



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6TH DAY OF FEBRUARY, 2008** 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.

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

	Disposition:
<p style="text-align: center;">COMMUNICATIONS</p> <p>184 Request of James B. Lee to address Council regarding ethics in publicly financed political campaigns (Communication)</p>	<p style="text-align: center;">PLACED ON FILE</p>
<p>185 Request of Pete Colt to address Council to thank Commissioner Sten for his service and present ideas for helping the homeless (Communication)</p>	<p style="text-align: center;">PLACED ON FILE</p>
<p>186 Request of Matthew Klug to address Council regarding Communications Charters and specifically Qwest (Communication)</p>	<p style="text-align: center;">PLACED ON FILE</p>
<p style="text-align: center;">TIME CERTAINS</p> <p>187 TIME CERTAIN: 9:30 AM – Students of Open Meadows Alternative School – Corps Restoring the Urban Environment (Presentation introduced by Mayor Potter)</p>	<p style="text-align: center;">PLACED ON FILE</p>
<p>188 TIME CERTAIN: 10:00 AM – Grant residential Solid Waste, Recycling and Compostables collection franchises in the City (Ordinance introduced by Commissioner Saltzman)</p>	<p style="text-align: center;">PASSED TO SECOND READING MARCH 12, 2008 AT 9:30 AM</p>
<p style="text-align: center;">CONSENT AGENDA – NO DISCUSSION</p> <p style="text-align: center;">Mayor Tom Potter</p>	

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Office of Emergency Management

<p>*189 Authorize contract with Systems Research and Applications Corporation to develop a Urban Areas Security Initiative Regional Training Infrastructure (Ordinance) (Y-5)</p>	<p>181584</p>
<p>Police Bureau</p>	
<p>*190 Authorize an Initiative Partnership Agreement with the Oregon High Intensity Drug Trafficking Area Executive Board, Oregon Department of Justice and U.S. Marshals Services as lead agency for the Oregon HIDTA Fugitive Task Force to secure participating federal, state and local law enforcement agencies mutual assistance for enforcement of federal and state drug laws (Ordinance) (Y-5)</p>	<p>181585</p>
<p>*191 Authorize contract with Michael Kemp-MDK Training for firearms and taser instruction (Ordinance)</p>	<p>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>
<p>*192 Apply for a \$150,000 grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the FY 2008 Gang Resistance Education and Training Local Program (Ordinance) (Y-5)</p>	<p>181586</p>
<p>*193 Amend contract with James Hayden to increase compensation for training in basic law and legal updates to include Miranda updates (Ordinance; amend Contract No. 37718) (Y-5)</p>	<p>181587</p>
<p>Commissioner Sam Adams</p>	
<p>Bureau of Environmental Services</p>	
<p>194 Authorize a contract and provide for payment for the construction of Transit Mall Sewer Rehabilitation Project No. 8620 (Ordinance)</p>	<p>PASSED TO SECOND READING FEBRUARY 13, 2008 AT 9:30 AM</p>
<p>195 Amend grant agreement with Friends of Tryon Creek State Park to coordinate and purchase land adjacent to Tryon Creek State Natural Area for reimbursement up to \$32,670 (Second Reading 160; amend Contract No. 37589) (Y-5)</p>	<p>181588</p>
<p>196 Amend Intergovernmental Agreement with Portland State University to coordinate Community Watershed Stewardship Grants (Second Reading 161; amend Contract No. 37629) (Y-5)</p>	<p>181589</p>

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<p>197 Authorize the Director of the Bureau of Environmental Services to enter into individual agreements with eligible property owners to compensate owners for reasonable and appropriate costs to reconnect private plumbing to another public sanitary sewer system, Project No. 8373 (Second Reading Agenda 162) (Y-5)</p>	<p align="center">181590</p>
<p>198 Authorize application to FishAmerica Foundation grant program for \$50,000 for Stephens Creek Confluence Habitat Enhancement Project (Second Reading Agenda 163) (Y-5)</p>	<p align="center">181591</p>
<p>199 Authorize Grant Agreements and Intergovernmental Agreements with five non-profit and public entities related to the Watershed Investment Fund Program (Second Reading Agenda 164) (Y-5)</p>	<p align="center">181592</p>
<p align="center">Office of Transportation</p>	
<p>*200 Authorize application to National Center on Senior Transportation for a grant in the amount of \$51,700 for the Out and About Seniors proposal (Ordinance) (Y-5)</p>	<p align="center">181593</p>
<p>201 Grant revocable permit to Jake's Famous Crawfish to close SW Stark St between SW 12th Ave and SW 13th Ave on March 16-18, 2008 (Ordinance)</p>	<p align="center">PASSED TO SECOND READING FEBRUARY 13, 2008 AT 9:30 AM</p>
<p align="center">Commissioner Dan Saltzman</p>	
<p align="center">Office of Sustainable Development</p>	
<p>202 Authorize Office of Sustainable Development to contract with East Portland Neighbors to perform Neighborhood Cleanup Events from FY 2007-08 through FY 2009-10 at a total cost of \$23,433 (Second Reading Agenda 171) (Y-5)</p>	<p align="center">181594</p>
<p align="center">Parks and Recreation</p>	
<p>203 Authorize Intergovernmental Agreement with the State of Oregon, on behalf of Portland State University, to provide survey and research related services to Portland Parks and Recreation (Ordinance)</p>	<p align="center">PASSED TO SECOND READING FEBRUARY 13, 2008 AT 9:30 AM</p>
<p>204 Authorize application to the Recreational Trails grant program of the Oregon Recreation and Parks Department for \$90,000 for the development of trails in Marquam Nature Park (Second Reading Agenda 172) (Y-5)</p>	<p align="center">181595</p>
<p align="center">Commissioner Erik Sten</p> <p align="center">Fire and Rescue</p>	

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<p>*205 Authorize Intergovernmental Agreement with Hillsboro Fire Department to operate and test a tillered aerial ladder fire truck (Ordinance) (Y-5)</p>	<p align="center">181596</p>
<p>*206 Accept \$25 donation from IOOF Eureka Rebeckah Lodge #178 to benefit fire and life safety efforts (Ordinance) (Y-5)</p>	<p align="center">181597</p>
<p>*207 Accept \$20,000 donation from The Fireman's Fund for the purchase of one street legal Kubota RTV 1100 rough-terrain vehicle (Ordinance) (Y-5)</p>	<p align="center">181598</p>
<p>REGULAR AGENDA</p> <p>Mayor Tom Potter</p>	
<p>Office of Management and Finance – Financial Services</p>	
<p>208 Authorize downtown waterfront urban renewal and redevelopment bonds to finance new capital improvements (Ordinance)</p>	<p align="center">REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>
<p>209 Authorize sale of sewer revenue bonds to finance system improvements, fund bond reserves and pay related costs (Ordinance)</p>	<p align="center">PASSED TO SECOND READING FEBRUARY 13, 2008 AT 9:30 AM</p>
<p>Office of Management and Finance – Human Resources</p>	
<p>*210 Authorize payment of insurance costs for the surviving family members of Officer Mark Zylawy currently enrolled in City health plans for up to three years under applicable provisions of the federal COBRA continuation of group health coverage law (Ordinance) (Y-5)</p>	<p align="center">181600</p>
<p>Office of Management and Finance – Purchases</p>	
<p>211 Authorize a 5-year price agreement with Brattain International Trucks, Inc. to furnish nine 5/6 yard dump trucks for a 5-year total amount of \$7,500,000 (Purchasing Report - Bid No. 107912) Motion to accept the Report: Moved by Commissioner Leonard and seconded by Commissioner Saltzman. (Y-5)</p>	<p align="center">ACCEPTED PREPARE CONTRACT</p>
<p>Office of Management and Finance – Technology Services</p>	
<p>*212 Amend contract with Structured Communications Systems, Inc. for the equipment and software required to implement an enterprise Storage Area Network (Ordinance; amend Contract No. 40890) (Y-4; Adams absent)</p>	<p align="center">181599</p>
<p>Commissioner Sam Adams</p>	

