spending gazillions of dollars fighting the legal war, and we don't have any money for road maintenance or trail maintenance on public lands, but I would hope that that would change in the future, and that's one of the reasons that we hope that in the future there will be a change in administration, a change in values and in the way public moneys are spent and we can have the federal government pay for the federal road system in the Bull Run. The second reason and most problematic is the grand vision for the land exchange is problematic. While the rationale is for increased efficiencies for the agencies, the activities that could be more efficiently implemented may not also be consistent with the public interest. In fact, we ask that the agreement not -- we decided that the agreement did not provide sufficient details regarding if and how federal land acquired by the city through the exchange would be protected. The public loses important legal tools to protect our land, air, water, and wild life on federal lands when the city acquires the lands. We lose protection of the National Forest Management Act, Northwest Forest Plan, and some of the other things Gary showed you on the screen there. However, we have decided that we are not going to oppose the memorandum. As a practical matter, we're going to work with -- it makes more sense to work with the commissioner's office and the bureau to implement city ordinances and resolutions that will provide some structure and certainly for future generations. Certainly this city council has been grand at protecting the Bull Run, but it's an intent and current practice rather than anything that's written into city ordinance. And we look forward to working with you to not only ensure that there's no tree cutting on city lands but also that there is a dispute resolution process that does not exist now. And our primary concern is that we protect the lands that are now Forest Service lands and have those federal protections from settlement recreation and development. You understand how this is a complex situation. We'd rather not have had the land exchange included in this document at all but worked through some of the functional plans and other processes, and we will be doing that both on a federal level and with the city.

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**Leonard:** We've met with regna and other interested advocates of the bull run and agreed to create a process by which we would sit down and have all these discussions because I certainly would be interested in making sure that future councils don't have the authority to do something they can't do now because it's federal land. So we're going to work through all those issues.

**Merritt:** And I would hope that -- some of you may or may not be on future councils. I might not be around in the future. But I would hope the 49 the framework we provide -- the framework we provide will include those federal protections that we now have on federal land.

**Cascade Anderson Geller:** My name is cascade anderson geller. I just want to ditto some of the things that has been shared but also something I think is important that I don't see in the document, and that it that is needs to be consistent with the bull run act public law 95-200. I haven't had the opportunity to study it as much as I would like to, but what jumped out at me right away was the difference in the language between public law 200, the bull run act, which use the language the secretary shall prohibit the cutting of trees and the way it looked like it's called out in this new memorandum of agreement is calling it timbering tree harvest or timber harvest. And I think that there is a difference there. And because of the shifting -- always shifting -- sands of policy and politics and the inconsistencies, I think we could really help this document by making it very consistent with the bull run act language that's stood by us for all this time. And I think that you've heard -- I know that a lot of you have heard, as we've heard, this has gone through different commissioners, if we follow the bull run back to the 1890s when it was established, people have consistently said protect, protect, protect. And permanent protection is a very important thing. So I think that this document that we're looking at could be aided by using the language directly out of the bull run act whenever possible. So I think that's my main -- actually, I was curious about the experiments, your scientific investigations called for in this new understanding. It isn't clear in there exactly what we're talking about. I would just like to emphasize that I don't think that that anything done up there should jeopardize water quality, and I think we would all agree with that, but it is a little bit unclear in the document. Thank you. Maybe this will come forward in a second reading. Maybe?

**Leonard:** As I said, we're committed to setting up another process where you're more than welcome to participate where we address all those issues.

**Anderson Geller:** Thank you very much for the opportunity.

**Potter:** Is the land exchange coming back to the council for approval?

**Campbell:** I didn't hear the question.

**Potter:** Does the land exchange come back to council for approval?

**Campbell:** Absolutely. There won't be any initiation of land exchange until the council authorizes it.

**Potter:** Thank you very much.

**Leonard:** And I want to thank, too, eddie who headed this up under my office but certainly those that came before eddie. Ty kovach played a key role in the final few negotiating sessions to move this forward. It was great work on everybody's part. Thank you. Very tough to do.

**Potter:** It's a nonemergency, moves to a second reading. What is the date and time for that, Karla?

**Moore-Love:** That will be on next week's agenda, the october 10th agenda on the 9:30 regular session.

**Potter:** Thank you. Please read the 10:00 a.m. Time certain.

**Item 1167.**

**Saltzman:** The presentation of the information about our tree canopy, I think, follows well on the report we just had on bull run, and i'm proud to present this important work by the urban forest try department and Portland parks and recreation. Trees are a crucial part of the cityscape. They soften and beautify the environment and provide multiple environmental benefits from storm water management to providing shade, should being down the urban environment, to providing a source

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of absorbing carbon dioxide and putting out oxygen instead. So trees are an important part of our infrastructure, and that's something we'll probably talk a little bit more about in this report. And these days I think everybody's concerned about trees in the city. Last March, the council accepted the urban forest action plan, developed by a number of bureaus to ensure attainment of the goals and recommendations of the urban forestry management plan of 2004. As a step forward meeting the actions outlined in the management plan, parks city nature staff conducted a study of the benefits provided by Portland's urban forest canopy, helping to calculate the value of the environment and aesthetic benefits that these trees provide and partial funding of this came from a grant provided by the endangered species act program. So we have with us this morning David McCallister, city forester, and Jennifer Carps, who authored the study to present their findings.

**Dave McAllister, City Nature Manager, Parks & Recreation:** My name is Dave McCallister, and I am the city nature manager, parks and recreation, and I'm also the city forester for the city. With me today is Jennifer Carps, also with the city nature and the certain the person responsible, as commissioner Saltzman said, for actually doing the work of the study. Today we want to present you with the results of the study completed during the summer of 2006. The study provides an assessment of the structure and function of the city's public trees. A focus on our public trees, defined here as trees in the right-of-way, within our developed parks and in our natural areas. The study results are statistically valid estimates based on a suite of methods developed by the U.S. Forest Service Center for Urban Forest Research. And the study becomes part of overall parks asset inventory. Through this study, we've been able to define not only the key attributes of our forest structure but also quantify a number of environmental and other benefits arising from this publicly owned asset. Finally, we have also determined a number of environmental benefits accruing from the entire urban forest, both private and public parcels. So this first slide shows you that we have overall canopy cover for the entire city of approximately 26%. Of that 26%, 47% of that is located on public ownership and 53% is represented on public lands. Our success in managing the urban forest has to be a true partnership between both government and the public. Now, this study evaluated several aspects of the forest. Forest structure that is species composition, diversity, age distribution, and condition. Resource function that is the magnitude of the environmental and aesthetic benefits. Resource value, the dollar values of benefits that are realized. And we also identified the forest management needs. With regard to street trees, we estimate there are 236,000 street trees within Portland representing 171 different types. The five most common trees within our street tree population are Norway maple, red maple, big leaf maple, arbutus, and cherry. Of those, only big leaf maple is considered a native, and that is understandable given the harsher conditions of our right-of-way areas. With regard to park trees, our parks and natural areas contain approximately 1.2 million trees in contrast to street population. There are fewer different parts of trees present with only 41 different types represented. Again, in contrast to street trees, there is a much higher percentage of native trees with the most prevalent red alder, vine maple, Douglas fir, black cottonwood, and big leaf maple, all native. These five species constitute approximately 66% of the entire species number. So, taken together, the study shows that we really do have a large range of diversity for Portlanders to enjoy, taking both into consideration our street trees and our park trees. The graph in front of you also shows that our forest is a multi-age population structure, and it suggests that this is a good forest that is conducive to management. The chart indicates that there are many more small size than larger trees. The older trees provide the highest current benefit to the citizens. The smaller trees provide future potential benefits. We went on to look at the assessment of the tree condition, assessment in terms of relative health. We've seen by the study results that our park trees are in better health than our street trees, and this is understandable since the current conditions for street trees are inherently more difficult. I might add that, while this is the study results, we used slightly different criteria. Our Portland arborists are more in tune to these things and have said that the study results may

