



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **12TH DAY OF MARCH, 2008** AT 9:30 A.M.

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

Commissioner Adams arrived at 9:45 a.m.

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

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

COMMUNICATIONS	Disposition:
321 Request of Kim Southworth to address Council regarding proclamation of March 10-15, 2008 as Multiple Sclerosis Awareness Week in Portland (Communication)	PLACED ON FILE
322 Request of Pete Colt to address Council to thank parking patrol, police and graffiti abatement (Communication)	PLACED ON FILE
TIME CERTAINS	
323 TIME CERTAIN: 9:30 AM – Recommend criteria for addition of noncontiguous urban renewal areas (Resolution introduced by Mayor Potter and Commissioners Adams, Leonard, Saltzman and Sten) (Y-5)	36587
324 Recommend amendment of River District Urban Renewal Area to add area in east Portland (Resolution introduced by Mayor Potter and Commissioners Adams, Leonard, Saltzman and Sten) (Y-5)	36588
CONSENT AGENDA – NO DISCUSSION Mayor Tom Potter Office of Management and Finance – Business Operations	

<p>325 Authorize the donation of a surplus vehicle to the City of Goldendale, WA (Ordinance)</p>	<p>PASSED TO SECOND READING MARCH 19, 2008 AT 9:30 AM</p>
<p>Commissioner Sam Adams</p>	
<p>Bureau of Environmental Services</p>	
<p>*326 Authorize the Bureau of Environmental Services to acquire certain permanent tunnel easements for construction of the East Side Combined Sewer Overflow Tunnel Project No. 7594 through the exercise of the City Eminent Domain Authority (Ordinance) (Y-5)</p>	<p>181659</p>
<p>Office of Transportation</p>	
<p>327 Amend exhibit that authorized a major encroachment to bSide6 LLC to install, use and maintain building improvements in the airspace over a portion of the E Burnside St right-of-way at SW corner of 6th and E Burnside St (Ordinance; amend Ordinance No. 181441)</p>	<p>PASSED TO SECOND READING MARCH 19, 2008 AT 9:30 AM</p>
<p>Commissioner Dan Saltzman</p>	
<p>Parks and Recreation</p>	
<p>328 Authorize Intergovernmental Agreement with Portland Public Schools to provide support for TLC-TnT summer camp program (Second Reading Agenda 304) (Y-5)</p>	<p>181660</p>
<p>329 Authorize application to the City Leaders Supporting Afterschool and a New Day for Learning Initiative technical assistance grant program of the National League of Cities to build strong citywide afterschool systems that support expanded learning opportunities (Second Reading Agenda 305) (Y-5)</p>	<p>181661</p>
<p>Commissioner Erik Sten</p>	
<p>Bureau of Housing and Community Development</p>	
<p>*330 Amend an Intergovernmental Agreement with Multnomah County and Housing Authority of Portland by \$30,000 for services and programs to support the city-wide Schools Families Housing Initiative and provide for payment (Ordinance; amend Contract No. 37754) (Y-5)</p>	<p>181662</p>
<p>*331 Amend subrecipient contract with Housing Authority of Portland by \$7,562 for the Fresh Start Landlord Guarantee Fund and Relocation Programs and provide for payment (Ordinance; amend Contract No. 37529) (Y-5)</p>	<p>181663</p>

REGULAR AGENDA		
<p>S-332 Authorize up to \$242,000 for capital improvements at 11 NW 5th Ave for women’s homeless shelter and create space for 12 new drug and alcohol treatment beds at 30 SW 2nd Ave (Resolution introduced by Mayor Potter and Commissioners Adams, Leonard and Sten)</p> <p>Motion to accept Substitute Resolution: Moved by Commissioner Leonard and seconded by Commissioner Adams. (Y-5) (Y-5)</p>		<p>SUBSTITUTE 36589</p>
<p>333 Direct the City Attorney to assume the duties of general counsel to the Portland Development Commission on or before July 1, 2008 (Resolution introduced by Commissioners Adams, Leonard and Sten)</p> <p>(Y-3; N-2, Potter, Saltzman)</p>		<p>36590</p>
Mayor Tom Potter		
Office of Management and Finance – Business Operations		
<p>334 Amend contract with Scott / Edwards Architecture, LLP to provide additional architectural and engineering services for the Police Bureau evidence storage warehouse (Second Reading Agenda 308; amend Contract No. 36803)</p> <p>(Y-4; Adams absent)</p>		<p>181664</p>
<p>335 Amend contract with Michael Willis Architects to provide additional architectural services for Justice Center remodeling and Portland Office of Emergency Management/Emergency Operations Center emergency operations projects (Second Reading Agenda 309; amend Contract No. 36350)</p> <p>(Y-5)</p>		<p>181665</p>
Objection to Ordinance No. 181658		
<p>335-1 Direct Auditor to treat July 15, 2008 special runoff election as General Election for purposes of Code Chapter 2.10 (Objection to Ordinance No. 181658; Previous Agenda 319)</p> <p>(Y-5)</p>		<p>OBJECTION SUSTAINED; ORDINANCE NO. 181658 REPEALED</p>
Commissioner Sam Adams		
Office of Transportation		
<p>336 Accept report Bicycle Safety: Bike Boxes and Alternatives (Report)</p> <p>Motion to accept the Report: Moved by Commissioner Leonard and seconded by Commissioner Saltzman.</p> <p>(Y-5)</p>		<p>ACCEPTED</p>

Commissioner Dan Saltzman		
Office of Sustainable Development		
337	Grant residential Solid Waste, Recycling and Compostables collection franchises in the City (Second Reading Agenda 188) (Y-5)	181666
Parks and Recreation		
*338	Accept a donation of \$397,000 from the Portland Parks Foundation on behalf of an anonymous donor for the construction of a water feature in the park at South Park Block 5 (Ordinance) (Y-5)	181667
*339	Authorize a contract and provide payment for construction of Phase 2 of the South Park Block Five Project (Ordinance) (Y-5)	181668
340	Accept Parks System Development Charge Methodology Report for implementation and amend the applicable sections of code (Second Reading Agenda 320; amend Code Chapter 17.13) (Y-5)	181669
<u>FOUR-FIFTHS AGENDA</u>		
Commissioner Dan Saltzman		
Motion to Suspend the Rules to hear the Four-Fifths item: Moved by Commissioner Leonard and seconded by Commissioner Adams. (Y-5)		
340-1	Acknowledge the transition of Friends of Forest Park to Forest Park Conservancy (Resolution) (Y-5)	36591

At 1:34 p.m., Council recessed.

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **12TH DAY OF MARCH, 2008** AT 2:00 P.M.

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

Commissioner Adams arrived at 2:13 p.m.

OFFICERS IN ATTENDANCE: Susan Parsons, Acting Clerk of the Council; Linly Rees, Deputy City Attorney; and Ron Willis, Sergeant at Arms.

At 2:45 p.m., Karla Moore-Love, Council Clerk replaced Susan Parsons.

341 TIME CERTAIN: 2:00 PM – Portland Plan update (Presentation introduced by Mayor Potter)	Disposition: PLACED ON FILE
342 TIME CERTAIN: 2:30 PM – Prohibit marking public property or right-of-way using paint, tape, other methods or objects to reserve viewing space for a parade event (Ordinance introduced by Commissioner Leonard; add Code Chapter 14A.55) Motion to accept amendment to Section C: Moved by Commissioner Leonard and seconded by Commissioner Adams. (Y-5)	PASSED TO SECOND READING AS AMENDED MARCH 19, 2008 AT 9:30 AM

At 3:21 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

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.

MARCH 12, 2008 9:30 AM

Potter: Today we have julia here. She's aged nine. Julia recently has been crowned national american miss of Portland. She was chosen to represent her state because of her outstanding accomplishments and community service. The national american miss pageants are dedicated to celebrating america's greatness and encouraging its future leaders. Each year the pageant awards \$1 million in cash, scholarships, and prizes to recognize and assist the development of young women nationwide. Julia, could you come forward, please? Those are awfully big chairs, aren't they?

Julia Ariel Gavriiliuc: Yeah.