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<p>S-213 Amend City Code to provide funding based on residential use of the street network to address Portland street maintenance and transportation safety needs including at intersections and around schools, reduce traffic congestion, expand the bicycle network and improve freight mobility as companion to Multnomah County effort to secure funding to replace the Sellwood Bridge (Second Reading 115; add Code Chapter 17.20)</p>	<p align="center">REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p>
<p>S-214 Amend City Code to provide funding based on non-residential non-high pass-by use of the street network to address Portland street maintenance and transportation safety needs including at intersections and around schools reduce traffic congestion, expand the bicycle network and improve freight mobility as companion to Multnomah County effort to secure funding to replace the Sellwood Bridge (Second Reading 116; add Code Chapter 17.21)</p>	<p align="center">REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p>
<p>S-215 Amend City Code to provide funding based on non-residential high pass-by use of the street network to address Portland street maintenance and transportation safety needs including at intersections and around schools, reduce traffic congestion, expand the bicycle network and improve freight mobility as companion to Multnomah County effort to secure funding to replace the Sellwood Bridge (Second Reading 117; add Code Chapter 17.22)</p>	<p align="center">REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p>
<p align="center">Office of Transportation</p>	
<p>216 Vacate a portion of NW Naito Parkway east of NW 9th Ave subject to certain conditions and reservations (Second Reading 177; VAC-10045) (Y-5)</p>	<p align="center">181601</p>
<p align="center">Commissioner Randy Leonard</p>	
<p>217 Amend City Code to provide funding to address Portland street maintenance and transportation safety needs including at intersections and around schools, reduce traffic congestion, expand the bicycle network and improve freight mobility as companion to Multnomah County efforts to secure funding to replace the Sellwood Bridge (Objection to Ordinance No.181578; Previous agenda 178; add Code Chapter 17.21) (Y-5)</p>	<p align="center">OBJECTION SUSTAINED; ORDINANCE NO. 181578 REPEALED</p>
<p>218 Establish a Portland Safe, Sound and Green Streets Independent Oversight Committee to ensure the effective delivery of projects and services (Objection to Ordinance No.181581; Previous Agenda 179; add Code Section 3.128) (Y-5)</p>	<p align="center">OBJECTION SUSTAINED; ORDINANCE NO. 181581 REPEALED</p>
<p align="center">Commissioner Dan Saltzman</p> <p align="center">Parks and Recreation</p>	

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<p>219 Approve amended Articles of Incorporation for the Oregon Parks Foundation (Resolution) Motion to accept amendment to the last "BE IT RESOLVED" to read "The Council hereby approves the amendment to the Articles of Incorporation as opposed to the Amended Articles of Incorporation" Moved by Commissioner Saltzman and seconded by Commissioner Leonard. (Y-4, Adams absent) (Y-5)</p>	<p>36573 AS AMENDED</p>
<p>220 Authorize an agreement between Portland Parks & Recreation and the Oregon Department of Transportation to accept a grant of \$460,000 to develop a portion of the Columbia Slough Trail between Portland International Raceway and Martin Luther King, Jr. Blvd. (Second Reading Agenda 146) (Y-5)</p>	<p>181602</p>

At 11:08 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, FEBRUARY 6, 2008

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

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

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Potter: Each wednesday, I ask the question i've been asking the last three years: How are the children? The reason I ask that question is because I know that, when communities care for their young people, the community is better off for it, and so are the young people. Each week, we have folks come in to talk to us about what's important to them, and this week we have two young people from the de paul treatment center. It's been providing chemical dependency services for the last several years, treating over 20 thousand young people. They've made a big difference in our community. With that, i'd like to ask leanna and jesse to please come forward. Leanna is 17, and jesse is 16.

Sheila North: Thank you, mayor Potter and members of the council, both for your commitment to children and for having us here today. You know about de paul.

Potter: Could you state your name for the record?

North: Sheila norris, executive director. De paul has been providing residential, outpatient, and family therapy to youth and adults for, as you noted, some 34 years. We're the only youth provider in our community that does residential care for youth who can be referred from any place. They don't have to come from the juvenile justice system. They can be referred from their families or their schools. Our mission is to serve the underserved, and that includes those without resources and families who have few resources but are lucky enough to have insurance. Overall, each year we serve about 300 youth at our youth and family center in northeast Portland. We have an accredited alternative school located on our campus. The need for affordable services is great. About one in 10 children who need treatment for alcohol and drug issues receives treatment. Part of what we're initiating as a new service where we can treat young people in our residential facility and they can go home on weekends, we can leverage other funds to help us do that, specifically the Oregon health plan. That allows us to do some work with families as well on in-home visiting and prepare youth to make the transition back into the community. You are going to hear from leanna and jessie right now, and again I want to thank you very much for your commitment to youth. Here they are.

Leanna: My name is leanna, and i'm 17 years old, and my drug of choice is meth. I've been doing that since I was 13 years old. About 13 all the way up until I was 15. And i'm originally from california, so I was involved in a lot of gangs, and I came out to Oregon to try and find a better life until I was placed on probation. After that, I was placed on probation about a year, and I ran away and received a warrant, and then when I was finally caught, they gave me the choice of 68 weeks in a treatment like de paul or 18 months in rosemont, and I chose de paul because I wanted to not waste 18 months of my life in there. I'm panicking.

[laughter]

Potter: You're doing very well, leanna.

Leanna: I just think that treatment is a really big opportunity for people, and a lot of people don't, like, won't put themselves in there because they feel like -- you know -- because they feel that they don't have a problem, and I think that -- oh, my god. I'm blanking.

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Potter: That's fine.

Leanna: Well, since i've been here, I was court ordered, and I felt like it was really hard for me not to run, and now that i've experienced five months of being there, it's opened my eyes to a lot of things because now, like, I want to go to school again, and I want to live a good life and a life where I don't have to watch my back every 20 seconds. I don't want to have to -- you know -- like, sleep on the streets. I've learned a lot of skills, and i've stopped with the anger issues. Well, not stopped but lessened. I'm still working on it. I have a sponsor now, and I am on my fourth step, and i'm -- it's helping me a lot with a lot of my underneath issues.

North: You're doing fine.

Potter: You are doing fine.

Leanna: Thank you. The only thing I think other than funding for us is necessary is detox for youth, because I heard that cooper is only for 18 and older, and I don't think that's really cool, because the treatment place where i'm at, I don't think they accept people that are detoxing because it's a risk for us. That's less help for other people. They want to get help, and they can't because they're coming down. Or because the alcohol is not fully out their system or whatever. Am I just think that youth detox would be really great.

Potter: Thank you, leanna. Jesse?

Jesse: I'm jessie, and i'm 16 years old. I've been in this program for about a month now and, before this program, I was in the drug court program in clackamas county, and my drug of choice is cocaine and cannabis. I didn't really want to come into this program, but I thought about it for my family and for myself because, like, I do need help, and I finally realized that, because i've been doing drugs for a long time. While I was in drug court, I got sent to long, and I wrote a letter to the drug court team saying that, if I touched anymore drugs or used anymore drugs, then I would willingly walk into rehabilitation. Around christmas time, they said that I failed a u.a., and I didn't because I didn't use any drugs, but I was willing to come in here because I did write that statement and, like, i'm not, like -- i'm a man of my word, so i've always tried to keep -- you know -- what I said -- you know -- to good terms. And most of the time i'm a runner. I've been to four different treatments. I ran because I didn't want to be there and didn't feel I needed to be there. This program has really shown me the true meaning behind treatment, and it's not just, like, somewhere where they're telling you what to do or telling you how to do all the stuff. They give you a choice and -- you know -- they let you choose whether you want to be in this treatment or not. And I think that's really nice of them, I guess.

[laughter]

Jesse: But, like, my life before treatment was just a mess, and it was like an everyday constant party and I didn't really care about what other people had to say or, like, how people judged me, because I thought of myself more than I thought of anybody else, even my family and, like, in treatment now, like, i'm seeing that it's still, like, about me, but other people have ives for themselves. I don't want people to see me as the kid that's hopped up on drugs and doesn't care about anybody and, like, constantly doing stuff that makes you mad at them. Just like a threat to the community. And, like, where I see myself coming out of this program, because i'm really trying that use the skills to get by in life, I see myself, like, succeeding and getting out of here, completing drug court and, like, going to college at the art institute of Portland. And it's just, like, on -- i've always dreamed of, like, majoring in graphic arts and communications and advertising so I can open up a business. Now that i'm here, i'm taking g.e.d. classes because they're free and, like, they totally pay for everything, all your schooling and stuff. So i'm taking advantage of that and, when I get out of here, they're going to help me, like, get into college so I can get into college. They'll, like, help me with scholarships and stuff. It's a nice program. There's not a lot of funding to goes tight, and I think there should be more.