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slightly overestimate the health of the forest, and certainly want to point that out. Citywide, we have 45% of the street tree planting opportunities currently occupied, so the glass is half full, roughly speaking. Southeast and northeast Portland indicate the greatest opportunity for new plantings to benefit the citywide total. There are fewer opportunities in the western part of the city, but they seem to have a higher occupancy. That is the greater portion of the total opportunity is already planted. Now, using the council of tree and landscape appraiser evaluation criteria, this study determined an overall value for street and park trees of \$2.3 billion. Adding private trees to this amount suggests an aggregate value for the entire forest of approximately \$5 billion. And I might add that that \$2.3 billion is a huge number. In our current city's accounting system, this is not considered a capital asset, so it's not documented at having that value. By analyzing the structure and applying values to the functions the city trees provide, we were able to quantify a range of environmental benefits from our urban forest. Annual carbon fixed by the forest is 25 million pounds with a benefit value of \$207,000. Stored carbon within our public forest offsets contributions by the city through residential and industrial sources, thus reducing its net increase in greenhouse gas emissions. The forest cooling effect in the summer and sheltering effect in the winter reduces natural gas and electricity use of 200,000 therms and 6000-megawatt hours respectively with an annual cost saving of \$751,000 to city residents. Storm water uptake of 414 million gallons by the root structures of public trees saves the city and ratepayer over \$11.5 million in annual costs. This is an average of \$20 and 67 cents per city resident. Finally, increases in property values from street tree planting alone totals \$14 million. And collectively all these numbers that I'm giving you here approximate \$27 million in annual benefits to the city or \$49 per resident. The study also assembled a cost, and this slide documents that fact. We have an aggregated cost conservatively of around \$6 million to manage this forest that we have. Comparing the management costs and the benefits together, study results indicate that the public forest is a valuable asset to the city with a cost benefit ratio of 3.8 to one. In other words, \$1 invested by the city provides \$3.80 in benefits back. We also had an opportunity to use a somewhat coarser method and, through that method, we were able to look at the environmental benefits from the entire urban forest, both private and public. Both public and private trees sequester 53 million pounds of carbon from the atmosphere. 2 million pounds of air pollutants and 1.3 million gallons of storm water. This represents a collective environmental benefit to city residents of \$70 per capita. So as commissioner Saltzman mentioned, you know, we have this urban forest management plan. The city is currently at 26%. The management plan calls for a target level of 33%. Commissioner Saltzman mentioned that we are using the urban forest action plan that was passed in March to actually move toward meeting those goals. What that means for the city, it will continue to reduce the city's hard infrastructure costs such as pollution control devices and storm water pipes. You know, this is the green infrastructure now, not the gray infrastructure. It'll increase the environmental, aesthetic, and wildlife benefits from result from additional tree canopy in the city and will continue to help meet the city's sustainability goals and contribute to the city's reputation for a high quality of life. Now, we have management the recommendations. Basically it's take care of your existing environment and plan for the future. But to maintain and enhance our urban forest in maximizing those benefits and minimizing the safety hazards that can occur, we recognize this is a working forest, but we do need to increase our existing tree maintenance, do proper pruning of our older trees, which are the trees that are accruing most of the benefit for the city and allow the younger trees to become older and continue to increase this benefit. Through that, I mean we need to complete a better tree inventory, because that will help us focus on the needs of the forest in the most cost effective and judicious manner. We need to increase our tree planting, and that both includes creating opportunities in development and redevelopment and partnering up with our community groups throughout the city to do tree planting, which we have done in the past, and I think there's equity questions out there. We need to

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get back into some of these neighborhoods. And you can see that in both southeast and outer east Portland, there is a great deal of opportunity there and tree planting opportunities. Finally, I might say that there is -- in terms of this partnership, I mean, half of the forest is private property, and we need to increase our public education and outreach efforts to that other part of the urban forest. And through that we need to provide technical assistance to these property owners, provide them the information they need to do a better job of maintaining their trees in the ways that they can. So that's just a brief overview of the report. It concludes our report here. And if you have any questions, I appreciate the opportunity to answer them.

**Potter:** I noticed 1% of the trees are dead or dying. What do you do with those trees? Take them out or leave them there or what do you do?

**McAllister:** Absolutely. Mayor Potter, what we do here, this is a little different. We're not the forest service. We don't get our product out of the forest. The forest provides a service by scanning. But as soon as those trees are becoming unhealthy, they become safety hazards for the public, and so we do get them out of there, and we have repositories we place them. We've worked with the e.s.a. Program to put those trees back in the stream so that we can create the complex habitat for fish. But we're trying to get rid of those trees now in natural areas. If that 1% that we're talking about or thereabouts -- I mean, that's wildlife habitat, so we aren't going to be looking in a natural area in forest park perhaps for looking at that 1% and saying, gee, we should get rid of it. No. We probably want to keep it there, because it's going to provide homes for woodpeckers and other things like that.

**Saltzman:** One of the things we were talking about yesterday in preparation for this report is the fact that our park tree infrastructure is a \$2.3 billion asset, and yet it's not reflected really in the city's official government reporting plans which are increasingly requiring city to quantify all their assets. So it's not treated as a capital asset, and I guess that's something -- I see Ken Rust is here. I guess I'd like to explore, because I think there's a certain benefit if we do start reporting this as a capital asset. I understand that would allow us to seek metro and natural area fund cents, but I also think it's important just because we all appreciate the importance of that capital asset.

**Ken Rust, Office of Management and Finance:** Ken Rust with the office of management and finance. I think it is an interesting question about how we capitalize these importance assets. As I understand it in talking with the city controller, it's a little more of a complicated question. Depending on the value of the improvement that we're making, we do actually capitalize the asset associated with trees, a threshold of \$10,000 in the city. You can imagine, if we planted a single tree or maybe just a small group of trees, that threshold would not be met and we would otherwise treat that as an operating expense and, for accounting purposes, it would not be reflected as an asset on our books and records. When we're adding landscaping and trees, then it does become something that is shown on our books and records as a capital asset subject to depreciation, which also brings up an interesting question as well. Unlike most assets, tree and these types of assets may increase in value. The accounting world isn't equipped with the way these assets perform and does bring up some interesting questions with how we would look at valuing that or at least recognizing that the asset information of the city maybe needs to have some additional information to reflect and pick up on some of the characteristics of things that aren't really well captured by the financial measurement we do on a given year. It is a little more of a mix in terms of the way we look at them in our records.

**Saltzman:** This sounds kind of dry and mundane, but I think it could have potential benefits to us as a city, and maybe other cities will shortly follow our lead but to look at our urban canopy and really value is as a capital asset. But also it would entitle us to apply for metro and natural areas funds for tree planting.