Potter: Thank you for being here. What would you like us to know?

Gavriiliuc: Well, there -- at some schools, they do not have after-school activities, and I think that should be changed to be, like, having kid space, sports, homework club, drama club, drawing club, and kids' safety club. It would be a place where kids get to go after school and play games, watch videos, do drawings, reading, writing, just having fun. And they get to make new friends, and so do the parents. And sports -- you know -- instead of laying around watching tv and eating junk food. You get to do running, playing, basketball, softball, soccer, et cetera. And that would help kids not stay around and do nothing but also just get active. And the drama club will help kids act, be a type of personality, just be theirself and be a shining star, and it would help the kids to not be shy, to always help them in the future and have social skills. And the drawing class will help them have creative and imagination, to expand that. And for the kids' safety, which is the most important one, we should have classes for that after school so the kids can learn about the safety that they have. Also their life, like meeting strangers on the street. You should not talk to them. And to the untaught things, like how to get out of certain situations that could make them feel uncomfortable. So I think that some schools should have after-school activities, any of these, so they can -- you know -- like, the schools should filter the internet so there's not all that junk in the internet anymore so the kids can be safe. And even I had experiences with that. So some schools do have that, but I think all the schools should learn about the safety of the whole time, and this is the most important one, so each school should have that. And also if, like, the kids should be at the sports and drawing collaborate and drama club altogether to get active. You know, if you can make fun to any of these activities, it would be very good so that they could always be active. And, you know, it could help them in the future by any goals they have. Like the drama class, if they want to become actors, then that could help them. And if they want to become artists, the drawing classes could help them with what they want to be when they grow up. All of this could help the kids at their school, throughout life. Whatever they want to do, it will help them. So each and every school should probably have any of these activities. And if each school does, it probably will -- if you would please make a fund to it, then everybody will be safe and -- you know -- have fun and be healthy. And these activities will inspire the schools, the kids, even the grownups if they don't have jobs and they just like to stay at home. That would also inspire them, 'cause the kids are trying hard to succeed on what they want, and so the parents do want them to be good at it and stuff. So if they do try to get to their goal that they're trying to do, then they will probably succeed because of all these classes that they have taken of the experience that they have. So if you could put any fund to it and put these into the schools, it would be very, very nice to all the families, kids and parents, if you could start any of

these programs. And, kids are the future and, if you help the kids, you help the future. Thank you.

[applause]

Potter: Julia, I just want to make sure. It says year nine years old.

Gavriliuc: Yeah.

Potter: You're a very articulate young lady for nine years old. Thank you for coming in and sharing your views with us. A number of those programs the city does help sponsor through our crip program which provides after-school programs for young people in our schools. But thank you very much for sharing that. Let's give her another hand.

[applause]

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

[roll call]

Potter: Before I begin, I want 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. Good morning. Thanks for being here, folks. You have a total of three minutes, and please state your name for the record.

Item 321.

Kim Southworth: Well, my name is kim southworth, and i'm the program service coordinator at the Oregon chapter of the national m.s. Society.

Ann Bellzel: My name is ann bellzel, and i'm the program director at national m.s. Society Oregon chapter. We represent and create services for more than 7000 individuals in Oregon with m.s. and are very happy that you have agreed to recognize that in the proclamation. We don't need our three minutes. We just wanted to acknowledge that. We have a few people with us here today that we'd also like to acknowledge.

Potter: Raise your hands, folks, if you're with the group. Thank you very much, and thank you for the work you do for our community and for the m.s. Community.

Bellzel: This is m.s. awareness week, but we really want people to remember multiple sclerosis and all other hidden disabilities every week and every day of the year.

Potter: Thank you very much.

[applause]

Potter: Please read the next communication.

Item 322

Pete Colt: Hi there, guys.

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

Colt: Pete colt, and I really do want to thank parking enforcement. Let me lay this out. My front gate, I look at st. Mary's cathedral and cathedral school. The back gate looks out at trinity episcopal. At 11:00 is the kinder care. At 9:00 is the children's cultural center and the children's theater. Behind that of course is temple beth israel and couch park. I live in a very child-heavy, child-friendly, child-destination neighborhood. Parking enforcement does a great job keeping the intersections clear, keeping them safe for all these kids who have to walk to and from school and their parents who push their strollers like katherine and her lovely little daughter, reilly, who's about to say her first words. The police, we have a huge prostitution and crack problem in our neighborhood on everett. It starts at northwest 21st. It goes from burnside to about hoyt. It encompasses couch park. There is so much crack, let me tell you what happened last night. At 2:39, two women were arcing over their crack pipe on the front steps, and the guy was standing 31 the type with the big parkas. At 3:19, a reenactment of almost the same thing with two other people. Called them again. Get out of there. This morning I wake up. Somebody had urinated on the front step and left a daffodil there like i'll be pushing up daffodils or something. Please, guys, rethink the prostitution-free zones. It's a really serious problem we have. This is going on 24/7. This happens while the kids are crossing the street, the prostitutes and their pimps, the crack dealers

arguing right there on everett every single day. I had to call 9-1-1 friday. A prostitute has been tracking me. I had to call 9-1-1 on friday, and thank god this cabbie was right there on the corner in between the children's theater and trinity. I got into his cab and escaped 'cause she had sent three guys after me to kill me. Now, with that being said, i'm not here representing anybody but myself. Not the northwest district neighborhood association, where I am the pro tem chair of the public safety committee, not anything else, but here's a little article about how parents are leaving the pearl to move into my neighborhood, the chapman school and to metropolitan learning center. And you gentlemen should know that. From what I understand, at the metropolitan learning center n the fifth grade, children are allowed to leave school on their own and walk through these streets. I can't stress how many times I call the police every day, call parking enforcement every day, and they are always there. Sign boards are a separate issue, but I want to thank them for cleaning up mortgage west 23rd with that on the a boards. I know my time's up. I want to say real quick parents who are paying \$1500 a month for -- \$1800 a month for a one bedroom apartment in the pearl are paying \$1500 a month in my neighborhood for a larger house. That's why i'm asking you please reinstate the prostitution- and drug-free zones and help these kids.

Potter: Is that for the communications? We'll move to the consent agenda. Do any commissioners wish to pull any items from the consent agenda? Does any member of this audience wish to pull any 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. Please read the second item as well.

Items 323.

Sten: Thanks to my colleagues for co-sponsoring these resolutions. I thought, mayor, might check in with you and the council. There's a logic to either way. We may want to vote on the first one separately and do the hearing on the second one or we could do them together. The first resolution proposes criteria for p.d.c. and the city council to have in place whenever we implement what is a new concept i'm about to describe called satellite districts. The second one instructs p.d.c. to make the first seat district in david douglas to help the david douglas school district with a community facility. I know there are some people who support the concept but not necessarily putting it into david douglas. So if it would make sense to not present the case for david douglas until we presented the case for the satellite districts, I don't know.

Potter: Is that your preference?

Sten: I'm thinking that way. I don't see an enormous number of people. If they wanted to testify on both, they could. I think, once we vote to have satellite districts, assuming that passes, it makes sense I think to talk about the next step.

Potter: We will have a hearing on the first one and vote open it and then go to the second.

Sten: I'll just briefly, mayor, introduce item 323. Take everyone back to about a year ago.