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Potter: Thank you, folks, very much. I really appreciate you coming in. I think it took a lot of courage to walk in here and sit down and talk about this, so thank you very much. Continue the good work that you've started. Can we give these young folks a hand?

[applause]

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 lobbying entity they are authorized to represent. Please read the first communication.

Item 184.

James Lee: Mr. Mayor, members of the council, my name is James Lee. I reside on Southeast Mitchell Street in Portland. I speak only for myself. Thank you for hearing me today. Before I say what I have to say, I want to say that, since I filed for public office, I really don't think it's quite proper to come down here and use this place as a podium, because we have other forums. Nonetheless, I couldn't think of any other way to say what I have to say here. I am seriously concerned by two of the people who are attempting to qualify for public financing, namely Mr. Dozono, Mr. Mid Dahl, because they're accepting contributions at an enormously high rate. Mr. Dozono is collecting at about a rate of 200 signatures per day. Mr. Mid Dahl is collecting at a rate of about 100 signatures to date. By comparison, Mrs. Fritz, who we all would admit is the gold standard in this public campaign business, collected signatures at the rate of about 15 per day. Mr. Lewis, who started six months ago, has collected signatures at the rate of about five per day. So what I would like to do: I would like to ask the auditor to cease processing the forms and the contributions of both Mr. Dozono and Mr. Mid Dahl until we can ascertain exactly the reasons for these anomalously high rates of collection. This puts the other candidates attempting to qualify that a great disadvantage, because they cannot get their funding until Mr. Dozono's 4000 alleged petitions and Mr. Midall's alleged 1600 petitions have been worked over by the auditor's office. I think this is a very serious matter. The credibility of our public elections are at stake here, and I would once again request the city attorney and the auditor to investigate exactly how these tremendously high rates of acquisitions of contributions and signatures were obtained. Thank you.

Potter: Please call the next.

Item 185.

Pete Colt: Good morning, everybody.

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

Colt: Pete Colt, and I'm representing me. I'm here because I'm suffering from separation anxiety actually. I wanted to thank you, Commissioner Sten, for all your hard work for the homeless and the city and all the good deeds that you do. You, Commissioner Saltzman, you, Tom Potter, when I first came to Portland four years ago this month, yours was the first hand I shook in politics. You are a welcoming man, and you welcomed me to Portland, and I still feel the same way about you today I did then. You've got curb appeal. [laughter] Commissioner Leonard, I want you on my back. Commissioner Adams --

Leonard: You want me to have your back.

Colt: I want you to cover my back. [laughter] Commissioner Adams, I never knew you were a latent heterosexual because you're married to a woman named Portlandia. I'd like to give you the monikers of the good guys because, as an entity, I think all of you have done such a fantastic job for our city. And I really am suffering from separation anxiety because you're not going to be here, Mayor Potter, you're not going to be here, Commissioner Sten, and who knows what lies in the future. Commissioner Saltzman, you'll be here. So we'll see what happens. The other thing I wanted to talk about, please, is I live at what Sue Abramson calls ground zero for prostitution in the

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northwest district. If one was to take a map of my neighborhood, which is the alphabet district, and lay over it, for example, a map of Washington square, one would find we're almost the same size. The neighborhood was developed in the 1800s when everything was walkable. So it's a real small neighborhood, gets a lot of traffic in it. We have a lot of prostitutes, things of that nature, but we also have a lot of transients coming into the neighborhood, and why they come this is this. There's fred meyer, and they go there with their recycle. Same thing is happening at safeway. I've gone to the manager at fred meyer, who has now moved over to the one in hawthorne district. I talked to the manager at the museum safeway. They both liked the idea. I called joe gilliam's office, the lobbyist for the northwest grocers' association, and thank you, because you gave me encouragement to do this at a town hall meeting you held in the northwest district. To back up a little bit, commissioner Adams, you're always out there with the public. You're always out there with all of us citizens, and thank you for that, too, a lot. Is that my time up?

Leonard: 30 seconds.

Colt: Social services are strapped. The police department is strapped. There's not a lot of money. We have all these poor people on the streets trudging back and forth with shopping carts full of things to recycle. Get all these people together. Get social services. Wherever the new home winds up for the day shelter, ok, please don't put a doggy day care in there unless you really have to. Instead put in a recycle center. What could happen is that the northwest grocers could contribute product that's almost going out of code at a discounted price to these people. Of course we're going to have to include tobacco, because we know they're going to smoke, but they could have bananas, apples, fresh produce. They could also have somebody from social services there at the facility so that they can establish a trust with those people who come in. These people many times have mental-health issues, and they're afraid of us. They're afraid to build trust with us. If we had social workers there rather than, say, for example at a building like a church or an administrative building, that would add some familiarity.

Potter: You're going to have to wind down.

Colt: Yeah. I'm sorry. Northwest grocers could also give them a few more pennies on the stuff that they recycle so what you have is a place where transients can come and find some had nurturing and shelter. The grocers' association wins. It's a win/win situation. Thanks for your time. Have a great day.

Potter: Thank you. Please read the next.

Item 186.

Potter: Read the name again. He has not come forward. Is that the end of the communications?

Moore-Love: It is.

Potter: Do any commissioners wish to pull any item from the consent agenda? I wish to pull item 191. It's a police bureau contract and needs some further work. Pull it back to my office. Is there any member of this audience who wishes to pull any item from the consent agenda? Please call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. Move to the next item.

Item 187.

Potter: Today we have some students. Please come forward. Students from the open meadows store. They've been participating in the city corps program called crew standing for corps restoring the urban environment. They'll be presenting a crime prevention crime study for two areas of Portland, one at holiday park and the other at peninsula crossing. Did you want to make any opening statements?

Lauren Reuben: My name is lauren reuben. I'm the project manager with crew.

Sherman Taylor: My name is sherman taylor. I'm 18 years old, a senior at open meadow crew.

Elizabeth Brenneman: My name is elizabeth brenneman. I'm 17 years old and a senior at open meadow crew.

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Adrian X. Thompson: My name is adrian x. Thompson. I'm a senior at open meadow crew program.

Potter: Who wants to lead off?

Brenneman: I will start. Good morning. My classmates and I attend open meadow crew, a project-based school in north Portland. We have conducted a city corps project evaluating the current state of public use and make necessary recommendations to make the fight safer for all. City corps is a program that partners with the Portland mayor's office to get youth's voice heard. We work on a problem that one of the city bureaus needs help w and then we make suggestions as to how we best thing that problem can be solved. We work with the office of neighborhood involvement in Portland parks and rec to learn how to make Portland public sites safer by using crime prevention through environmental designs.

Thompson: The question that we're specifically answering is how do we identify a public site, analyze it, and then make improvements so that people feel safer in that space. Crime prevention through environmental design will answer these questions. Cpted includes but is not limited to the following. Natural surveillance. This concept was designed to maximize the visibility of people using nighttime lighting. Natural access control is used to decrease crime opportunity by denying direct access to a crime target using gates and/or assigned entry. Third, territorial reinforcement. Using features that show the property lines distinguishing private and public spaces and also using landscaping, making it seem that someone is in control of the area. Maintenance shows ownership over property. Neglect to maintain shows less control, therefore showing a higher tolerance to crime.

Taylor: In order to decide on what locations we wanted to focus on, we brainstormed sites often used by our classmates and then discussed which ones were most threatening. As a class, we needed to find out what safety meant to us, so we came up with the following definition. Safety is a feeling of trust, support in a certain someone, something or somewhere. You can find peace in knowing no one is there to judge you for the way you look, and you don't have to worry about fears, danger, harm or sickness, a perfect state of comfort. Based on this definition, we decided on the sites which felt most unsafe to us, and we chose holiday park and peninsula crossings oh, which you will hear more about.