**Rust:** Certainly the whole idea of the greening of our practices moved forward, the accounts profession, the governmental accounting boards that sets rules and regulation for the way in which

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we conduct our financial operations may very well want to look at that, because clearly there's a mismatch between the way we're expending funds and the values we're -- and the values we are creating as result of that. They are concerned when we do things that understate the values of things we're doing. If we're understating assets as a result of that, they should take a look at that as well. It could be a very provocative kind of discussion.

**Saltzman:** I definitely want to continue that discussion with you and our forester and maybe come back for some council action on that. Jennifer, did you have anything you wanted to add?

**Jennifer Karps:** I'm just here to provide technical advice if i'm asked, so no, thank you.

**Saltzman:** So that completes the testimony. I know we have at least one member of our urban forestry commission, maybe several here. Are you all signed up to testify? Why don't you just call the list?

**Potter:** How many folks are signed up?

**Moore-Love:** I have just two.

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

**Brian Krieg:** My name is bryan krieg, and I am a member of the urban forestry commission. Also we have christine kernasus and mark burnett behind me here. On the commission, I serve as the chair of the education and outreach committee that we have. On behalf of the commission, i'd like to let you know how excited we are about this report. It's a major achievement for the city. The quantification of what the value of our trees are, the numbers, and the data that will allow us to do a very good job in the future for strategic decisions. Both the commission, the staff, and providing you with the information you need to make the decisions about Portland's future of its urban forest. Other cities actually are looking at their urban forests also. The two software packages that were used with this were developed by other entities, and so the issue of the valuation and the importance of the urban forest to our liveability is something that other cities and communities are looking at also. We are lucky in Portland that we have a very good situation with our tree canopy to begin with. Past city strategies and visions have really resulted in this mature tree canopy that we have and that we have very good coverage. As was noted, the mature trees really provide us the higher amount of the benefits that the community. While it's important to continue to plant new trees and look for areas to do so, I think the commission members would all echo this point that it's vital for us to maintain the large trees that we have in the community and the policies from the city should try to do so on that. Also we are very active ongoing programs, organizations like friends of trees who support those activities on the private properties. I think it's really important now that we have more of this data in front of us to start looking at it from a strategic standpoint of how and where we're actual low going to be planting the trees. Recent studies about air quality and benzene levels and other things, if you start looking at that and doing a little overlay of that, water quality issues, you start to see corridors in the city where the increased planting of trees and the maintenance of those that we have becomes even more vitally important. Many of our schools -- and when we were looking at some of those air quality studies, many schools were located in corridors that had very high air quality issues with it. I know that the urban forestry staff now is looking at increasing the number of tree plantings that we're going to be doing at schools across the city. This report will help us with developing actual strategies on that. The action plan that you approved back in march, it provides us with a very good road back, something that the commission worked with staff on that there is a very great deal of information on. The importance of it is how effectively we implement it, something the commission sees as a vital role for it in the way of outreach, education, and other activities on it. The public trees in this city work for us 24/7, 365 days a year. I would like to nominate them as the hardest working employees the city has.

**Linda Robinson:** My name is linda robinson. There's only one thing I wanted to make a comment only. I agree with the basic recommendations that come out of the report that we need to plant more trees. We need to maintain the ones we have. We need to do public outreach and education.

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But there's one more thing that we need to do that I didn't see on there, and that's that protect our trees through, in part, the review partially funded to review the tree codes and also to enforce the tree codes. This is a really important part. I know that you did authorize some funding to start that project. It was to be a two-year project. So we need to fund that, get it started, and then we need to fund the second year. I wanted to add that as another important part of this.

**Cascade Anderson Geller:** Cascade anderson geller. It's great to see this informational presentation, and I just had a couple of things I wanted to speak to. First of all, we had a major change in the way we do tree production in the city, and i've had the opportunity to live for more than 25 years by our nursery by mount tabor park, at mount tabor park, that grows out trees for planting out in our parks and public spaces. This is a very important piece of growing trees. A lot of communities didn't like to do street trees because it put the burden of maintenance on the city. If people wanted trees, by god, they should plant them themselves. That was the way it was. Portland did step forward with some good leadership, the person that came as our park superintendent, and said we will have street trees in Portland. He planted 32,000 of them, saplings that grew to be a lot of the forest canopy that we get to have the benefit of today. So recently we have made the decision in the parks bureau to stop growing out trees to large caliper and to stop using that land at mount tabor park to grow larger trees to larger caliper. They're digging them out, and the land will be open to discussions in the mount tabor master plan update that we were all talking about last week. I'm very concerned about the lack of the attention to this issue about growing to large caliper. One reason is because larger caliper trees provide more beauty. Instead of sending out very small trees, we have a nicer look. But maybe more importantly, our trees are, especially urban trees, very prone to vandalism, and I have numerous pictures i've taken over the years for different presentations I do of many vandalized trees and small trees that are very easy for someone not very smart or not very nice to damage. So I think that this issue needs to be looked at by the council in greater detail, and we will be bringing it up again to you. The other thing is about consistency and policy, the word I was talking about on the last issue about the language. But I think the city needs to follow its own policies and rules and permitting with the trees. I've had instances where I know the city was not consistent with its own permitting policy and the trees on public lands being cut, and I think that this is something we should set the precedent of following our own code. Thank you very much.

**Moore-Love:** That's all who signed up.

**Potter:** I need a motion to accept and a second.

**Adams:** So moved.

**\*\*\*\*\*:** Seconded.

**Potter:** Please call the vote.

**Adams:** A really important step forward, excellent work. Thanks for all your efforts. Thanks to commissioner Saltzman for his leadership. Aye.

**Leonard:** And I totally agree. It's a great product. Thank you, aye.

**Saltzman:** Well, I want to thank the urban forestry commission, the Portland parks and recreation folks who worked on this. It is a great report. I think it is a starting point of an important -- appreciating an important part of our infrastructure. I just want to add, with respect to the tree code, the money we approved last year to start revamping and making our tree code more holistic, even though it is a two-year process, I have asked gil kelly, our planning bureau director, to focus on the enforcement part and try to deliver that in one year. So that's something i'm keeping my eye on closely. Aye.

**Sten:** Thanks for all your great work. Aye.

**Potter:** I want to thank the urban forestry commission. Citizens are the backbone of our community and are the strength, I think, of Portland. You folks exemplify that. I really want to thank you and also the staff of the parks bureau. Incredible pokes that do a great job -- incredible



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folks that do a great job, and I think this report reflects that. Aye. Please read the 10:15 time certain.

**Item 1168.**

**Auditor Gary Blackmer:** Good morning, mayor, members of council. Before you is a resolution to fill vacancies that are coming too on the seven-member citizen campaign commission. We went through a written application process, notifications going out through oni and other organizations to recruit members, and we got a really good talented group of people. We went through an interview process and selected four of the applicants, and three of them can be here this morning, so I wanted to introduce them so you can see them. The three that can attend are dylan imo, peter forsythe, and casey jama. In addition, kathryn mclaughlin is up for appointment. The first three have a four-year term, and kathryn will be filling out a vacant term due to expire in about two years. Let me introduce them, and you can see them face to face.

**Potter:** Did you say kathryn's filling the short-term?

**Blackmer:** Yes. We have three that have a term that expires on october 3, 2011. And kathryn's term expires in 2009.

**Potter:** But you see here it shows peter forsythe as the one that's expiring in 2009.

**Blackmer:** Huh-oh. I would like to amend that, because that was our preliminary draft, and they had -- we discussed it with them, and they chose -- kathryn preferred the two-year term.