Commissioner Saltzman and I joined chair rosenbaum and charles wilhoit and commissioner jeff cogan from the county as well astin john cruise to take a look at the future of urban renewal. A year ago during the project process, this council consurred with a budget recommendation to essentially take the three downtown urban renewal districts, most of which have been there for a long time, and essentially begin the process of getting rid of those two districts and closing them down. It takes a little while, and there's some debate as to how fast to do that, but that's the recommendation back before you in this year's budget. We were also asked to take a look at a really good strategy that's been taking a long time to implement and that was expanding the riverfront district by 20%, the absolute ammont an urban district can geographically be expanded by, into old town. The idea is old town has not prospered during a time when river town has been booming. Our committee's job was to look at that question, and I would be the first to tell anyone that I think the question of whether or not to expand the river district and both geographically and financially -- and there's a proposal p.d.c. Will be bringing to the council before too long to expand economically the district, and that's what this has to do with, by over \$300 million. I don't believe that's an obvious call. The

reason is that the river district really is not done by any stretch of the imagination. There's enormous opportunities with the post office and other things that could probably create more taxes and it will cost to redevelop them. There's more affordable housing to be built for sure, and the parks aren't done. It's pretty hard to argue that it's the top problem that the city is facing like maybe it was 15 years ago when the vision of an old industrial district came around. I think the county who is supporting this recommendation and the city could have come to a very rational conclusion not to extend the river district at all. It would have, however, been a lost opportunity in the sense that this may be a once-in-a-lifetime chance to really hit some of the things that I think people really aspire to in old town and other places. At that first meeting, I actually was giving kind of a warm-up talk as the co-chair and said, this is going to be an exciting process. It's going to take about a year. And, when we expand these boundaries, they have to be contiguous. All of a sudden I heard coughing in the back from some of the lawyers. Harvey rogers and matt deigns and a couple other folks, and they continued to cough, and I finally said, you must have something on your mind, and they said, well, it doesn't really have to be contiguous anymore which was, by anybody's estimate, a very different interpretation of how things are done. I was on the council, for example, when we ran a little tiny skinny line all the way from the river district to meier & franks to put that would be the river district urban renewal. You will find a very skinny line that takes in the median that's king boulevard to get it down there. P.d.c. Really studied the urban renewal code and found nowhere in there does it say there's a need to be contiguous. Our district is actually a split district where it doesn't include the river and doesn't include big, big chunks of industrial area. Admittedly this is taking it to a little bit of an extreme, but the idea came about of what if we did a satellite district, took in five, six, seven acres in the city that we needed services, facilities that for one reason or another we've been unable to get done for the community one way or another. I started talking to people. We started the school family housing initiative to try to look to see how the policy links up with schools. I immediately looked at what the school districts' needs and came to a conclusion. I admit it's one I think I came to rationally but picked. I didn't feel you could explain this concept and get it all the way through by just saying, you might be able to do this. Something real, tangible and something even opponents of this say needs to be done. There isn't anybody who doesn't believe we need a new community facility that includes a school in david douglas. It's my estimation that this satellite district with this use in david douglas is the largest physical education use that's undone in this community. I basically said, well, what if we added that to the river district? It would allow us to tap the river district in order to do something that needs to be done. And I think even maybe more importantly, I hope -- a very optimistic hope -- it will begin to build some unity and strength between parts of the city that are frankly usually fighting with each other. I can tell anybody who wants to run for office, if you find yourself in trouble in a meeting on the east side of Portland anywhere east of the river but particularly east of 82nd and you're trying to dig yourself out of it, they'll say downtown gets too much money. Whether that's right or not, the crowd will be back with you immediately, and there's not a politician up here that doesn't know that truism. I think, by god, i'm going to do something about it. Now in my fourth term, I finally have. The first three, I just promised it. At the same time, if you were to go to a meeting at any other place and say to yourself, look, if downtown does not prosper, we all get hurt, I think many times i've also been in those same meetings and they've set, well, you're putting all this money into north macadam, for example, and I say it's an industrial brown field. It's not paying any taxes. Money we're investing will generate more taxes than it will cost in the long run. If you want to protect Portland's neighborhoods and believe people are going to move here, you've got to put the density into the central city, and that takes investment. I think at the end of the day people believe both those propositions. You have to invest in the downtown. You have to invest in the central city if you're going to be a prosperous city. Everybody knows that. It's a constant battle to keep the central city strong. And downtown gets too much of the money. What i'm envisioning this is the start of is a different kind of coalition where perhaps people can look at each other and say, you

know what? If the downtown prospers, maybe we'll have a way to put money into facilities that really can't afford them. To the people who say the david douglas voters should do that, well, they haven't been able to do that. Portland public school district, if they pass a bond measure, every single office building downtown pays on it. David douglas doesn't have that. Parkrose, centennial, david douglas, don't have that. That led to what you usually get when you do a really bit of innovative thinking. Well, that's terrific, but you're going to let the genie out of the bottle. Everybody's going to want a community facility. I have a flip response to that which is everybody does want a community facility. I also believe that this decision, if we make it, is no different than any budget decision we make any year. We made a decision to put a community center into southwest Portland using levy funds. Anytime we make a decision to do anything major anywhere, as does the p.d.c., you could have done that somewhere else. It's not a bad thing if you can't do it everywhere that wants one. I don't think that's an argument not to do it. I do, however, think -- and i'm going to end here, mayor -- that it's important we understand when and why this would make sense. The argument that's been out there that I do feel is very important to address and I think could be a very serious one if it was not addressed is the purpose of urban renewal at the end of the day is to renew blighted areas. Urban renewal cannot become a social service type of funding, because it won't pay for itself. The way we do urban renewal is we essentially borrow money, invest it back into a neighborhood, and then take the taxes that that investment created to pay back the loan. It's much like adding three apartments to an apartment building and then paying back the money with the rent. It's much more like that. So you have to create the rent to have it make sense. This first resolution that's before us is entitled recommend criteria for addition of noncontiguous urban renewal areas. The idea rebind it is to say we should only consider doing this type of investment when we meet the following criteria. There's four simple criteria, and I think, if people think about this and say a satellite district, whatever its use might be for whatever worthy purpose, will only be on the table when these criteria are met, it should take away any fear that this will usurp the function of urban renewal. It comes about only when you've got a resuccessful urban renewal district and you're struggling with the very difficult question of should we continue it longer for good reasons or should we shut it down and put it back on the tax roll? In some circumstances, as is the case in this one with the river district, I believe that doing a satellite district and taking on one of those huge problems that is vexing our community like the overcrowding of schools in david douglas may help justify why one would move forward and do something like the river district. The satellite, the noncontiguous area satellite should occur only during a geographic expansion of an urban renewal district and should be limited to 15% of the expansion. The expansion can only be 20%, and this can only be 15% of it. By definition, you only expand when the district has been around a while and is successful. That would be the first criteria. The second, it should only be done when the assessed growth, i.e. the money coming into the urban renewal, exceeding our projections by 10%. By definition, you're expanding the urban renewal district. Ed third is it 10 years. The final one the indebtedness is no more than 15% of the original amount. That's a little bit of city speak, but the idea is to basically limit the amount of money that can go to this to a reasonable amount. And sod idea is very simply that, if this resolution passes, the gates are not wide open on urban renewal districts. In fact, because these are very conservative, there is no other urban renewal district in Portland that at this time would be well-positioned to do a satellite district. I hope very much north macadam will reach that level of success. I hope when we build a second district to replace downtown waterfront and south park blocks that we might even do it with this in mind, might even have some of the low-income advocates say, well, maybe we'll support more aggressive play in downtown if we think, 10 years from now, that might work to this kind of work. I think there's probably more arrangement to loosen this criteria than to make it more strict. In a district with \$586 million in spending, spending 19 million in david douglas ultimately usurps the purpose of the district. I think that argument doesn't hold up, and I think this criteria will make

sure that, although it doesn't hold up in this time, it won't be abused in the future. That's the purpose of this resolution.

Potter: Did you have any --

Sten: I have sign-up for the second one. I would probably just open it up to council comments or if anybody would like to testify on the criteria -- the david douglas proposal would be the next one. This one is just on the criteria I just mentioned.

Moore: One person signed up for that one, shelly lorenzen.

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

Shelley Lorenzen: My name is shelly lorenzen. I am with the league of women voters of Portland.