Brenneman: We chose holiday park because we all agree it's an unsafe place at times. Holiday park is a very nice park near lloyd center mall, lloyd cinemas, benson high school, and the max train, so there's always a lot of people passing through. It's a beautiful park. However, during the later hours, the park become as scary place. Unfortunately there's drug dealing, people panhandling, violence and even some prostitution. All this makes people feel uncomfortable in the park. I choose to avoid the park after dark because i've seen bad things there, violence, drug dealing, even prostitution and many times have been hit up for money or harassed by the guys hanging around in the park. Although i've seen all these bad things, I still see potential. Holladay park is an all-around nice, beautiful park that really deserves the attention it needs to make people feel safe while passing through or stopping by.

Taylor: Another site we chose to focus on is the peninsula crossing trail. The trail is very convenient, reliable, and a nice shortcut through the heart of st. John's community. It's a safe, convenient trail designed for the city, but right now it's dangerous and unsafe. Certain things make the crossing intimidateing. For example, one of the times we were there, there were people provoking us. There is graffiti on the trail not only on the benches but on the ground, and that can make it seem like there is some gang activity, which can be intimidating to trail users. There is people camping, trash, and people dumping their belongings there, and those are the main reasons why the trail feels unsafe for our crew and the rest of the community. The peninsula crossing trail really needs some changes to make it safer for the community and whoever wants to walk through the trail, and they don't have to worry about something happening to them or them getting hurt.

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Thompson: Once our sites were chosen, we began learning about cpte did, and how it can make people feel safer. Jerry and mary, two crime prevention specialists with the city, trained us in prevention through environmental design. We learned about the history of cpted and how public spaces can be altered to help prevent crime. Cpted is a bench with an armrest to keep people from sleeping on the benches. We visited the two rights regularly with mary tompkins who helped us analyze the sites and then, as a class, we visualized what the park and trail could look like. Adding a fish tank in the holladay park and a playground at the crossing trail. We ultimately picked our recommendations by voting on the most important and realistic changes. Some of the field trips we took helped us to further understand how crime could further be prevented. We were visited and discussed the history of holladay park. We also learned about city hall and the history of this building through a tour with bernie bottomly through the Portland offices of alliance. We visited the 11th avenue mural department downtown. The community is involved, especially the kids from new avenues for youth, to create a muir raul to change how the environment around it was used. We learned about how important clear visibility is in holladay park through our visit with mark hanson, the security manager for the lloyd center mall. We looked through the mall security cameras and learned that there are cameras actually looking into the park to help the security actually keep the park safe. We saw that bushes and trees needed be trimmed in order to see the crimes happening more clearly in the park. Lastly we visited the Portland building to visit the parks and recreation department do share our findings and gain support for our recommendations. All these experiences led us to determine our final observations and recommendations which you will now hear.

Taylor: Here are some of our observations and recommendations for holladay park. Benches. Some of the benches are being used to sleep on, which can be intimidating to park users. To some, it may pose a threat to them and make them feel uncomfortable and unsafe.

Brenneman: We recommend changing the benches into cpted benches with armrests in the middle of the bench to prevent people from sleeping on them.

Taylor: Trimming down trees and bushes. Untrimmed trees and bushes can provide hiding spots for people involved in illegal activity. The head of the lloyd center security, mark hanson, said untrimmed bushes and trees creates difficulty when viewing the park through their surveillance cameras.

Brenneman: We recommend trimming down trees and bushes, specifically the bushes to the west of the found thanh and the trees in the northwest of the park. The parks department actually already trimmed down the tree near the fountain as a result of our report.

Taylor: Lights. There appears to be no serious reason to add more lights. However, maintenance of the lights may be a problem. The covering around the lights are dirty and dusty.

Brenneman: We recommend cleaning the glass coverings over the lamps. This will help make the park look brighter.

Taylor: Signs. There are many security cameras watching over holladay park and yet no signs to tell people about the surveillance cameras.

Brenneman: We recommend putting signs up all through holladay park, making notice that there's surveillance all around. If people knew there were surveillance cameras in the park, it's highly likely they wouldn't be using the park for things it shouldn't be used for. Here's how holladay park would look with our recommendations.

Thompson: For the peninsula crossing trail, lights. Along the peninsula crossing trail, there is bad lighting. The few lights that are there are dirty. The light that is there is not emitted to see down the trail. Because there are not enough lights in the peninsula crossing, it's easy for a perpetrator to hide in the trees and rob innocent people.

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Brenneman: We recommend installing more lights. We also recommend that there not be too much distance in between each lamppost. Also some of the trees need to be trimmed down so the light emitted is good.

Thompson: Trash cans. There's a lot of garbage in the peninsula crossing trail, but there are no garbage cans along the path. This is a big problem for keeping the trail clean because, when people go through the crossing, there is no place to throw one's trash. This is another thing that makes the peninsula crossing trail look bad. You can see all the garbage on the side of the path. There is also a lot of graffiti on the concrete, the benches, and the fences along the trail. Vandalism can cause people to be afraid of entering the trail and of those who do the graffiti.

Brenneman: We recommend putting in more garbage cans so people won't throw their trash on the ground. All of the graffiti that's there needs to be cleaned up. We also recommend putting a cpted fence in because there is nothing dividing the trail from the residents' yards. It's a fence that you can see through or over so you can be aware of what's going on on the other side.

Thompson: There are no pay phones along the trail so that, when people are in danger and don't have a cellphone with them, they don't have any where to make a call from. If you are witness to a crime in the crossing trail and don't have a cellphone with you, without a pay phone, you can't call 9-1-1 to help the situation.

Brenneman: We recommend putting in six phones on the trail, two at each end of the crossing on north willamette and north fessenden streets and two more where the trail crosses lombard to help prevent vandalism. Pay phones, the phones should be placed somewhere there there is a lot of light. Pay phones would help a lot on the peninsula crossing trail, because not everyone has a cellphone to call for help when they need it. Putting in pay phones with no incoming calls allowed would help prevent drug deals from happening. And here are our recommendations for the peninsula crossing trail and how it would look if these changes were made.

Thompson: We, as a group, don't feel comfortable walking through the holladay park and the peninsula crossing trail because of the lack of lighting, garbage cans, pay phones, and untrimmed trees. Our recommendations will make people feel much more comfortable with little fear by adding these recommendations to the two areas. Bringing these recommendations into fruition will make these two areas much nicer and more welcoming for people to want to walk and ride their bikes through and use these areas to spend time with family. As another member of the open meadow crew family, I hope that all of what we have said finds a place in your mind and in your heart. We hope that you consider our observations and recommendations that we have made and take them seriously. We have put in a lot of time and effort into this project, and we are fully behind the results that we have come up with. We are very proud of ourselves for the work that we've done and thankful for the opportunity to voice our opinions and to do so in such a public way.

We hope that we have been a positive example for our fellow teenage high school students everywhere. We encourage you to continue to hear what other teens have to say and allow them to voice their opinions and concerns as well. If you have any questions or concerns, please feel free to ask us and give us any suggestions and/or feedback you may have. Thank you.

Potter: Any questions from the commissioners?

Adams: That was great.

Saltzman: I want to say, as the commissioner in charge of parks -- and I see mark warrington is here in the audience -- I appreciate this work, and we will take this project and will implement it. I'm not sure about the pay phones, because somehow I see those pay phones getting jacked, but I like everything else here. I'll work with our parks security and our parks bureau to get as many of these done as possible. Your work is outstanding. Thank you.

Thompson: Thank you very much.

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Potter: I think this is a very professional document you folks turned in. The city of Portland not only pay as good deal of money to consultants for this, and I think you folks came up with an excellent product, so thank you very much, and it will be utilized.

Taylor: Thank you.

Brenneman: Thank you very much.

[applause]

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

Item 188.

Saltzman: I'm happy to have the office of sustainable development here today to present the renewal of the residential franchise for solid waste collection, because this will provide the framework for roll carts -- new roll carts -- and other upcoming changes as part of our Portland recycles: Plan. This 10-year franchise approval will help haulers when they go to the bank to get loans for purchasing the roll carts to be delivered to your home later this spring and summer. The haulers need this assurance for their financing needs. This franchise renewal will also protect viability of our system by allowing haulers to collect more recycles, using cleaner trucks and to continue Portland's leadership in recycling and waste prevention programming. Bruce walker and jennifer porter from o.s.d. will now give us a little more background on this.