**Potter:** Would you like to have a minute? Could we get an amendment to this?

**Sten:** I would move the amendment as the auditor stated it.

**Leonard:** Seconded.

**Potter:** Call the vote.

**\*\*\*\*\*:** Would you like to see them?

**Leonard:** We'll just vote on the amendment.

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

**Sten:** Pete, you've got to serve four years. Aye.

**Potter:** Aye. When you speak, please state your name for the record, and tell us a little about yourself.

**Dylan Amo:** My name is dylan amo. I am very excited to be here, excited to serve on the commission -- excited to serve on the commission. As I was talking to the auditor this morning, I have a great passion for politics, a great passion for campaigning. I live six blocks from city hall, and i've never been involved in local politics, and I see this as a great opportunity for me to work with the current commissioners and the people you have before you to do some great stuff.

**Kayse Jama:** Good morning. My name is kayse jama. I am really, really thrilled to be here today and to be part of this commission. It's really an honor to serve, because I believe that creating a process where there's accountability but also there's a place that folks who are interested in public service can have a playing field -- equal playing field -- I think this is really important. I'm really honored to be in front of you today and will be happy to work with you in the future. Thank you.

**Peter Forsyth:** Pete forsythe. I've been following the public financing system in the news for some time, and I think it has a great deal of potential. I think, as we saw in the last election cycle, there's also a great deal of danger as well if it's not implemented and overseen carefully. So I think it's important to make sure that the statute is well written and that it's overseen with diligence. I hope that I can contribute to that.

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

**Moore-Love:** No one signed up.

**Potter:** Please call the vote.

**Adams:** Well, congratulations. Good luck. Aye.

**Leonard:** And if you're wondering maybe how to approach your job, given that it's brand-new, interestingly, I think that the person that demonstrated best how maybe that approach your job

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wasn't from the commission but a reporter for the Oregonian, Anna Griffin. So you might follow some of her techniques in applying those skills she demonstrated in the last election to this one, and I think that, if we're all vigilant, I do believe this will be a very successful program but it does require vigilance on all our parts to make sure the rules are followed and everybody is living up to them, and that's a big responsibility for each of you but especially in this next couple of years. Appreciate your willingness to serve. Aye.

**Saltzman:** Congratulations, and I do appreciate your willingness to serve, too. Aye.

**Sten:** These are terrific nominees. I do know two of them well and am really glad you're willing to serve. This is really important right now. Our country is desperately in need of election reform, and I think, as the last cycle showed, there are problems at every level when you mix money and politics. You get bad policy, but you also don't get the kind of elections we want. I think voter-run elections are really the future if we want to restore fit in government. I believe I'm the only local elected official in the country using voter-owned elections and run in both systems, and I think that it's dramatically better to run as a voter-owned candidate, and I think that you guys helping us make the system better make it work, and I think that this system is optimistic, progressive, gives a chance for a lot of talent that would not be able to raise the money it takes, mainly from real estate, which is who funds city race, to run is a big deal. And I think that -- but at the same time, it's something that's got to be made to work, and I think that's going to be your job, and I'm really glad you're stepping up to do it. Aye.

**Potter:** I really appreciate you folks stepping forward. This is an important program because, for me, it's about making sure that the playing field is level for everyone, and this is a really important tool to do that. And so, with your oversight, I think we'll have a good campaign season, and the folks who are interested, I heartily recommend that citizens who are thinking about running apply for this because it is one way that you can obtain funding and do it in a manner that's consistent with how Portland works. So thank you. Aye. Please read item 1187.

**Item 1187.**

**Potter:** Commissioner Leonard and I are co-sponsoring this resolution that will sunset the drug- and prostitution-free zones and focus on efforts of addressing the root causes of these problems. The zones expired on September 30th, and we really need to discuss the next steps. We're calling for expanded funding for the p. 57, the 57 jail beds that rent, and the voluntary substance abuse treatment program as the community works together to use problem solving techniques and community policing principles to solve these community problems. I've consistent the police bureau to begin the discussion on how the expansion might work logistically and would like them to come up and brief us on how the program is working to date and brief us on their meeting yesterday. Assistant chief Lanae Berg is --

**Leonard:** I want to give my perspective on this issue, because it is something that's been of some discussion in the community since the expiration date of the d.f.c.s and the prostitution-free zones have been approaching. The mayor's done really great work in having John Campbell do the analysis John did and determine some of the things that John did, but I will tell you that I opposed the zones before that. I actually think the analysis that the mayor did doesn't set the bar so high that -- doesn't set the bar so high that we couldn't address those issues and fix them. I think that the constitutional issues that others have articulated can be addressed as well, but I still opposed the zones, and I think it's I am for tan for me to say why. Nobody has yet been able to convince me or the rest of the council that, for an example, if you have a prostitute that's working between 102nd and 122nd and Sandy and you prohibit her from being in that zone, to think she quits being a prostitute -- the Parkrose people may be happy, but the folks on 15th and Sandy aren't happy when she decides to set up shop there or 135th and Sandy or Third and Couch in Jeff's backyard or on 82nd and Flavel where I see a lot of prostitutes. For me, that's the core issue is that we're not solving the issue. We're moving it that other people's neighborhoods. And each of us here represent everybody

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in Portland so that we have some people that like drug-free zones and others that are upset because all of a sudden there's criminal activity in front of their house. It remains a problem for me. What I have been just so thrilled about is the effectiveness of project 57 and the impact that it apparently has in really getting to the core root of the criminal activity that we see, whether it's drug dealing, drug use or prostitution or johns or whatever. I am just of the firm belief, based on a number of years in public life serving in the legislature on the ways and means committee -- means committee, passing budgets, and I've sat through hours and hours of testimony from the most hardened criminals -- I shouldn't say that you can imagine. You probably are the ones that arrested them originally but at least that I could imagine and my colleagues in the legislature were just stunned at these what otherwise would be frightening people who once were able to get into recovery and treatment, turn their lives around, and not only -- lives around and not only quit offending but also helping other people get to the place where they were. I couldn't be more thrilled that today this is the discussion, because that's what we're talking about is actually doing proactive things to not just reduce crime but that really impacts neighborhoods and change people's lives that are stuck, that are addicted to drugs or alcoholism or maybe even have a layer of mental issues on top, and most of them do. So I just want to say publicly, mayor, how pleased I am with this approach, and it's just, for me, a hallmark of my service to be able to actually have us all focus and the resources as well to focus on this kind of problem solving that really changes people's lives. And I make no secret I work with Jeff Meyers all the time and Jeff's involved in this, giving me all kinds of hope that we're really turning the corner in Portland in how we address these issues, to make the community safer for folks. And we get nasty e-mails from people about cleaning up crime because we are. We're actually being effective. So thank you very much.