Good morning. A satellite proposal is merely the tail wagging a very big dog. While the league does not think the state statute intended urban renewal areas to have satellites, there is a much bigger issue at stake in this proposal. The satellite proposal is not about taking money from the rich river district and spending it on its less fortunate cousins in other parts of town. This proposal is about the city and p.d.c. continuing to take money from public schools, police, fire, county services, and the city's general fund for projects in the river district. Instead of allowing these entities to realize the return on the urban renewal district as it should once the river district has met its goals, which it is very close to doing. The way the proposal would work is that the river district would borrow an additional \$311 million on top of the already \$225 million that it has borrowed for projects in the river district. Almost all these monies would be spent in the downtown area. Practically all the property taxes generated in the river district would be used to pay back this debt instead of going, as it otherwise would, to schools, county, general fund, and other services. The city finance office has run calculations as to what the \$532 million in river district debt would mean in lost revenues to those taxing jurisdictions, and you've been handed a copy of those. The numbers are absolutely staggering. All taxes jurisdictions would lose \$807 million, and it will take 2.8 billion dollars to make those taxing jurisdictions whole by 251. These figures also do not include what we're told is a very significant amount of money lost for fire and police, disability and retirement fund, bond coverages and special levies which we are advised will be recovered by increasing property taxes on the citizens of Portland at large. David douglas is a very worthwhile project. We just don't think it should be done with urban renewal funds from an area that is no longer a candidate for urban renewal and when it comes at the expense of the other taxes jurisdictions. If city council wants to budget monies from the general fund for this purpose, more power to them. This is a fabulous idea, a fabulous project if the law allows it. Use your general fund moneys to do so. If the city would let urban renewal districts expire, as they are supposed to do when they are successful, the city would have more general funds for these projects. To continue to take money from other taxing jurisdictions, however, is not acceptable under urban renewal law or otherwise. With all due respect, gentlemen, the end does not justify the means. Thank you very much.

Potter: I had a question for you. When you talk about property taxes needed to be made whole, what does that mean?

Lorenzen: Well, the taxes jurisdictions have, for goal revenues during the life of an urban renewal district -- so, for instance, an urban renewal district typically has a life of about 20 years. During that time, all the property taxes that are generated in that district go to repay the debt, borrowings plus the finance charges. That typically takes, to pay that debt off, another 10 years after the district ends. So that at 30 years out, finally the money starts flowing back to the taxes jurisdictions that did not receive any revenues during that 30-year period. So to make up the lost revenues plus just get their ongoing piece of the tax revenues at that point, the city finance department is predicting that it will take approximately another, I think, 20 years to make that happen. Does that make sense? You have to collect 2.8 billion dollars to repay the \$807 million that they did not get during

the life of the urban renewal area plus the repayment period and the monies that they will be collecting as they -- when they start collecting again.

Potter: You know the tax increment financing only takes those taxes after the u.r.a. is created, not all of the taxes as you suggested.

Lorenzen: No. I'm saying that it's all the taxes above the frozen base, that these are all the taxes above the frozen base.

Potter: Earlier you had said all property taxes.

Lorenzen: I said almost all property taxes, because the frozen base in the river district is very low, and the tax -- the assessed value has increased enormously in the last 10 years, so practically all the property taxes are being used to refund the debt, to repay the debt, and are not going to the taxes jurisdictions. And I think what's important to realize, too, is that we had an initial \$225 million in debt on this district and, if we just stop the river district at that point in time --

Potter: I think you're expanding the answer to my question, so thank you very much. Is there anyone here who wishes to testify to this specific issue? Please call the vote.

Adams: Aye.

Leonard: I have enormous respect for the league of women voters and their recommendations. In fact I think -- and my council colleagues will correct me if i've got this wrong. I believe i'm the only member of this council who had ever voted against extending an urban renewal district, so I would hope that my remarks have some credibility with the oh poe thens of this proposal that commissioner Sten has brought forward. I would first point out that, in the exchange that just occurred, that the reason the river district's tax base is so low it because it was an area that, by all accounts, was a no-man's-land before the urban renewal area was created down there. Having been born and raised in Portland and actually worked at blitz wine hart when I went to Portland state, I can tell you from personal experience it was not a very hospitable area, to be polite. The only reason the taxes exist is, in my view, the investments due to the urban renewal area happened. So notwithstanding my earlier opposition to extending an urban renewal area, not only do I understand the reason behind urban renewal areas, I support them as long as, as the league points out, we're not creating investments that public dollars that would have otherwise happened in the private sector, and I think that's the key to successful urban renewal projects is, at the point in time, we have done enough investment that the private sector on their own sees the value of coming into an area and doing work. We should not be investing public dollars. And I agree with that. Having said that, this is really, in many ways, a remarkable proposal. As i've told commissioner Sten, my deepest regret and reservation about it is I did not think of it first. I think, in many ways, it sets the stage for -- and I think even commissioner Sten in his remarks understated the future impact of what this will help the city do in many ways. It sets the stage for allowing all parts of Portland, all residents of Portland, notwithstanding their economic status, to be able to benefit from the most successful parts of Portland. I've been interested in kind of observing the debate about whether or not this meets the criteria of investing dollars in an urban renewal area, because it goes for a school. Well, if words that people use to invest in children for the future -- if you invest in schools to create opportunities for kids who would not otherwise have opportunities, if those actually mean something, then this is the proposal that allows that to happen. This is putting our money where our mouth is. This is actually saying we actually believe the words that, if you invest in children -- if you don't give children the chance to succeed -- they will be our future not just socially but economically. I believe that's what this proposal helps create the format for. Not to speak to the specific issue of david douglas, but it allows us to do things now that otherwise couldn't have been done. There have been discussions of projects in lents we cannot do. This now gives us another tool for doing them. Thisy 80s opportunity for everybody, regardless of the color of their skin, their economic status, where they live. This creates opportunity for everybody. Commissioner Sten and I don't always agree. We agree white a bit. Unfortunately, later in the agenda, there will probably be an example of a disagreement between commissioner Sten and i. But on this issue, I will say this. While i've

only been on the council a little over five years, i've observed commissioner Sten and his role here since he's been on the council, knew him before he got on the council. This is your best work. This -- everything that you've done -- and eyed admired in a lot of it and participated in a lot of it, joined in partners with you in a lot of it. This is not even a close call in my view. This is your best work. This creates an opportunity for people to have some success in their life that otherwise were stuck in parts of Portland. And for those of you who haven't been out east to look at some of the neighborhoods in david douglas or lents or brentwood, arlington or coley, I encourage you to go out. These are neighborhoods that are struggling, families that are strangling, many single-parent family families, many unemployed families generally with no streets, no sidewalks. You think you're in another world when you go through some of these neighborhoods. This makes the difference between night and day for people in those neighborhoods. So i'm really honored to be in a position to be able to support commissioner Sten on this. I'm really honored to be able to be here and cast a vote in favor of it. Aye.

Saltzman: Well, i'm trying to think of a good lawyer joke, referencing commissioner Sten's remarks about coughing in the room leading to this whole idea of a noncontiguous urban renewal area, but maybe there will be opportunity down the road for some more lawyer jokes. I'll save it for now, but I do agree this was an opportunity commissioner Sten seized upon, and really I think the parameters and criteria that we're adopting at this point really give flesh to that idea that we ought to have the opportunity to share investments with other areas that have not prospered as much in the city, and this gives life to that idea, and i'm pleased to support that idea. I think the concept and the parameters that are laid forth here are sound ones and will serve us well and will help maintain the integrity of our urban renewal districts throughout the city. Aye.

Sten: Aye.

Potter: I join my other city council members to vote on this in the affirmative because, as you heard from the young girl who testified earlier that this was -- that our responsibility is to our children to ensure that their educations are successful and complete, there's also another principle for me, and that is sharing the wealth so that more people are affected by it. I want to thank commissioner Sten for doing this where we're taking from an area that has done very well and giving to an area of Portland -- we're still talking Portland -- that is in dire straits. Development districts were originally designed to reduce urban blight. In this particular case, we're not talking about urban blight. We're talking about urban education which, if not guaranteed, leads to urban blight. So I think this is one of those preventative things that will help us help the school district begin to achieve a better means by which to provide education and opportunities to our young people. I vote aye. Plead read item 324.

Item 324.

Sten: Still working on the attorneys, but. A five to seven acre site owned by the david douglas school district that will be in the proposal that comes forward from the work group. Still some work to be done, but some other community amenities in addition to the school, perhaps a head start, a senior center. We'll work on this, but that's the idea. Senator rod monroe, who I think needs no introduction in this room, annette madson, the board chair of the david douglas school district, and barbara rommel, who's the superintendent of the david douglas school district here for our first panel.