Bruce Walker, Bureau of Planning and Sustainability: Thank you very much. We're excited to bring forward the new franchise agreement, and the changes that commissioner Saltzman has laid out we'll go through in a little more detail with you, but there are important amendments I want to go through as commissioner Saltzman has pushed us, and we're looking to make positive changes, and hillsboro leadership has helped move us along. When we started this franchise agreement back in 1992, there was great support through the community, so all the citizens who continued to put out the recyclables on a regular basis, the haulers who have done effective, reliable collection over time have been very positive. When we brought the initial agreement forward, there was effective management of the program. Susan kiel is here who brought that forward back in environmental services in '92. And now i'd like to turn it over to a new program coordinator in our office who has assumed greater responsibility and taken forward the Portland recycles: Plan and the franchise agreement, jennifer porter.

Jennifer Porter, Bureau of Planning and Sustainability: Good morning, mayor. Good morning commissioners. Before I get started, I just wanted to note that we had a scrivener's or clerical error on a version of the ordinance that was initially submitted, so you should have a corrected version now that lists on the front table 23 haulers undersigned in the agreement including wacker and walker who were initially inadvertently omitted from the original version in the publication we had done in preparation for this. Just to give a little background, it was just under a year ago that we came to council for direction, last february, to begin the franchise review, and we came back in september, presenting a report on the franchise, saying that we supported the continuation of the program and that we'd be back with the final agreement language. So we are here today with that final agreement for your review and approval. The existing agreement was approved in 2002 for 10 years and called for a midterm review to assess the performance of the system. That's what we have undertaken in this last period of time in terms of hauler meetings, working with our solid waste advisory committee, and the Portland community review board. The review concluded that the franchise system is meeting our goals for waste reduction and recycle, customer service, and cost effectiveness. So this new agreement would be for 10 years and would supersede the previous portion of the existing agreement. So I just wanted to cover four primary changes we're proposing in the language before you. The first is a new focus on food waste and compostable collection. The council approved the residential portion of our Portland recycles: Plan back in august, and that calls for food waste at the curb starting in 2009, so there's language changes in this franchise to support that program. Second lee we've added language around opt in for residential rates for small

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businesses in part because of concerns you voiced. We've included here language essentially that allows a business that is like a house, similar to what's covered in our residential franchise, to access the residential rate. We're doing this now to respond quickly to your concerns, but we are coming back to you in march with a more complete look at the commercial sector. Third, disaster response procedures. The franchise now calls for specific plans from franchisees to describe how they would resume service for curbside collection if there was a disaster. And finally i'm going to highlight sustainable fleets. Guidance for cleaning up both our collection vehicles and the fuel that the vehicles used was passed as part of the Portland recycles: Plan, so the language in the franchise here related to sustainable fleet says that we will present these changes formally in city code which are forthcoming, but the changes will be related to the use of b 20 biodiesel, which is actually something the franchisees are already doing as well as looking at diesel emission control devices on the trucks and newer vehicles. Overall, we're very excited about the roll carts that will be coming to customers this spring and summer, and I really wanted to highlight also the great partnership that we've had with the 23 undersigned haulers to this agreement, which was really a great example of government setting the rules and private sector carrying out the service. So thank you so much for your leadership. I just wanted to express my personal appreciation also for your commitment to making Portland have one of the finest recycle systems in the nation. Thank you.

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

Moore-Love: We have one person, david white.

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

David White: Good morning. My name is dave white. I am regional representative for the Oregon refuse and recycle association and chair of the tri-county council that's made up of Portland haulers. The tri-county association enthusiastically supports this and the changes proposed today in the document. I will note that there were two concerns that we did have and, in further discussions with staff, we've been able to work those out. One actually have to do with the opt-in clause you just heard about. Our concern was that the cost of providing services to businesses is not exactly the same as providing it to a residence. The cans can weigh more going down a hallway or down into a basement, around a corner, can take more time than servicing a container at the curb, so we had some concerns. Through further discussions, we agreed that what we really were talking about was, as staff said, it's a house. It's a container being brought to the curb. It's limited to one container. So we're fine with that. The other concern we have had to do with section 18.1 which talks about opening up the franchise in a couple of years if council decides to consider a commercial franchise, and we realized that it was for a limited purpose, and it really was just to put all of the value and all the revenue that's generated from both residential and commercial on the table in terms of dividing up, if you were to do that, into territories. We're absolutely fine with both of these. They make sense. We support the franchise, and we ask for your support. Thank you very much.

Potter: Is there anyone here who wishes to speak to this issue? This is a nonemergency and moves to a second reading. I understand the second reading will be on march 12th. Has to go at least 30 days.

Moore-Love: Right.

Potter: We'll move to the regular agenda. Please read item 208.

Item 208.

Potter: I'd like to request to pull this back to my office. Pardon?

Eric Johansen, Office of Management and Finance: I'm on the next item.

Potter: Please read item 209.

Item 209.

Johansen: I'm eric johansen, debt manager, office of management and finance. The ordinance before you this morning authorizes the issuance of sewer revenue bops for three purposes. First of

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all authorizes up to 300 million in new money to fund b.e.s.'s continuing capital program. Those bonds will be structured over 25 years with level debt consistent with some of the decisions made two years ago during the budget process. The second purpose of the ordinance is to allow the city to refinance outstanding bonds. There's currently one issue, a 1998 sewer revenue bond, that we believe will be currently refundable for debt service savings purposes. We think right now there's about 6.2 million in present value savings available from that refinancing or about 775,000 per year.

We should be able to realize some pretty nice savings from that refinancing. The third is to allow some refinancing of debt. Currently we have 150 million of what we call the auction rate securities outstanding. There's been a decline in demand for these kinds of securities over the last few years. These bonds of insured by one of the companies that is at risk for a downgrade. We thought this would be a good time to convert this over to fixed rate debt at what we think of attractive rates. The ordinance accomplishes all three of those purposes. It would be our intent to sell the bonds totaling somewhere around 550, 650 million through a competitive sale sometime in april of this year. With that, i'd be happy to answer any questions.

Potter: Questions? Thank you. Think I signed up to testify on this matter?

Moore-Love: We have one person signed up, richard grady.

Potter: Could you reread his name, please?

Moore-Love: Richard grady.

Potter: He's not here. Is there anyone here who wishes to speak to this matter? This is a nonemergency and moves to a second reading. What is the date of the second reading?

Moore-Love: That will be february 13th.

Potter: Ok. Please read item 210.

Item 210.

Potter: Officer zylawy died about a week and a half ago in a car accident off duty, and his widow and four children, their health benefits expire at the end of the month, and this is a way by which the city sees its role in terms of helping provide some temporary relief to the family. Did you with issue to say anything?

Yvonne Deckard, Director, Bureau of Human Resources: I think you just said it, mayor. I'm here to answer any questions the council may have. The coverage estimate for the ordinance is about \$56,380. This is an estimated amount that would cover actual costs for medical, vision, and dental and employee assistance plan for all eligible members of officer zylawy's family for a period of three years.

Potter: Are there any questions from the commissioners? Thank you. Is anyone signed up to testify on this matter? Well, we'll know in just a minute. Did you say robert was here?

Leonard: He was here earlier. I don't know what happened to him.

Moore-Love: Robert king might be in the building. He wanted to speak to this item.

Potter: Let's see if we can locate him. We'll set this over for a few minutes.

Deckard: I'm actually calling him right now on his cellphone. Of course I get his voice message.

Leonard: Of course you do.

Moore-Love: Hold the vote on this for a while?

Potter: Yes. Let's move to item 211. Please read item 211.

Item 211.

Jeff Baer, Director, Bureau of Purchasing: Good morning. I'm jeff baer with the bureau of purchasing. Before you is a request to enter into a five-year price agreement with brattain international to purchase these dump trucks. We have some immediate needs to purchase for water bureau and also for the parks bureau, and this'll allow us to create more of an efficient system over the next few years so that we can buy them as needed. It doesn't guarantee that we're going to buy any amount, but yet we'll have it in place. The structure will be in place in case we do need to purchase them.

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Leonard: Certainly they'll have fine diesel engines powering them.

Baer: They do, and they will operate on biodiesel.

Adams: What kind of biodiesel?

Baer: At least a b-20. John hunt is here. He can answer that if --

Adams: B 20?