**Lynnae Berg, Assistant Police Chief:** thank you for the opportunity to talk to you today about the successes of the vsap 57 and ideas we have about expanding that program to address key liveability issues. My name is Lynnae Berg. We met yesterday in a small group with Marie Rubio from the mayor's office, Heather Lyons from BHCD, Kathleen Trebb from Multnomah County. She is here today as well along with Officer Jeff Meyers and Commander Mike Reece. And the purpose of the meeting was to begin planning for expansion of the p. 57 vsat model. It was clear from the beginning of the discussion that there are many challenges with that. One is in the lack of capacity for inpatient treatment beds throughout the county. So we are exploring models that combine day treatment with alcohol- and drug-free housing as well as additional housing. We clearly realized that we need to have more partners at the table. Key so far has been to hold offenders accountable and then to get them into the appropriate treatment and housing to break the cycle of addiction and criminality. P. 57 utilization has been targeted by the precincts. You should have a snapshot of the last three months in front of you. Overall, about 90% eligible are getting booked by the precincts. We have been allowed some discretion in booking. Officers are required to write a memo when not booked, and the reasons range from people who are injured and aren't able to be booked at that time to people who want to clear up additional, say, stolen vehicle cases, and we want to drive them around to locations where they stole vehicles from, and we're willing to cite in exchange for recovering a number of stolen vehicles. So we would like to continue that flexibility. I'll turn over now to Officer Jeff Meyers, who I think it's important to get a background of what vsat is and a little bit of success and recidivism we're seeing from the program.

**Jeff Meyers, Portland Police Bureau:** my name is Jeff Meyers. Approximately five years ago, the police bureau created a program, the nlcp neighborhood liveability crime enforcement program, and the premise was three fold. One, if we were able to take offenders immediately, on immediately consequence at the time of the offense and a short period of detention, one to three days, which is typical of a booking, and then immediately provide drug and alcohol treatment, mental health treatment, and housing, the third component, that we would -- our premise was that we would reduce significantly recidivism rates. When we began, we went through the current model, which

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was community court, who didn't have the resources to provide for the housing and treatment, and we found that our numbers went up. We do data runs based upon five downtown neighborhoods, seven crime classifications to encompass drug and drug related property crimes for three-month periods to come up with a group of chronic offenders. And then -- offenders. Then we created an outside advisory group, including the demographics of the neighborhoods that we were looking at, african-american, asian, hispanic, native-american, and anglo. And we asked the advisory group to look at our methodology in creating a list of chronic offenders to ensure that there was no unintended racial profiling, and they ultimately gave us a three-page report that supported the fact that we were not. We went forward, and we began with this group. We had the ability to with relationships with the jail, with the county to book these offenders for any crime. You drop a cigarette butt, we could actually book them whereas before we didn't have the capacity at the jail to do that. And then we tried to provide them services. Initially we started working with mental health director at the county just ad hoc. He provided treatment beds and such for us, and we immediately found a 30% drop in recidivism rates. He ultimately left that position, and our numbers went up higher than previous numbers immediately. The city hired through on a person to coordinate the efforts we made with the mental health director and again, through the ad hoc relationships, we were able to reduce those numbers about 30% again. Then the mayor and council began to support monetarily treatment beds and housing and immediately dropped 71%, and we've been able to maintain that production and recidivism rates for an 18-month period.

**Leonard:** 71%.

**Myers:** Our number one person on the first list had 47 arrests within a three-month period, did not go to jail for those offenses because they were under the radar for offenses that you could book for, and it wasn't adjudicate the, and there are estimates that it was costing in excess of a million dollars a year between county and city services, individuals in a wheelchair requiring constant attention at e.r.s for overdoses and so forth, and now we house him for approximately \$60,000, after he's gone through this program, and maintain that we still have some jail issues because of behavior but significantly less. I would estimate around \$80,000 a year. So we've taken a number of people through our program, and certainly it's really -- we can show graphically it's the support from social services, the county, central city concern, our partners, cascadia, all of whom provide the service and treatment that is paramount in our success in terms of this program -- success in terms of this program.

**Leonard:** I've said to many people -- I don't know if i've ever said it in this forum before, that the origin of project 57 came with the walk along I had with jeff and jeff shared with me his frustrations in those kind of stats and his lack to pinch somebody effectively, put them in jail, get their attention to get them in treatment. To the extent this is successful, it's due to your great work. You're an outstanding police officer, and i've known a lot of them. You are just at the top and I really appreciate your approach. You don't just view your job as a role of a police officer to enforce the law you intersect whether its working on bad buildings to improve whether were working on these kinds of things you just really set the standard. Were really lucky to have you.

**Meyer:** Thank you commissioner. It really is a joint effort. I can't say enough of how much your help and the help of all the partners that we have at the table the county the private providers that are providing resources. Thank you.

**Leonard:** One of the questions I did have is I've been told that on any given day of the 57 beds we have we don't fill them up. I've actually been told up to half of them are allowed to be used by other jurisdictions because were not filling them up. So as you know we've been talking back and forth about that, but i'm trying to get a handle on what is it we need to do to expand the -- not expand I guess but better utilize all of the available beds we have on the jail side then of course that brings up the issue of having to increase our money on the treatment side. It seems to me we're

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missing some opportunities to get people in jail. I understand that may be wrapped up in the protocol at the courts. But I think we should understand that. What's causing that to happen.

**Berg:** I think the latest stats show we're filling 53 of those beds.

**Leonard:** Oh, wow.

**Berg:** One of the things we've done in the p-57 committee that takes a look at it is expand the number of offenses that qualify for p-57, which has helped increase utilization. When the program first began we were trying to be careful about not opening the door too wide. So I think we are learning a lot through that process.

**Leonard:** So we are beginning to approach -- so do you have the list? Because I saw the list recently of what those offenses are -- with you? So the council can hear that?

**Berg:** It's mostly low-level property crimes, including -- it used to be p.f.c. And d.f.c., trespass, but it also includes drug crimes and some of the trespasses we've opened it up for some of the apartment areas where we've had specific problems and then of course u.v.'s, car prowls, chronic livability. The sorts of crimes people engaged in, drug use and abuse, used to support their habits.

**Leonard:** To be clear, for those listing up to project 57's implementations, those crimes were basically ticket and released?

**Berg:** Yes.

**Leonard:** Now we apprehend them, take them to jail, and they enter the system?

**Berg:** Yes.

**Leonard:** Great.

**Potter:** The thing I also wanted to talk about was prostitution. I consider that a serious problem, and there's a lot of neighborhoods in Portland where it's their dominant serious problem. With expiration of the drug and prostitution-free zones, I would like to make sure that the city is engaged in finding the resources to deal with the prostitutes, not only with their drug habits, but that's part of the issue, but also getting them out of that particular occupation. One of the things I've been doing is talking to the county about, one of the programs they have. It seems like in the last 10 years sort of as a community pulled back from that issue in terms of trying to get folks out of prostitution. Could you address that at all?

**Berg:** I think that's accurate, and Kathleen can probably talk a little bit about the fact that programs have ebbed and waned over the years in terms of getting people out of that lifestyle and decision making. In the conversations yesterday at Black Burn, Central City concerns was talking about most of the women in treatment at one time or another in their life have used prostitution as a way to support their pa bits. So I think we have been getting to the problem through some of the drug treatment, but we need to be more deliberate about that. And we need to be able to get people in the door potentially through criminal sanctions or arrests. And then get them into the treatment system which seems to be most effective way to handle the issue. And then the question of accountability on the customers is one that is a whole different issue to deal with. And we haven't --

**Leonard:** Do you have any ability to put them in jail, compensate their car goes a long way toward correcting that behavior.