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

Senator Rod Monroe, State Senator District 24: Thank you, mr. Mayor and members of the council. I'm rod monroe, state senator district 24, and it's a pleasure to be here today to talk to you a little bit about the david douglas school district and school finance in general, which is something that i've been working on for about the last 30 years of my life. A fairly good equalization of operating monies to schools, now the state essentially funds the operation of our public schools, and it's done on a fairly equal basis, although david douglas does get less per pupil than Portland district number 1, for example, but it's not a whole lot less. But nothing has been done to deal with the

problems of capital and capital needs. And there's a great disparity across this state in the ability of communities to provide the capital necessary for schools, especially those high-growth districts like David Douglas growing at 3% a year. David Douglas is the second poorest district in the state in assessed value per pupil. There's a reason for that. Not only is it a fairly low-income, middle income, working class area, but it has no industry. No industry at all and very little commercial properties. You're tapping purely residential apartments and single family homes, mostly very modest homes. And to ask the residents who, by the way, strongly support their schools, people out in mid county love the David Douglas school district, but to ask them to pay for the whole cost of building new schools means that each individual homeowner will pay four or five or 10 times as much for that one new school that would be the case in a wealthy district where there is industry and where there are other property values. David Douglas is a poor residential area, but you have to remember it's also entirely within the city of Portland. You know, we live in one city. We're one city. I care about what happens in the downtown area, but I also care about all parts of our city, including the David Douglas district, which is entirely within my senate district. Using urban renewal creatively to provide a bit of money so that David Douglas can build a badly needed elementary school with a community center as a part of it I think is an appropriate thing to do. Now, I'm also working at the state level to try to solve the overall state problem of how we provide to the needs of not only our K-12 schools but also our colleges. David Douglas, by the way, is one of the most frugal districts you'll ever find. They are really careful with their money. They still provide elementary music, counselors, p.e., in every elementary school, and they provide full-day kindergarten without charging any tuition, something I'm a little passionate about. And so I applaud the David Douglas school district. Opportunity Opportunity Rommel, high helped hire when I was on the board, is doing an outstanding job and the school board is doing an outstanding job and a little bit of help so they can build this badly needed elementary school when they're growing so fast, they really need to add an elementary school about every three or four years at that growth rate. I applaud commissioner Sten in particular and the rest of you for supporting this proposal, and I'd be happy to respond to questions.

Sten: Thank you, senator.

Annette Mattson, Chair, David Douglas Board: Well, I hope that -- all our remarks have been stated by the good senator. My name is Annette Madson. The concept of urban renewal is to address areas of blight in our city. Blight, according to Webster's dictionary, is something that frustrates plans or hopes, something that impairs or destroys. I ask you to walk through the halls of any David Douglas school, look into our classes of more than 30 students, and dare tell yourself that the plans and hopes of these children are not being frustrated, that our ability to deliver effective instruction is not being impaired. David Douglas schools are well over capacity, yet we remain the fastest-growing school district in the metro area and at families streaming in are among the least affluent. In 2000, 40% of our students qualified for free or reduced lunch. Today it's over 70%. These students have the highest needs, the lowest means, and we can't offer them the room they need to grow. So how do we explain this growing blight? One reason is that, despite our capacity issue, David Douglas schools are excellent. We do provide tuition-free all-day kindergarten for every family, and we are one of the few districts in the state that still has counselors and p.e. teachers and new issue teachers in every school. We don't have industry give us a solid tax base. We have had more than our fair share of subsidized, section 8, and multifamily housing constructed in recent years. We have almost the lowest assessed value per student of any school district in the state of Oregon, and that means our homeowners bear almost the entire brunt of our taxpayers. Our taxpayers would pay a higher rate to get a lower bond measure, and our families simply can't afford it. Last fall we had 384 new students that attended a Portland public school the previous year. That figure just about matches our total enrollment growth. This indicates that families are fleeing housing costs in inner Portland for more affordable housing in David Douglas. Of course many factors contribute to escalating housing costs, but the fact that remains is the success of the inner

Portland urban renewal areas and city zoning policies over the last 20 years have led to the current state, the socioeconomic segregation of outer east Portland. So we've come full circle. Urban renewal is successfully addressing blight in the innercity, because direct consequence has been the create of blight in david douglas schools. It is only fair and right that a small amount of the wealth being generated by the river district is shared with those parts of the city bearing the negative impacts on that success. David douglas children are citizens of this city, too. They need room to learn, need a new school, and it's wholly justified that they get that school and have blight reduced using the very urban renewal funds that sent them to us in the first place. Thank you.

Barbara Rommel, Superintendent, David Douglas School District: barbara rommel, superintendent of david douglas school district. I want to thank the council for considering this resolution. I've worked for david douglas for 37 years, and I know that david douglas school district is a wonderful place for children to learn. This year we welcomed more new students than any district in Multnomah county, and 10% of the total new students statewide. Of the 15 largest districts in the state, david douglas has the highest percentage of students in poverty and needing e.s.l. assistance. Thankfully we have over 1000 staff members dedicated to doing their part to help our students reach their full potential. Classrooms are packed in areas designated as closets used for small group instruction. The board purchased the land for constructing a neighborhood school, but voters rejected a bond measure to build it. Their concern is understandable. David douglas has the highest tax rate in the county and a declining level of household income. Commissioner Sten's idea to utilize resources from the river district to build a facility in david douglas that would serve both as a school and community center is an example of how a vibrant visionary city uses resources to enhance liveability for all its residents, especially its youngest ones. Last spring, over 100 first and fifth graders from david douglas traveled to the river district to a business that needed some help. They painted over a wall of graffiti at that business. Their teachers wanted them to learn that being part of a community means using the resources you have, in this case enthusiasm and energy, to help others and make your city a better place to live. Your supportive efforts to direct resources from an area that has them to an area that needs them demonstrates the best in community building. Portland has already achieved national recognition for the rosa parks project. The project in david douglas can be a second step in strengthening connections between the city and its schools. I hope you will vote to support the resolution and do all you can to make this facility a reality as soon as possible. I want to thank the david douglas community and parent leaders who took time to come down here today, and I truly appreciate your leadership and concerns. Thank you.

Potter: Thank you, folks. Thank you, senator.

Sten: We have a second panel, mayor. Karen gray, who's the superintendent of parkrose, and ken turner from the Portland chamber of commerce. I'm not sure if i've seen ken yet. We'll hold off. And lee pochi, the family service representative. Just karen. Come on up. I'll also call judy strand, who's the chief operating officer of metropolitan family services and bob berco from rose community development if bob is here. We'll have our second and third panel at once.

Karen Gray: I'm karen gray, and i'm the superintendent for parkrose school, and thank you all very much for having me today so that I could give my points of view on this. Mayor Potter, you asked how are the children, so the children at david douglas school district are squashed, and that is a very difficult place for children to be when they need proper space to be able to do all the things that we expect them to do in school. It becomes very uncomfortable for everyone. We're fairly comfortable in parkrose school district facilities-wise. We're not growing the same way as everyone else is for obvious reasons. And we can't ignore the what I would call suffering of our neighbors to the south. And, in fact, earlier in the year I had spoken with superintendent rommel and said, if you need space for some of your middle school kids, we have room and we would work something out together because, as a superintendent and an educator for almost 30 years, I realize how important facilities are to children. There are facilities issues everywhere. There isn't a single one of us in the city of Portland that are not having facility issues, mostly aging issues and

maintenance because none of us has enough money to keep up with our own facilities. Kind of like owning houses and you're always fixing them up. But I think that, out of all the school districts in the city of Portland, you have to admit that David Douglas, with its overburdened schools, is the one that's bleeding the most and needs the most help. There are simply too many kids in too little space. These kids come to us with lots of issues and they don't need the added issue of too many of them in one classroom. David Douglas and Parkrose schools are 100% in the city of Portland. I think, if you look at all the needs in the city of Portland, I really, really appreciated the way that Commissioner Sten explained this whole process being new to this area. I'd never heard this before, but it all makes tremendous sense to me. David Douglas school district is in the city of Portland. It deserves, in my opinion, to be really looked at carefully, to be a satellite for urban renewal, to end the blight that's there in that area, and the students should have enough room to learn. Please consider building a school there.