Baer: B-20.

Saltzman: And will these have the state of the art diesel particulate traps?

Baer: They meet the 2007 emission standards.

Potter: Further questions?

Adams: Will they have the guards on them for bikes?

Baer: That I don't know. I can ask john hunt that.

Potter: When I was out there at the paint shop recently, they were putting some on some of those new trucks.

Adams: I just wanted to make sure we got them on the new new ones.

Potter: New new.

John Hunt, Office of Management and Finance: John hunt, fleet manager. Because of the size and design, they'll have, like, tool bins that would protect from a biker being drawn into the center between the axles, but you are correct that any units that are bought that have some space will have the side underrun guards installed.

Adams: Thanks.

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

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

Potter: Is there anyone here who wishes to testify to this matter? It's a report. I need a motion and a second.

Leonard: So moved.

Saltzman: Seconded.

Potter: Please call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. Please read item 212.

Item 212.

Mark Greinke, Bureau of Technology Services: Mark greinke, interim director bureau of technology services. Here today to request your approval to increase spending authority for an existing contract we have with structured communications systems. The city entered into this contract in february, 2005 as part of a competitive selection process. Current contract is set to expire in february of 2010. Over the last three years, our data storage requirements have increased significantly, including several technology products, which is cad, the enterprise business solution project, and g.i.s.-related projects. This contract amendment increases spending authority to address current and forecasted needs through february, 2010 -- february, 2010. We request an emergency ordinance to address some really increasing needs that we have for critical storage as well as backup. The most critical issue is failing back-up systems that we have that have resulted in some data storage losses for several of our customers. All funds to pay for this increase are within our bureau. I'm here to answer any questions that you may have.

Potter: Questions from the commissioners?

Saltzman: What is the original contract amount?

Greinke: The original contract amount, it's been amended two times. The original contract amount was, I believe, \$1.2 million. The not to exceed amount now on the third amendment is approximately 4.5 million.

Saltzman: I have problems when we have contracts that start out at one amount and then are amended subsequently, and this is an amount that's tripled the original.

Greinke: It's the third amendment. Yeah. I think a lot of it has to do --

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Saltzman: Without seeking competitive selection.

Greinke: We've done some significant research to ensure that we're getting a fair value for what we're spending for this particular extension, although we really need to do a competitive request as we move beyond this contract.

Saltzman: But we didn't do a competitive request for this current 4 million addition.

Greinke: Did not.

Saltzman: The reason is?

Greinke: Well, we have an extremely emergency need right now, and we also believe we did diligence to ensure we're getting competitive pricing.

Saltzman: Are there any subcontractors associated with structural communication systems?

Greinke: Not with this particular item, no.

Saltzman: Ok. Thanks.

Potter: Further questions? Anyone signed up to testify?

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

Potter: Anyone who wishes to address this issue? Please come forward. Please state your name.

Pete Colt: Pete colt. Thank you. Commissioner Saltzman, thank you for looking out for our interests because, if it's gotten to the point where it's an emergency, it should have been taken care of a while back. Also I would ask to see if there's anything going to be involved with any microsoft components, the reason being that france, massachusetts, and several other government entities have switched from using microsoft office to using open office.org since it's a free office suite which pretty much does everything that microsoft does. Initially the department of homeland security has suggested that government entities switch from using internet explorer to using firefox and thunderbird, more secure for browses and for email.

Potter: Would you like to respond to that?

Greinke: Well, I can state that the architecture that we've implemented is certainly vendor neutral. It supports microsoft operating systems as well as various unix and linux flavors, and we also use it for a.x. currently with our e.b.s. solutions. Any additional questions?

Saltzman: I guess getting back to the 4.5 million dollars amount of this new amendment, you said it's in your budget. What's not going to get done in your office?

Greinke: Well, I think the most pressing need we have right now is we have a back-up infrastructure that's been failing, and it resulted in some data loss for our customers. We'd potentially have more of that.

Saltzman: I'm saying what's the opportunity cost of the 4.5 million that you're devoting to this contract amendment? There must have been other work in your office that isn't getting done or funded as a result.

Greinke: Additional --

Saltzman: You didn't anticipate this amendment of 4.5 million, did you?

Greinke: Originally we did not anticipate the -- we did not forecast the demanding -- the increased needs of storage that we have throughout the city or the number of projects that were not planned when we actually executed the project.

Potter: So the question is, if you didn't anticipate it, where is this money coming from and, as a result, what other programs may not be done as a result of applying the money?

Greinke: We have the dollars in our reserve account, and we can basically collect an allocation cost for those increased costs. I mean, we may have to delay upgrading our email system. That would be an example of one of the potential impacts that we would not have additional funds to do.

Saltzman: Do we know -- is this the last amendment?

Greinke: This is.

Saltzman: This is the last amount. Ok. Thanks.

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Potter: No further testimony. Since it's an emergency, call the vote.

Leonard: Aye.

Saltzman: Well, i'll support this because of the nature of the emergency involved, but i'm not happy at all about any contract -- and it didn't relate to this one but any contract that's amended three times above its original amount. That's just not prudent practice and, like I said, it's not unique to our information technology folks, but it does give me great concern. I think, when we're doing a contract amendment that far exceeding the original, we should actually go out and competitively seek qualified vendors who might want to provide that same service as a check and balance. But this does sound like it's an important emergency, so I will vote aye.

Sten: Aye.

Potter: Aye. Returning to item 210.

Item 210 continued.

Potter: I see that robert king is here. When you speak, please state your name for the record for the record, and you have three minutes each.

Robert King, Bureau of Police: My name is robert king. I'm the elected president of the Portland police association, and i'm here today, mayor and city council, to simply say "thank you" to you and on behalf of all of the police officers, sergeants, and detectives and criminalists that I represent. We wanted to recognize and acknowledge you for being willing to find a way, as a city council, to be supportive of mark zylawy's wife and his children. You all know the city has had a devastating blow in mark's death. We are all -- we continue to be shocked and are working to find a way to understand what's happened and to live through this loss of our good friend and our coworker, mark. And so, when you take a step like this today by allowing his family to have access to the city's health insurance in a way that's just simply gracious on your part, I just wanted to come here today and say "thank you" very much on behalf of all of us.

Kelly Shafer, Bureau of Police: And my name is kelly shafer. I just echo the same. Thank you very, very much from all of us. It mean as great deal.

Mike Marshall, Bureau of Police: And mike marshall, a sergeant in the chief's office. Again i'd like to echo robert's statements. It's a very nice gesture, and the family's very, very appreciative to have a look at this matter. So thank you.

Potter: Thank you, folks. Did I ask if there had been a sign-up sheet on this.

Moore-Love: There was. No one else signed up.

Potter: Anybody else wish to discuss this issue? Thank you, folks. It's an emergency. Please call the vote.

Adams: I'm happy to do this. Aye.

Leonard: The police profession is really, in many ways, very familiar to me given my prior history. People that work in those kinds of jobs come to work not just because they're trying to earn a paycheck, but it's a passion and it creates a bond not unlike a family. I am very proud that the police bureau has come together as they have to support a member of their family who is the survivors that mark unfortunately left behind, and this is the least that we can do for the outstanding service he has given our community, and i'm really very pleased to be in a position to support it. Aye.

Saltzman: Well, it truly is a big loss to our city and to the police bureau to lose mark zylawy. I don't think I met him, although I may have been on a ridealong once, but I did have a chance to the attend part of the prayer vigil service last thursday and was certainly impressed with the depth of not only the bureau, northeast precinct officers and personnel, but the community, the pastors and citizens and kids all wearing their z man hats. He really left, as I can tell, as I surmisedded, he made quite an impression and did a lot and treated people fairly and with respect, and that's so much a part of the work of the police in the city, and he did it well. So this is a small gesture, but it's an

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important one that provides health insurance to his family for three years, and i'm pleased to support it. Aye.

Sten: I did not know the officer, but i've come to know his reputation and certainly know close friends of mine have spoken so highly of him that I can see what a tremendous loss it is, around I appreciate the mayor and everyone working on this. It's not enough to fill a hole, and people die tragically in all walks of life, and I think sometimes we don't realize what it leaves. I think perhaps by helping this officer, we're not only doing the right thing but kind of thinking about how we should be able to come together as a community when these types of things happen. It was a tragic circumstance that I don't think we'll ever know exactly what happened. We do know it's a huge loss, and it's certainly an honor to be able to help in a small way which is obviously nothing like the loss. Aye.