**Berg:** On some occasions.

**Leonard:** They're not always drug-related kinds of --

**Berg:** But we used to have a program that put johns through a school, and many cities have that, where they learn about consequences of their behavior, and that program is no longer in existence. And it may be something we want to explore as an alternative to sentencing --

**Leonard:** Do we have recidivism tracking of johns? Do we know who gets rearrested, who our chronic offenders --

**\*\*\*\*\*:** I can tell from you my time in d.v.d., where we had the asset forfeiture side of it, we did see chronic offenders, but the vast majority were one-time offenders.

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**Leonard:** That's my sense, the tool of being able to arrest them and take their vehicle would cure --

**\*\*\*\*\*:** Definitely has an impact.

**Potter:** Trying to explain it at home.

**Leonard:** Exactly. Where were you last night and where is the car?

**\*\*\*\*\*:** In d.v.d. We required both parties that were on the title to come in to release the vehicle.

[laughter]

**Leonard:** There's no treatment program that can match that.

**Adams:** That's pretty effective.

**Potter:** Ok. Ed, could you speak to the issues we've been talking about?

**Ed:** Good morning. Anything in particular?

**Potter:** We just got through talking about prostitution, and comments were made that a lot of the drug treatment programs are actually also dealing with folks who have used that as --

**Ed:** The programs that see a lot of heroin addiction, crack cocaine addiction, methamphetamine addiction, will see a lot of women who have been involved in prostitution. Obviously not all women who are addicted to a substance are involved in prostitution. Because we do a lot of housing, I have the ability to interact with a lot of our line staff, and we have active empowerment programs for our clients. I get to talk to a lot of our clients that have achieved sobriety. I don't know a single woman that was engaged in prostitution to support a drug habit that continued with prostitution once they got sober. I think that is very rare for the -- I do want to say this. There are issues around the trauma that occur to a person when they're engaged in a life of prostitution that have a long-term impacts that can lead to relapse. And what I would encourage -- i've got this concern about creating a lot of new programs in an era where a lot of nonprofits are really on the edge financially. This is something i'm beating out in the community about right now. But on the other hand, it is a need, and I think alcohol and drug providers who are seeing a lot of these women need to be engaged in that conversation. There may be another way of doing this through enhancement rather than creating new programs that may be more sustainable in the long run.

**Potter:** God point.

**Kathleen Trapp(?):** Kathleen treb, department of community justice. All of the counties contract with outpatient and residential treatment demand they have trauma-informed services in their services. So we've been really helping them get training on different evidence-based practices to make sure they're dealing with the trauma when people are in treatment. But I used to run -- I think in the old days c.p.a., and that used to be one of my contracts, and that's been gone for a long time, then we gave money to life works, and that money is now -- we're looking at it. There's a whole planning process for different prostitution alternatives. And chiquita rollins is heading that up. So it would be nice if we could put those together.

**Potter:** How do we make that happen?

**Trapp:** I'd be glad to talk to her and ask how we can make that happen.

**Potter:** I talked to joanne yesterday about this issue, and she said they're very willing to work with us on this.

**Leonard:** One of the questions I have is kind of related to that. I've looked at the numbers and the breakout of how we're spending the existing \$500,000. I appreciate all the great work the county does, but I did notice we're paying overhead costs, we're paying for other things that i'm a little unclear about. I'm wondering why the city couldn't -- you guys do a great job. I've worked with central city concern now for 15 years on a variety of different -- actually that's not true. Since 1979 when cheers first went into effect, from then until now i've worked with central city in a variety of different levels. And i'm saying I just know your program is effective, and it works. What would be the ledge ever logistical problem with us contracting with you? Understanding we have limited dollars, that every cent we have where we get more people into treatment we're demonstrating has

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an impact on crime, and understanding that what I would like to see happen, and I know the mayor feels the same way, is to have this be a sustainable program. Not one subject cuts. In other words, if we implement this year because we have the resources next year, we get into a debate because we have a recession that we preserve this because it's a really tight well-run program that has results. Why couldn't we just contract through bhcd directly to provide --

**Ed:** Right now the current contract is for \$564,000, and last year there was a change in the way the contractual relationships went. So right now actually we -- we do contract directly with bhcd for the service team and the rent subsidies that are getting these people off the streets. There are three residential beds right now that the contract contracts -- the county contracts with. So the county pays coda, but there's a service team that includes the final decision on where people go based on clinical decision. Whether they go to residential treatment or some other form of treatment. And -- but the vast majority of the money that goes to our services is right now through bhcd.

**Leonard:** If we contracted directly with you, do you the screenings as part of your intake.

**Ed:** We do the screenings now. Right now service team that meets, I think it's a biweekly basis, is going over each case and making decisions about where people go. It's a clinical decision and a clinton -- and the clinicians on that team do include cascade ya, but the others are from central city concern.

**Leonard:** We could amend the contract for whatever that is, and with bhcd and you --

**ED:** I would have to let kathleen address -- I don't know what the amount of money s but there is a stipulation in our contract --

**Leonard:** I'm not talking about existing, i'm saying if we have new money, we could amend it for the new money to have a relationship directly with you and all that money will go into services.

**Ed:** You could.

**Leonard:** That's my question.

**Potter:** It seems like that's consistent with bhcd's job of providing housing for homeless that they tie these pieces together, not just the folks arrested.

**Leonard:** Exactly.

**Ed:** All the housing money currently is contracted through bhcd. The only aspect is the three residential beds. Kathleen might want to address that.

**Potter:** We do have a sheet of paper here.

**Ed:** I do want to straighten one thing out. We have control over access. That's more important to us than who pays coda right now.

**Trapp:** Your service team earlier, you wanted data and we coda already gives us data, all programs do, give us data on all of their intake and exit, how long people are in treatment, their success rate, and this allowed us to be able to give you the information you wanted. And we also think of it for people actually who you don't pay for, but we always have another maybe 10 people in treatment that you don't pay for.

**Leonard:** My interest is -- I appreciate the stats, but my interest is making sure when we up the amount that we're buying 100% services. And that is going directly to the provider to perform those services, and that the officers are aware, you know, x number of amounts of beds available, we're getting as much bang out of our buck as possible.

**Ed:** We would have infrastructure costs with collecting the data as well. I just --

**Leonard:** Right.

**Trapp:** 6,000

**Potter:** I think those are things we can look at as we put together a package for the fall bump to make that work.

**Leonard:** And we're doing that. My office is involved, yours is, and we're doing that.

**Potter:** I want folks to understand, what we're trying to do here is to take a program that's highly successful, it's really solves problems, not just displaces them as commissioner Leonard said, and

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apply it citywide. Because problems are citywide. And the drug abuse is citywide. And we think we can -- you can invest it one end or the other. When we invest at the back end we're paying for juries, and when you invest the front end we're investing in people and pulling them out after difficult time, and solving a huge social issue along the way too. So this is a much smarter way to do it, and I'm very pleased, commissioner Leonard, with your leadership and the support of the council for this. This is a big step for the city.

**Ed:** I want to say one thing about this service team. It includes the police bureau, central precinct, it's cochaired by Sara Westbrook and Sara who works for us, and it includes Cascadia and join and some other partners around the table. And the Mori think this is one of -- a great example of community policing, something that was envisioned along -- a long time ago. It's really working quite well. It's -- it's been a very interesting experience for us. We appreciate the invitation to be at the table.