Judy Strand, Metropolitan Family Service: I'm Judy Strand from Metropolitan Family Service. I'd like to speak in support of this resolution. It would support the growing needs in the area while investing in a strong school district that has the talent and the structure to support those needs if given additional resources. M.S.S. is one of the lead agencies for funds uniting schools and neighborhoods. We operate three schools in the David Douglas in partnership with Human Solutions, antipoverty providers, and early childhood services of Mount Hood Community College. Together we see the needs in David Douglas on a daily basis. We've been working with these challenges of growing poverty and, over the last five years, as you've already heard, the children that are eligible for free and reduced lunches that jumped from 40 to 70%, and the overall enrollment has increased by 20%. The number of children in poverty in David Douglas is almost at that point as well with 18.8% being in poverty in the David Douglas school district. Nine out of the 13 schools in the district are in the top tile of poverty, and of those nine only one of those schools has an after-school program. So we have a real serious need for community services to blend with the services of a new school in the David Douglas area. I think this is a real obvious trend that we're seeing with growing poverty and growing needs in a number of areas. The cultural diversity that's coming to the area is something that adds a richness to the community, and it also adds some challenges particularly with the demands on English as a second language, teaching needs. We're seeing proliferation of high occupancy apartments, lack of neighborhood feel, safety issues for children, and also for the growing number of older adults living in this area as well. What we have heard from parents that we work with is that they're needing help with accessing resources. They don't have a place to go to find out how to get food stamps, how to get utility assistance, how to get into classes that can help them with learning languages and getting the services that they need. We're seeing a lack of stable structures that are open after school hours but encourage positive behaviors and skill building so we're not adding to the number of gauges that are involved in our community that really did not help us create a safe environment. I'd just like to say that Douglas has a committed group of administrators, teachers, counselors, coaches, parents. It's a vital community that has been remaining very stable during this trying time of a number of issues coming into their area. We not only support the district through this resolution to build a new school, but also we support avenues of community involvement that would exist through this resolution. We find that schools are the best places to gather talent where we can bring older adults in the community and other citizens in to help our children and where we can perhaps provide kindergarten readiness classes for children. We can teach financial literacy. We can offer parent education and coaching. All of these would naturally develop out of this resolution. It was recently stated schools are the best institutions in East Portland. They deal close with the changing needs of students and might be a rallying point for the community. I think schools are a centering point for communities, and we truly need to build on the strength of our school system and David Douglas for the sake of the community as a whole.

Bob Burco, Board Member, Rose Community Development: My name is bob burco. I wear a lot of other hats or beanies or whatever, depending on what's going on. I've lived embedded in these communities for only six months. It's a term that I guess comes out of the war journalism. At any rate, i've been living in a senior housing product that rose about a decade ago. It has food service provided by loaves and fishes, which is again inside that building. It's another nonprofit you are well-aware of. And we have -- I got asked to join the board because I am a resident of the project like this, and so i've now got a board meeting tonight at something called leander court apartments at 122nd and foster, which has mostly now low-income but spacious housing for families. So it's got two providers, a child care service, hosting somalian families with some relationship with Multnomah county court system. It's doing all kinds of varied things to really integrate housing with children and social services. As sir Leonard invited you to come out and see something, I invite people to come out to leander court to see some of the beginnings of when you put the kids and low-income housing together, then you can partner from there with the elementary schools with some programs. And that's one of the reasons i'm really here supportive of this main proposal. But the other side of it is the integrative nature of the rest of the community, not just the kids. I've been trying to find intergenerational opportunities. A mix of people in your neighborhood working together, the community part of what we're talking about is extremely important. You're the folks that introduced me to it because I went out to the menlo park elementary school for the first hearing on roads and then out to the parkrose high school for the hearing on streetcars. So in each case, the city of Portland transportation people got me into a community use of an elementary school or high school. Worked really well. I called back and said, tell me more about the schools. I think you have to be a bit conscious of the opportunity you have to just make invitations to the rest of your community to use these facilities, and you've got some wonderful ones that are starts, and i'm as supportive as I can be about this.

Sten: Any questions for the panel? Thank you so much. Mayor, I did think it would make sense next to invite -- I know the majority of the people here -- I didn't know if they would like to make any comments at this point. I'm getting a no from executive director warner. Ok. Let's not say you didn't have the chance.

Potter: How many folks have signed up for public testimony?

Moore: We have six people.

Potter: Please call the first three.

Michael Eagan: I don't know that I need a mic.

Sten: You need it for the tv audience.

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

Eagan: My name is michael eagan. I know many of you. You see me frequently, and usually I am speaking in behalf of someone else or someone else's needs. Today I need to put a personal face on this. In the david douglas school district, we're facing a dire crisis. We have the lowest economic base in the entire county and so, as you've heard, we can't afford to pass a bond issue. It doesn't mean that we don't care, but we can't afford this. I see this as a once-in-a-lifetime opportunity to provide needed classrooms. We also can provide badly needed public space. Mayor Potter keeps promising me a community center, a one-stop service center, and this is one way that he can make good on that promise. As the lady already pointed out, we've asked "how are the kids" and part of the answer to that depends on you. But the personal face on this is my wife and I are raising our grandchild. He has appeared before you, elijah taylor. I'm proud to say that he is part of tremendous school system. The teachers are great. The kids are great. Elijah himself is maintaining a b plus average. He plays football. He wrestles. He does track. He plays in two bands. And, by the way, he's one of the 73% that qualify for the free lunch program. So the fact that david douglas can do this with their students in spite of the fact that we're bus sting at the seams, I just want to ask you -- and I know that you've already supported and have the courage that,

if you face threats of legal challenges, that you will bite the bullet and go ahead and deal with the legal challenge and dispose of them, because we really need this. Thank you.

John May: My name is John May. I live on southeast 140th Avenue just north of Powell Boulevard. I'm here to tell you today how much I appreciate your willingness to think outside the box and to act creatively with reference to this proposed urban renewal district expansion. I've lived at the same southeast Portland -- outer southeast Portland address for 22 years, and during that time I've watched the area change from what I would call lower middle class semi rural and suburban to become predominantly urban with growing levels of poverty. Unfortunately the shift has also brought increased levels of crime and blight. According to the city's own 2005 citizen survey, my neighborhood and those around here are among the most poorly maintained, poorly planned, and unsafe of any of the 95 neighborhoods in the city. The 2000 survey is not yet published, but I would imagine it will show similar results. During the past eight years or so, I've been involved as a citizen with my local David Douglas School District on many volunteer projects and committees including bond election campaigns and advisory committees. What I've learned about the school district is that they have experienced an unfortunate coincidence of enrollment growth and growing poverty. This combination of rapidly increasing population with very low assessed property value has stressed the district's ability to house students well beyond what is reasonable. Their most recent effort to pass a bond in 2006 failed, and the likelihood of a turnaround in the near future seems remote. I'm not afraid of diversity in neighborhoods and schools. I believe that diversity in schools are an advantage, not a hindrance, in preparing young people for the realities of the future. But this area of the city is reaching a breaking point. It is time to consider actions like the unusual proposal current high here today. In the absence of a civic center or even a commerce hub, school buildings tend to provide a gathering point and a sense of community for neighborhoods. This proposed development could help fill void. Thank you for your time this morning.

Allison Riggs: My name is Allison Riggs. I'm a resident off 123rd and Holgate. I have two children that attend Gilbert Heights Elementary. I feel that the council should issue funds to the David Douglas School District for the new South Side Elementary School. I believe this because the population growth in our district caused by zoning changes and in-fill zoning have brought us to the point where our children's educational future will begin to deteriorate. I do realize that, for a city to grow, we do need places to live. However, when density is achieved without expanding the quantity of educational services, it creates an overwhelming burden on our schools, our teachers, and our children. As I look at our neighborhood and see all the new homes and lots, I realize the number of families on the way. I have to ask you how do you expect the David Douglas School District to educate the children of these Portland families? As parent, a community member, and volunteer who has been in my children's classrooms every week for the last five years, I'm telling you there is no room for the families yet to come. We are full now. I'm asking you help relieve this burden. Give us the funding for our new school. Thank you.