Potter: I think this gesture towards the family in terms of providing health care is a very important gesture, and I think what it does is it reflects upon the legacy that officer zylawy left not only within the Portland police bureau but within the community. He will be missed. His family will continue on, and this will be one small way in which we can help. I vote aye. Please read items 213, 214, and 215 together.

Item 213, 214, and 215.

Adams: I think we discussed that we will take public testimony when we get to consideration of items 217 and 218, but I propose that we send these three ordinances back to my office, and i'd like to make a statement. I believe that enactment of a major that fee in the city requires unanimous support by the Portland city council. An enactment of the safe, sound, and green streets was also recommended by the 89-person steering committee for the safe, sound, and green streets initiative, a steering committee that was very diversion in its representation. It was also support said by the "oregonian," and the majority of folks that filled out a survey and attended the 21 public town halls on this issue. But the corrosive interests of special interest lobbyists have taken their toll on this issue, and I still have four votes in support of enactment, but I no longer have unanimous support on the Portland city council for enactment of the safe, sound, and green streets initiative. So I propose that the Portland city council refer the safe, sound, and green streets initiative to the november general election ballot. It will be subjected to monumental misinformation by the big oil/petroleum industry, but I trust voters. I trust Portland voters to see through this misinformation and to make the right choice to save lives, save money, and reduce greenhouse gas emissions. A november election and not one in may will allow for a full debate on the safe, sound, and green streets initiative. Anyone who thinks that this can get done in any way that is fair, objective in may with a quick turnaround in may simply is basically saying they oppose safer streets in Portland. The november election will likely have the largest turnout in recent history, and it will allow for the highest amount of participation of the voters on this issue. I appreciate the city council for considering this approach. My request is that send these ordinances back to my office.

Potter: being that I was the fifth vote, i'd like to make a statement as well is that I support this fee. I think it's important for our community. I think it's important on how it's presented to the community. There's been a lot of talk over the past few weeks and maneuvers, but I have felt that this is something that should be voted on by the voters, and I also represented that it be voted on in may, because I believe that going to the november ballot places it and a number of the other issues that will be on the november ballot in jeopardy. So I believe that that's important, but there will be time for that discussion.

Leonard: Well, in that context, I was going to make some remarks on the next item, but it appears they're more contemporaneous to this discussion, so i'd like to say a couple things. Our form of government was thoughtfully crafted based on centuries of world history, going back to the ancient greeks and romans. And when the founding fathers, specifically alexander hamilton and james madison and john jay, attempted to explain to the american public why they should adopt the

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document known as the united states constitution, they engaged in a series of treaties that they published around the colonies that we now know as the federalist papers. The federalist papers, i've got an old dog-eared copy of that i've used for decades, but I used in it a lot in the legislature, because this kind of discussion came up a lot, and I would use it to remind my colleagues, when they would get up and talk about the right of the people to vote on certain issues and the sanctity of the referral system that, in fact, according to our founding fathers, those are actually perversions of our form of government. Our founding fathers created a government thoughtfully balancing and arguing whether or not we should have direct democracy or republican. When you put your right hand over your heart and you say, I pledge allegiance to the flag of the united states of america and to the republic for which it stands, you don't say to the democracy, and those were very thoughtfully considered words. Those were very thoughtfully considered alternatives when this government that we live under was designed. In Oregon, we adopted the initiative referral system around the term of the 19th to 20th century. I think it was in the 1901 session of the Oregon legislature. It was fairly unique in the united states, south dakota having adopted it first a couple years before that. And what we have seen from then to now is exactly what, in particular, james madison predicted when he wrote federal list paper number 10 when he is debating whether or not we should have a direct democracy as our form of government or whether or not we should have a republican form of government, meaning a republic. He said, a pure democracy who assemble and administer the government in person could admit no cure to the mischiefs of faction. A common passion or interest will, in almost every case, be felt like a majority of the whole. A communication and concert results from the form of government itself, and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been speck tack chemicals of turbulence and contention, have ever been found incompatible with personal security or the rights of property and have, in general, been as short in their lives as they have been violent in their deaths. Theoretic politicians who have patronized this species of government what erroneously supposed that, by reducing mankind to a perfect equality in their political rights, they would at the same time be perfectly equalized and assimilated in their positions, their opinions, and their passions. A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect and promises the cure for which we are seeking. Of course the 13 colonies went on to ratify the united states constitution. Oregon became a state in 1859 and adopted the constitution on february 14th, 1859, that encapsulated those words -- encapsulated those words and that form of government, and it wasn't until some 40 years later until the initiatives referendum was put into the constitution. Here's what that means. It has a direct impact on the struggles that we have as a state today. We have a school system that is underfunded, overcrowded with a crumbling infrastructure as a direct result of the initiative referendum where the passions of the majority overwhelmed the rights of the minority, in this case children. You have a crumbling infrastructure on our streets and highways in Oregon that are costing people's lives. Why? Because every time the legislature tries to increase the gas tax, the passions of the minority, in this case the petroleum interests, referred to the voters, come up with untold dollars to kill it and, as a result, we have a bridge in Portland that's rated two on a scale of one to 10 in terms of safety. And I want to remind you the one that collapsed in minnesota was rated 50. And we don't have the money to fix it. As I sit here, a bus can't go over the sellwood bridge. A fire engine can't go over the sellwood bridge. Why? I would argue directly because of what james madison predicted would happen when you allow the passions to marginalize the interests of the whole. We have children in Oregon that won't have health insurance, that are today not having health insurance, because the tobacco industry accumulated tens of millions of dollars to kill an initiative, actually to pass a referral to kill the initiative the legislature passed to provide health care for children. I would argue that is a victim of the initiative referral system. So I would make this past point to major Potter that the people that unfortunately you find yourself aligning

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yourself with today are the same people that hate the day labor center that's being proposed on the other side of the river, that hate the homeless access center this they hate immigration rights. They think that anybody that wasn't born here should be run out of this country on a rail. They hate your position on del monte. And if you think this is a good idea to refer this to the voters, how do you ideologically not propose having the voters vote on a day access center? That's spending taxpayer dollars. That's controversial. Some of these same folks that don't like this idea don't like that. What's the difference? Well, there isn't a difference. And i'm prepared to vote and fund a day labor center just as I am prepared to make a decision here today to fund our roads, because this is not an esoteric issue, as we've heard from some of the folks that are in the audience. This is costing people their lives. This is causing people to, at minimum, be fearful. This is causing people, at minimum, to be unsafe. And this is causing good, hard-working Portlanders increased maintenance costs on their vehicles because of the condition of roads that cause more harm to them. It's not fair. And it also, to me, just as James Madison said, not appropriate to subject issues that I believe have to do with public safety and welfare and interests to be subjected to tens of millions of special interest dollars from out of state oil companies, from those that have no interest in the safety or welfare of performers but do have an interest in their bottom line. And I get that. I've been doing this long enough that I get that, and I think what i'm saying here isn't really so out of the box. I think what i'm proposing here and what i'm suggesting here really is a quite conservative position. Stick with what the founding fathers said we ought to do in this country. Make decisions. And then allow the voters to decide one way or the other whether they like the decision you make. That's the system of government they set up. That's the system of government I ran for. And that's the system of government i'm willing to take, good or bad. And this hasn't been pleasant this last couple weeks for any of us up here, but some of the things that i've read and heard in the last two weeks hasn't changed my mind. They've reinforced my position that you can't allow important issues like this to be subjected to the moneyed interest or the narrow interest of the few that overwhelm the good of the whole. So I will support commissioner Adams in sending this back but, as you can tell, i'm not happy about it. It's not my druthers. I think we ought to pass it. I think we ought to let people do what they want. And this phony argument that somehow we are making it hard for people to refer to the voters is just specious and unbelievable. What they're really saying is, we don't want to have to refer a narrow piece that rope poses a tax on businesses because, if you do that, you guys, the voters won't overturn that. We want to group together the homeowner fees so that it will be easier for us to overturn it, because they can't defend not paying their fair share in taxes as businesses. That's the real reason people are upset. Well, that's fine. Take your case to the voters as far as i'm concerned, but I don't think we should be doing anything to facilitate the narrow interests in this debate to buy an election. And, in many ways, I feel that's what we're doing. We're making it easier for people who are used to controlling the destiny of this community because they have a lot of money and are able to buy TV ads and radio ads and get talk show hosts to scream to their defense. They think they can buy this. I hope Portlanders see through it. I think Portlanders will see through it. I'll do my best to help them see through it. But i'm not going to sit up here and pretend like i'm defending democracy by going along with this, because it is to me not one of the highest and brightest days since i've arrived on this city council. Thank you.