**Sten:** I just wanted to make sure, I don't think I want to discuss it now, but you're doing a study of hooper detox. I think how that plays out, the council needs to be cognizant of what we're going to do, what central city is going to do and how we're going to play into it. And given that's another thing we fund in one way or another with the county, we ought to have an answer for that. I think it's probably going to move, maybe not, but I just wanted to put that into the mix for this conversation as it goes along.

**Trapp:** Could I also address one thing, I would hope you look at when you talk about treatment beds as -- there are no treatment beds to buy into the community right now, none. Of course you could help build a new facility, that would be one thing. But there really needs to be a continuum of services. Everybody doesn't need residential treatment, everybody doesn't need what's called just outpatient treatment. One of the things we really are talking about is a day treatment model that's already in existence. And we could expand that and couple that with housing. So people could have a safe place to live if they needed it, but some people do have places to live, and they could have day treatment, Volunteers of America runs that program. That's one of the models we're bringing forward to you. Because there is not residential -- I called every residential treatment facility again on Thursday and met with them, there are no beds to buy right now in the Portland area or in Multnomah county.

\*\*\*\*\*: You may have --

**Leonard:** You may have heard that somewhat surprisingly the city is acquiring another facility on Burnside that we envision doing those kinds of things, which creates brand-new opportunities to expand our services for this population.

**Sten:** We're helping the housing authority acquire it.

**Ed:** We've had real great success using what we call recovery mentors working with people and having them live in a community with other people that are going through process of transformation, where they're learning how to build support, a positive peer support group, where they're learning to live in a house that can support that transformation, where they're getting employed and where they're going through a deep personal transformation, where they discover that the community is important to them, the wider community, and that they have something to offer. And it's all about getting them in a place where they have something to give back. And we don't know how that's going to be, but we know from our experience everybody has that potential. So we're looking at adding different elements to this successful model. We have developed so far. We're pretty excited about it.

**Potter:** Thank you, folks.

**Leonard:** Thank you very much.

**Potter:** Do we have a sign-up sheet for this?

**Moore-Love:** We did, and no one signed up.

**Potter:** Ok. This is a resolution, please call the vote.



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**Adams:** I want to thank the mayor and commissioner Leonard for their work on this. I think that addressing the waiting list and lack of availability to service, which is absolutely key, i'd rather be taking care of an individual's challenges and getting them back to be a productive member of society than simply warehousing them on a very temporary basis, and -- than matrixed out back onto the street. Thank you for your work on this. I vote aye.

**Leonard:** I'm sure mayor Potter feels as I do there's hardly anything we dock that we could be more proud of that has such an impact on improving the livability of the community and giving people a chance to live good lives. And the partnership that we have developed with central city and the county and the police bureau I don't know if it's unique, but it's unique in my experience. I don't know if it exists like this in other communities, but this is a very -- this is what Portland is about, these kinds of thoughtful discussion and approaches to what have been traditionally thrown people in jail and throw away the key kind of approaches we know does not work. So this is outstanding work. I can't say enough about how much I appreciate mayor Potter's support of this effort and the expansion of it, and the willingness to try something different that potentially could have caused a lot of angst in the community. But because of this propose -- approach, for example we don't have a line of people criticizing this action by the council today, and it's been a long time coming, and I think it's a great day in Portland. And I am really proud of the council and the police bureau, and everybody that's working with us on this. So thank you very much. Aye.

**Sten:** I would like to thank commissioner Leonard and particularly mayor Potter for your thoughtful approach on the drug-free zone and prostitution zones. Actually 10 years ago I was in a pretty lonely position. I was the only person in the council to ho raised any questions about the constitutionality of the drug-free zones, which were later thrown out. I wasn't happy to be right about that, but I feared they punished people without convicting them. But there's a good argument for the drug-free zones, which is that neighborhoods are overwhelmed with people -- we don't actually lock them in and throw away the key, we don't lock them up at am. People would committee drug dealing offense and come right back out. So I understood both side and kept thinking that we can't settle for this choice of compromising civil rights versus just basic neighborhood livability. And that's what we've been doing for the last 10 years. I don't think it's because there's people with bad will on -- will on either side. I think everybody was trying to get to something better and I think it's not perfect, it doesn't solve all the problems, but today is much better. It's a proactive stretch. You wonder if had we been this aggressive 10 years ago in going after drug treatment and working with central city concern rather than going to court at least six times to defend a new version of the drug-free zone, maybe it would have made more progress in solving the core problem. I think I -- I don't remember the percentages, but the vast majority of property crime in these areas is driven by the drug trade, and people trying to get a fix. Let alone the havoc that's wreak order these people's lives and their families. Probably one of the most striking moments i've had is when the major developer of property in the river district told me the north park blocks were more safe after we opened up a 200-unit alcohol and drug-free recovery facility for people coming off the very, very bottom rung. And he told me that he walked it and once we started putting addicts in recovery into a clean, safe place, and a nice, beautiful building, the park blocks were safer because those folks were keeping the park blocks clean. And this is the same area that had been subject to all these rules that weren't working in terms of the drug-free zone. So mayor Potter, I think this is a bold legacy as police commissioner and it's the right move. Aye.

**Potter:** I know there's a lot of concern in that community about the sun setting of those two ordinances, the drug-free and prostitution-free zones, but in addition to the issues that we've talked about today, there's also an issue about disparative enforcement. And I want folks to know we're going to be working on that with the police bureau. Chief sizer is implementing a number of internal systems and controls to ensure that officers are carrying out their duties in a fair and

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equitable manner. I remember years ago in terms of using treatment versus suppression, I remember years ago Mike Shunk saying that the best crime prevention tool is an empty jail bed. And he was right to a degree. What he meant is that as long as we have another jail bed that we can always have a place to put people, but what this is saying is the real key to success of preventing crime is also having empty treatment beds. Where we have enough beds for everybody who needs one, and the message you heard today, we don't begin to approach that. With this program, what we hope is we can eventually have the kind of system that focuses on eliminating the problem, which is drug abuse. Providing people with the tools to be successful human beings. The tools are out there, the programs are there. It's really a choice for us to make, both as policymakers for the city as well as citizens. We can invest in the front end in human beings, or we can invest in the back end. And make sure that people are warehoused. The fact is, front end always works better because when you're helping people do with -- deal with their issues, they can come out of that and they can be productive people in the community again, and I've known a lot of the folks in the rap program that I consider friends because they are living what we're talking about. They've dealt with their drug problems in a way that's effective. I think programs like this are extremely effective in terms of using peers to talk to folks coming out of -- going into drug treatment, because the peers have been there and they know what it's like. And so I see this as a time where we're going to address a lot of the problems the community is concerned about, but we're going to do it a lot smarter and a lot more humane, and by the investment of the front end we're going to reduce the investment at the back end. We won't need as many jails because we'll have more treatment available. It gets to the root cause of the problem. And that's community policing. So thank you, Commissioner Leonard, very much, for your leadership in this. The rest of the council I really appreciate it. I look forward to seeing this implemented. I vote aye. [gavel pounded] please read 1188.