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

Jefferson Smith: Jefferson Smith. I live at 116th and Pacific. When I was in Grant High School -- I graduated in 1991 -- Grant High School had 1600, 1700 students. David Douglas had about the same number of students, about 30-40% of the students on free or reduced price lunch. Now David Douglas has nearly 3000 students and that percentage has doubled. Every ounce of that growth is essentially in low-income and low middle-income households. If you continue that for a generation, it is not a recipe for social justice to increase density and decrease income over a long period of time. Put this in the context of an annexation in the late '80s and early '90s by this city that was deemed unconstitutional by the Ninth Circuit Court of Appeals but, without remedy, stuck. Add that to the context to a place that has 21 to 31 of Portland's high-accident intersections even though it only houses about 21 or 22% of the population. Where crime is down in tri-met citywide but it is up east of the 82nd. My first point here is that outer east Portland has the potential to be

this city's single biggest failure at the turn of this century. It also offers our best chance for making strides in our quest to be, as a city, a paragon of social justice. Investigating in this part of town is at the highest priority and includes safety on the max, maybe offering visible tickets and watchful greeters. It includes distributing low-income housing and not merely segregating it where we don't have to park when we go to a blazers game. It means managing traffic and building sidewalks on arterials, building amenities and parks as promised during the annexation fight. And it means schools to help deal with the people who live there and perhaps to attract the young families that might increase the balance in the area. I will wrap early and merely say I applaud the city's efforts. Using creative mean is not only just pliable but probably necessary, and I hope you guys will not stop here but continue.

Leonard: Jefferson, you're running for state representative in that area?

Smith: Yes, I am.

Leonard: At 5:00 yesterday at the close of the filing deadline, nobody filed in the primary or the general election?

Smith: That is true, which making it clear I am not here merely looking for votes.

[laughter]

Smith: I decided not to cancel.

Leonard: You are a lawyer and now officially a politician, so that wasn't my question.

Smith: Ok.

Leonard: I was going to ask do you think it was because I endorsed you that nobody else ran?

Smith: Yes, I do believe it was because of that.

Leonard: Congratulations.

Smith: Thanks very much.

Leonard: It will be wonderful having you advocate for east Portland in the legislature.

Smith: Thank you very much.

Judy Chin: My name is judy chin. I want to thank the city council and the mayor for passing the resolution to annex our deardorph property to build our new, much-needed school. As you have heard, everybody else's testimony, we are bursting at the seams. Gilbert park, I believe, has the largest enrollment of all of our elementary schools. We had our p.t.a. Meeting yesterday, and our principal told us that we have 560 children in our building. That's 23 classrooms with anywhere from 29 to 30-plus children in a classroom. I am new to the district. My daughter has only been in school for three years. Kindergarten year, she had 33 kids in kindergarten. 33. That's an astronomical number of kids in one classroom. My son will start kindergarten next year. We were told yesterday that all of our kindergarteners are going to be removed out of our building and put into another building for space reasons. That means my children will not be able to be going to school together for my son's first year. I think that's very crucial to have a smile not be able to be in their elementary school where they live. Our school is very much needed. So thank you.

Marie Roberts: My name is marie roberts, and I do have grandchildren that are in the gilbert park elementary school. We are bus sting at the seams indeed -- bursting at the seams indeed, and one thing that keeps us going -- and I have been so pleased to hear everybody in support of this. I keep glancing over at mr. Leonnard because you surprised me today. Thank you so much. [laughter]

Leonard: That's what I do.

Roberts: Ok. [laughter] and I was very pleased to hear what you had to say. The school is very well needed. We not only have an issue right now with bursting at the seams and our parents are trying to keep it together. It's not that we are uncaring. We have over 1300 volunteer hours in our school alone this year. We have, with the teachers being so overstretched with the number of kids - - we have parents that come in and volunteer for all of our extracurricular activities. We have a very involved base. It's not that the bond issue failed because of noncaring it failed because off people were unable to see their way clear to vote for it. We supported and paid into the Multnomah county tax, and that went to help fund projects within the city of which david douglas school district

didn't receive any benefit. The bond issue came right on the heels of that coming right afterwards, and so it was like, do we want another tax in here? Because we didn't get any benefit from that one.

And now i'm going to be able to increase my pocketbook just a little bit. And it wasn't there. We adhered to the urban growth boundaries, and we have so many of our families now where our single family dwellings on large properties are being removed and apartments are going in. So you can say that where we had one family before, we now have 20 families conservatively living there, and all of those kids are going into our school district. It is very well needed. Thank you so much, mr. Sten, for your innovative approach. And thank you for all your consideration and hopefully giving us the well-needed school that we really do need. You should.

Moore: That's all who signed up.

Sten: Does anybody else want to testify?

Colt: Pete colt. I have to say I agree with my neighbors in the david douglas school district. The neighborhood that I live in really has so many infrastructure benefits that they're lacking.

Commissioner Sten, does that mean that I should run for office now? [laughter] and commissioner Adams, thank you for turning your eye to the east side with 82nd street and putting in infrastructure, traffic signals, crosswalks, things of that nature. I think what i'm up here to say is this also. As you build new schools -- I contacted carole smith last week and asked her to get with the transportation department, because I think it wubben official -- the old says is measure twice, cut once. I'm of the mind measure twice, build once. When we build these schools for david douglas and on the east side, I think at the same time we should also be building the streetcars to run right there so that our kids will have a safe way to go to school. They should run almost virtually to the entrance of these schools. You, you really are what the "oregonian" says. You're a statesman there. You had a tear in my eye when you were talking there. Thank you. Thanks, guys.

Sten: On that note, we'll --

Leonard: I did not pay him to say that.

Adams: I had a tear in my eyes, but it was allergies.

[laughter]

Potter: No further testimony, please call the vote.

Adams: Well, I want to thank commissioner Sten and the Portland development commission for their leadership on this issue. Nothing is more important to Portlanders than the successful schools in every neighborhood that ensure that every child has access to an excellent public education. It is simply the cornerstone of the civic foundation of a successful society. While the city council cannot ensure each child gets a superior education, it's beyond our legal reach we can help ensure facilities exist to help provide for that education. While I support this important step, it is just a first step to ensure that every school in Portland can meet Portlanders' appropriately high, yet entirely reasonable expectations for the quality of education provided to their children. All five school districts deserve the greatest support of city council, and this is an important first step in meeting a citywide expectation Portlanders have for us as a city council. And i'm very pleased to vote aye.

Leonard: I'm a fourth generation Oregonian. Born and raised in Portland, lived here all my life, gone to Portland schools, Portland state university, worked for the Portland fire bureau. I'm on the Portland city council. I don't think you get much more Portland than I do. So I hope people will forgive me for what i'm going to say. We, as a state, are sad in terms of how we view education and investments in education. It is sad for me to have read some of what I read over this current debate about whether or not it was appropriate to use these dollars to build a school for public education. I would point you back across the oceans to one of the homelands of my forefathers, ireland, and their ideas with respect to education. They had made college free in ireland, and they did that not for a social reason. For an economic development reason, they decided that they were lagging behind the rest of europe and asia and much of the world neck nonperishable milk development, and the primary reason was they weren't educating their kids to the level that they could compete in

the world market. They opened up college and invested in kids, and they are now one of the leading economic powerhouses in the world. We have a lot to learn in this state about what it means to actually pull our kids up by their bootstraps, give them the chances to succeed, and this initiative today is an example of how you do that. This initiative today is a small example of exactly how you do that. You consider building schools, providing more teachers, more money for education not as an expense but an investment, because that's exactly what it is. And, folks, we are losing as a state and a country on the international stage in terms of competing for jobs, for industry. To other countries which have figured out this simple little formula i'm describing to you, and that is you make investments in kids to compete, and then you draw industry. You draw jobs. You draw investment. You draw wealth. And most of all you draw a sense of worth. And I am very, very pleased to actually be in a position to support something that I think is one of the first initiatives to do just that since i've been in public life, and that is investing in a school in probably the area of the state that needs it the most to create opportunities for kids who otherwise were lost. So, again, thank you, commissioner Sten, for this great initiative. Thank you for your vigorous work on it, and i'm really pleased and proud to vote aye.