Potter: Any other objection to having it pulled back to commissioner Adams' office? Ok. Items 213, 214, and 215 have been returned to commissioner Adams' office. Please read item 216.

Item 216.

Potter: Second reading. Call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. Please read items 217 and 218 together.

Item 217 and 218.

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Leonard: I am asking the council to essentially agree to reconsider the vote by which these two measures passed at our last meeting. I think I said exactly what they wanted to say on this issue on the last one, so I won't repeat any of that other than to say I think that commissioner Adams is attempting to mold a package that we can all get behind and, by reconsidering this vote, that will give us the ability to do that.

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

Moore-Love: We did not set out sign-up sheets.

Potter: Anyone here who wishes to testify to this matter? Please come forward, folks. When you speak, please state your name for the record. You each have three minutes.

Colt: Pete colt. First I want to thank my fellow citizens of the city of Portland, because the city of Portland really is the city that works because the citizens have enough sense to look at the rest of the united states and go, we have the best form of city government here. Mayor Potter, the citizens of Portland have already said that we appreciate and applaud your vision. Part of that vision is giving us the ability to not have to deal with what we had to deal with the tobacco industry trying to fund health care for children. What we really need is to not go through another battle with the petroleum industry which has even more money than the tobacco industry and will fight tooth and nail for this. What i'm asking is to please change your vote. You're an open-minded man. This could be part of you are legacy, because you really are the linchpin of this. I really feel this needs to move forward. Commissioner Adams has gone out there over and over and over again and talked to many of us just as you've done with your visioning, and overwhelmingly we the people have said we trust you guys to make the right decision for us, and the right decision is to not have to split this up, to not have to go through political dances, to not be held hostage by the oil industry, to not have to deal with politics. Gist give us the clean streets, the safe streets, give us the sell wood bridge. Then, after we have this, the recommendation would be to placate the oil bus tree let's lobby metro to bring them into the fold so that they can't use the argument that people will go outside Portland's borders to fill up their gas tanks. Then let's use Portland's lobbyists to lobby salem to include other cities in this. Because once we have metro onboard, we pretty much have everything covered, and I think their argument would be moot. So please, mayor Potter, please open your mind and reconsider this. Thank you.

Scott Bricker: My name is scott bricker. I'm with the bicycle transportation alliance, registered lobbyist. And i've been involved with the safe, sound, and green streets process since at least close to the inception, and this has unfortunately -- I guess i'm going to be more blunt, perhaps more blunt than I should about this issue, but this has turned into a good government/bad government issue. Over the last nine months, I have participated in good government. I've sat on an executive committee, a steering committee, and me, my staff, and the people I work to represent attended over 20 public meetings and town halls, open houses. I have binders of information, press conferences, public. There has been more public process over this and, in through that process, we have built community support, an 89-member stakeholder committee has supported the recommendations here. I have myself have worked to get all to participate and support this. And, yes, there have been changes and, yes, there have been people -- things that have had to be tweaked, but that's part of the process. And coming out of the tail end having 89 members, every member of the group, support this program is monumental. That to me is good government. That's inclusive government. And what is poor government to me? Poor government, to me, is having an organization and its affiliates not participate in the process even though they were invited to, not seeing them in any of the meetings, except perhaps the last one, coming in at the end of the day demanding things that were not necessarily represented early on and then saying, well, we don't want to have to participate, but we're just going to bomb this whole thing. And to have that lead the day -- the discussion over the last two weeks has been framed almost exclusively with the lobbyists of these big interests. Now, i'd love to say the bicycle industry is a multibillion dollars industry, and i'm

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sure it probably is worldwide and there are more bicycles sold every year than cars, but we are a less expensive alternative. We require donuts as opposed to petroleum. [laughter] And we don't have the big money, but we have community support. And there is a wide range of community support over this, and this discussion has gone forward because of special interests. This program is about the fact that our roof is leaking. Our roads are falling apart. Our children are dying. Our families are getting killed, injured, can't walk to school. When your roof is leaking in your house, you don't really have a choice. If you don't fix that, two years later, your house is going to cost 10 times as much to fix. We are in that situation now. I urge you to unanimously pass this measure. I urge you to get behind the process that has been developed. And I really hope that this can be done with the people who we have so strongly elected, the five of you, unanimously as opposed to have to go to special interests to battle a referendum. Thank you.

Dorothy Davidson: I'm dorothy davidson, and i'm not part of the oil company. I just happen to be a lowly taxpayer here in Portland, and I saw the city council take money to put in a sky lift over here that went way over budget and used up all this money you're asking us to shell out to add to your coffers to -- god knows how you're going to find some other project to throw it away on. You're grabbing enough money from us to run this city effectively if you'll stop throwing money away. And we just saw happen -- you all took a vote on this police man. Now, I realize -- I appreciate him as an officer, but everybody else in the city of Portland, if your husband dies and you have children, we have social security that steps in and takes care of the medical expenses. I don't see that a city has to pay for this, but you keep spending money like as if we have trees in our backyards producing it. You have citizens that are working and are already paying 51% of their taxes to make the government run. That's called slavery in my mind. We do not need this money added to our city expenses. My expenses. And I object to it, and i'm glad that mayor Potter had the guts to stand up and say what he has said.

Leonard: Just so you know, officer zylawy did not have social security. Police officers that were hired as mark zylawy did not get social security provided by the city.

Davidson: You mean, if their husbands die --

Potter: They receive no social security benefits because they don't pay into it. It's a requirement of the city.

Davidson: Well, I stand corrected.

Potter: Thank you, ma'am. Thanks a lot. So this is a vote to sustain the objection. I'd just like to understand, does this actually change anything in terms of how this is going to be written into city code?

Leonard: No. This actually is -- I think an aye vote essentially kills the measure.

Ben Walters, Sr. Deputy City Attorney: The effect of an aye vote to sustain the objection would be to repeal the ordinance, and it's of no further force and effect. It is as if -- the legal effect is that it is as if the ordinance failed in the first instance.

Potter: Ok. Please call the vote.

Sten: Commissioner Adams you're recommending?

Adams: An aye vote.

Potter: Please call the vote.

Adams: So we will be returning with an ordinance or resolution later in the month. Resolution. We'll be returning with a resolution later in the month to put this item as a single measure on the november ballot, and our tentative time line for that, I think, is february 27th for consideration of that resolution. Aye.

Leonard: Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. Please read item 218.

Item 218.

Potter: Please call the vote.

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

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Potter: Aye. Please read item 219.

Item 219.

Saltzman: Thank you, mr. Mayor. This is merely a bookkeeping item to amend the Oregon parks foundation's articles of incorporation. Its passage allows them the independence they have created. This soon evolved into the Oregon parks foundation and is spreading its own wings. Subsequent to that, though, four or five years ago, Portland now has a wonderful Portland parks foundation. So I also need to offer an amendment to the last "be it resolved." it would read that the council here by approve the amendment to the articles of incorporation as opposed to the amended articles of incorporation.

Leonard: Seconded.

Saltzman: Thanks.

Potter: Please call the vote on the amendment.

Leonard: We're on the amendment. Aye.

Saltzman: Aye.

Sten: Aye.

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

Moore-Love: I had a sign-up sheet, and no one signed up.

Potter: Is there anyone here who wishes to testify to this matter? Please call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. Please read item 220.

Item 220.

Potter: Second reading. Call the vote.

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

Moore-Love: Mayor, we need to read item 191 that was pulled from consent for the record.

Potter: Yes.

Item 191.

Potter: This is the item that I requested be pulled back to the mayor's office for further work. Hearing no objection, we are adjourned until next week.

At 11:08 a.m., Council adjourned.