**Item 1188.**

**Jennifer Simms, Chief Financial Officer:** Mayor Potter and commissioners, for the record, I'm Jennifer Simms, the city's chief financial officer. And the project sponsor for the enterprise business solution project. The project will replace the current aging financial system i.bus and shadow systems and will provide an integrated, financial and human resources system and business process improvements. This ordinance authorizes amendment two to city contract number 37074 with Ariston Consulting and Technologies Inc. To provide systems integration and implementation businesses for the project. The contract amendment for which we are requesting your approval includes project scope and implementation changes based on the blueprint results of the project. The contract amendment costs for these changes is \$3,153,044, funds have been identified that will be requested in the fall bump. This contract amendment will cover costs through go live and provide additional contingency should it be needed for successful implementation. We request your approval for completion of the e.b.s. Project and I'd like to note that a representative from Ariston is here in case you have any questions for them. Thank you.

**Potter:** I visited on the 14th floor your -- the operations up there and how you're transitioning. I was really impressed. I would hope all the commissioners can get a chance to look at that, because that is the future. The only disappointing thing is when I saw your computer training room, realizing when this project was over that goes away and the city will have no ability to train people on computers after that. I think that's a financial issue, and I want to support you in making sure we always have a way to train our employees on the use of computers, because they're part of our lives whether we like it or not. Thank you for that part. Is there anybody signed up to testify? Are there questions for commissioners?

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

**Potter:** Would it be possible to -- this is an emergency vote tomorrow get one more city commissioner back for a vote?

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**Adams:** Any change in status in the overall projects since you briefed me last?

**Sims:** No. We're still working with the same implementation date, just January 24th. We're on schedule at this time.

**Adams:** Can we do the second readings?

**Potter:** Oh, good. Please call the vote.

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

**Leonard:** [inaudible]

**Potter:** Aye. [gavel pounded]

**Adams:** You just voted to rename the city. [laughter]

**Potter:** Please read item 1189.

**Item 1189.**

**Jeff Baer:** Good morning, Mayor Potter, members of council. I'm Jeff Baer with the Bureau of Purchases. Before you is a recommendation to award this contract to Tapani Underground in the amount of \$653,494. To break that out, we did identify eight different divisions of work for potential subcontract opportunities, and they were awarded in the amount of \$126,000 of which 14% were awarded to minority women and emerging small businesses. And they are in full compliance -- they're in delayed compliance with our equal benefit requirements to allow for them to catch up to their plan and that will be taken into effect in February of '08. So I'll answer any questions you have. We have a representative from B.E.S. Here if there are any project-specific questions.

**Potter:** Questions from the commissioners? Is there anyone signed up to testify on this matter?

**Moore-Love:** Did I not have a sign-up sheet.

**Potter:** Ok. I need a motion to accept the report and a second.

**Adams:** So moved.

**Leonard:** Second. Please call the vote.

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

**Potter:** Aye. [gavel pounded] please read item 1190.

**Item 1190.**

**Potter:** Second reading, call the vote.

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

**Potter:** Aye. [gavel pounded] please read item 1191.

**Item 1191.**

**Potter:** Commissioner Adams?

**Adams:** Go ahead.

**Linda Birth, Office of Transportation:** Linda Birth, Office of Transportation. I can do a brief presentation if you'd like about this street vacation, but I can also tell you there's been no controversy and no issues have been raised.

**Leonard:** I'll go for the latter.

**Adams:** I'd like a complete power point presentation.

**Leonard:** Can we save that for next week, then?

**Potter:** Any questions from the commissioners? Anybody signed up to testify on this matter?

**Moore-Love:** No one signed up.

**Potter:** A nonemergency, moves to a second reading. Please read the next item. Thank you.

**Item 1192.**

**Adams:** I'm --

**Jay Rogers, Office of Transportation:** I'm Jay Rogers I work for the Office of Transportation. The city contracted with Tri-Met to operate the carpool permit program in September of 2005 responsibility was transferred back to the city. While PDOT assumed responsibility for administering the program, the policy -- the prom pal sis were never brought to council nor included

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in the city's policy document. If council adopts this ordinance would it establish this program and allow for the inclusion of this program's administrative rules and the Portland's policy document. The ordinance recommended rule changes would improve management's program and would authorize the creation of a carpool permit program advisory committee. This ordinance gives the pdot director authority to authorize future carpool prices and policies. Thanks.

**Potter:** Questions from the commissioners? Anybody signed up?

**Saltzman:** I have one question. We're talking about the carpool parking permits?

**Rogers:** Correct.

**Saltzman:** Ok.

**Rogers:** 600 a month. We issue 600 a month. 500 on-street and 100 on smart park garages.

**Saltzman:** I was just looking, I notice it's carpoolers must live outside of tri-met's zone one.

**Rogers:** Right.

**Saltzman:** Has that always been the case?

**Rogers:** It has.

**Saltzman:** Ok. Thanks.

**Potter:** Other questions?

**Leonard:** Isn't zone one just downtown?

**Rogers:** There's a map, and it goes from fremont in northeast to holgate and 31st.

**Leonard:** Out east we call that downtown.

**Adams:** Nice save.

**Potter:** Any other questions? Is anybody signed up to testify?

**Moore-Love:** No one has signed up.

**Potter:** It's nonemergency, moves to a second reading. Thank you. Item 1193 has been set over. Please read item 1194.

**Item 1194.**

**Potter:** Second reading, call the vote.

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

**Potter:** Aye. [gavel pounded] item 1195.

**Item 1195.**

**Potter:** Second reading, call the vote.

**\*\*\*\*\*:** There's some amendments.

**Potter:** Oh, there is.

**Adams:** Where is she? Come on up. We would like to make some amendments that would provide a benefit that would fast track some of the changes in the pricing for this that would benefit certain businesses under construction right now to the tune of 12 to 30-some thousand dollars. And would like council consideration of fast tracking some of these changes to the sdc's to allow for that benefit for these small businesses.

**Kathryn Levine, Office of Transportation:** The ordinance before you has a proposed january 1st, 2008, application date of the new rate study fee schedule and code changes, and there are good reasons for that, including respecting statutory requirements and the like. But in one specific regard, there is a proposed change to how we charge small restaurants and the amendments proposed in this memo would allow you to direct staff to implement those immediately.

**Greg Jones, Office of Transportation:** Greg jones with office of transportation. One other addition to this, this is not retroactive. It's only looking forward from this point on. So they're not trying to go back into a rebate situation with past businesses.

**Adams:** Do we have to amend this?

**Moore-Love:** You do.

**Adams:** Do you have copies? Of the proposed amendment?

**Levine:** We do. There was an october 2nd memo that I believe --

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**Moore-Love:** Your tuesday memo yesterday.

**\*\*\*\*\*:** Karla distributed it. It would be helpful to have a copy. Those would be the two amendments we suggest you make. One of which creates -- causes this to become an emergency ordinance.

**Adams:** I move the council consideration of the amendments contained in the aforesaid mentioned october 2nd memo.

**Potter:** Second?

**Leonard:** Second. Please call the vote.

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

**Potter:** Aye. [gavel pounded] please call the vote on the entire package.

**Adams:** Kathryn, greg, thank you very much for all your work. It's been absolutely fantastic. Aye.

**Leonard:** Aye.

**Saltzman:** Good work. Aye.

**Sten:** Aye.

**Potter:** It is good work. Thank you. Aye. [gavel pounded] please read item 1196.

**Item 1196.**

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

**Potter:** Aye. [gavel pounded] item 1197.

**Item 1197.**

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

**Potter:** Aye. [gavel pounded] we're adjourned until next week.

At 12:10 a.m., Council adjourned.