Saltzman: Well, I want to thank commissioner Sten for his leadership on this, and I also want to thank the david douglas school district, the superintendent, and the many, many hard-working faculty and staff who deal with this conundrum of stress on the facilities that you have to provide -- and you're doing a great job, providing a real quality education, but there come as limit, and the courses that are working against you in terms of low assessed values, migration to your district from inner Portland. This is the solution or a solution that commissioner Sten has found here so that we can invest in your future and in the future of your students. I think it's long overdue. I think this is an opportunity -- a ewe nike opportunity -- and it's really going to serve not only david douglas residents and their kids well but it's going to serve the entire city of Portland, so i'm pleased to support this, happy to vote aye.

Sten: I wanted to thank jamal who's been on the lead for helping us get this through. I just wanted to single out and thank the p.d.c. Commission and their staff. This has been a new way of thinking and a tricky one for them, and they've really taken the approach, chi appreciate, that this is a policy decision that the council needs to think through and that they will then implement. I also think that -- I won't restate this, 'cause I won't do it as eloquently that the community members and superintendent rommel have said about how important this facility is. I really, randy, appreciate your words and the points that you're making. I think that trying to tie these things in to other ways of thinking -- there's always this thinking that there's this money but the box doesn't allow us to spend it on our biggest needs, and this is a way to improve this. I think this will serve the Portland development commission very well, because I think it will begin to build the support that is lacking from the broader community because people don't understand what the Portland development commission does. I don't think it's because they're against how it's done but they just see it as something different than what it actually is. I think, as kids get pushed out of the innercity, which really is the nexus between the river district and david douglas, I believe unless we take these kind of steps, there's going to be increasing pressure not to do urban renewal districts. I think in the long run those are ultimately not work. I also think it's been tougher than we would have thought to do the urban renewal districts we've done in the lower-income neighborhoods. Tying the urban renewal districts that are wildly successful because places like the river district not only can support density, they want it -- they can create a lot of taxes to the places where people don't necessarily want or need that density -- begins to create an alliance. I'm comfortable that this will bode very well for the Portland development commission and people understanding it. The david douglas district, which is again, 100% in the Portland city limits, I do want to end by saying that I see this as one initiative in a broader strategy that we've been calling schools/family/housing, and the idea is that the school districts, the schools themselves, even though we all care about them, are really working in a little bit after vacuum and what they're doing is not well tied into particular housing

strategies. We think housing crisis-wise david douglas is coming apart at the seams. The Portland public school district is closing schools, so that makes sense to tie our housing policies to entire city efforts. There are conversations underway that is remarkable and admirable to see the parkrose superintendent here supporting david douglas getting this investment, and the point is I expect from conversations with everybody involved that what we want to do as a community is apply this kind of innovative thinking and this kind of determination to the unique problems in these unified school districts and to come back with strategy years after year that can do this kind of work. We can probably do a couple more satellite districts in the years ahead and can come up with an equally innovative strategy where we cannot do satellite districts to make sure the schools have the facilities they need. I think this is the first step, is the most needed step but the first step in what I see as a much broader strategy to work with the schools. Obviously i'm very, very delighted and pleased to vote aye.

Potter: Thank you, commissioner Sten, for your leadership. I think this is one of those issues that are going to be reverberating into the future for the betterment of our community and our children. I want to thank the Portland development commission who is here this morning with their executive director for their work on this issue in terms of satellite urban renewal areas and to the david douglas school district. When I was campaigning, I visited several of the school districts in Portland, and I found that david douglas was one of the best-run school districts in the state of Oregon. And so with the money that they have and their great staff and superintendent, I think they do a tremendous job. This particular decision will certainly help david douglas become even better and position their children more effectively for the future. I want to thank everybody. I vote aye. We'll now move to the regular agenda.

[applause]

Potter: Let me remind you, if you want to show your support, please wave your hand in the air. I've allowed a couple of -- these are very significant events, and I appreciate your support and enthusiasm. Please read item 332.

Item 332.

Leonard: I want to pass out a substitute resolution. The substitute resolution, at the request of o.m.f., has amended the words on the first thing, after the word authorize, up to and then, in the second to the last resolved on the first line up to 242,000. So would you like to adopt that now and then have the discussion?

Potter: Did I hear a motion?

Adams: You moved it?

Leonard: I moved.

Adams: Seconded.

Potter: Call the vote.

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

Leonard: So I have officer jeff meyers, phil senate, and sergeant maddington. Mayor and council, as you know, the mayor's and my work on project 57 in the fall bump, we added some funds for additional capacity for treatment beds. What we discovered, after we added those dollars, is that there were no actual physical treatment beds available, and we were doing -- ty, why don't you come forward as well. We ended up we were looking as far away as medford to have treatment beds for the offenders that we're trying to get into treatment. And obviously that didn't serve us well. Officer meyers identified an opportunity here in the community that resulted in this resolution today, and it's the building at 11 northwest fifth that will allow the salvation army's harbor light women's shelter to move from its current location at 20 southwest second. If we do the capital improvements at 11 northwest fifth, salvation army will be able to expand the operation to 11 northwest fifth and, as a result, they'll be able to serve more women both with emergency shelter and being able to help transition them into permanent housing. That opens up the site on -- at 20 southwest second which then the volunteers of america will be able to move into, creating 12

treatment beds that will then be the other half of the project 57 strategy, which is, as you recall, to create jail beds to put people into and then give them an opportunity to go into treatment. These particular beds, these 12 beds, which will be run by the volunteers of america, are really for amongst the most violent offenders in the community. They're exponentially more violent than those we've been treating up to now. We don't expect the outcome to be any different than this fabulous outcome we've experienced as a result of project 57 where we've seen a 71% drop in recidivism amongst the top 300 offenders in Portland. It has been very successful. I think mayor Potter and I are both very, very pleased with the result of this excellent work. This piece will allow us to do the remodeling. This 242,000 will allow us to do the remodels to make the various moves and get the treatment centers up and running. Do any of you want to add anything?

Jeff Meyers, Portland Police Bureau: Jeff meyers. The only thing, commissioner, is actually the group that we're servicing is 409 instead of 300 now. Recidivism rates have been reduced among that entire population.

Leonard: Great. Thanks.

Potter: And i'd like to add that, as folks who are aware of the crime problem in Portland understand completely, 70-80% of the people being booked into Multnomah county jail have one or more legal drugs in their system at the time of arrest, and so the theory behind this is, if you -- we have tried the enforcement of this, and we do have a provision for putting people into a jail bed, but the real secret is to work with the drug addicted people who are caught committing the crimes and putting them in a position where they are forced to seek treatment, and the experience there has been very positive. As has been stated, the recidivism rates that dropped very dramatically. I see this not only as a program for old town but for our city, and I think that other cities may want to emulate at some point, since drugs tend to drive crime in most cities, that this kind of program actually has more value in terms of reducing crime and getting folks off of their drug habits than just about anything else that I have seen. So it's very effective and very much appreciated. You folks want to have some opening statements?

Leonard: They were just here to answer questions if there were any questions that came up.

Saltzman: I have a question or two. I want to bring up casey short to talk about -- again, this is like last week, my concern about purchasing a software system out of contingency rather than doing it in the ordinary budget process. I guess I have the same question here. Why is this a contingency item? We're doing our budget process. I'm not asking you that. That's the question, and I want to know what is the current status of our contingency amends the spring bump, which was alluded to last week, too. If we should be bringing forward initiatives now that are going to be funded from a spring bump, what is the resource amount in the spring bump?

Leonard: Maybe I can let you answer the latter part. Let me answer the first part first, why this now. In the fall bump, we authorized \$800,000 to expand project 57 to include these offenders, and we believed when we expanded that amount to 800,000 that all of us supported that that was going to give us the money necessary, according to the numbers volunteers of america gave us, to put those particularly difficult folks into treatment. What we discovered, however, is there's just a lack of treatment beds. So this came up as the strategy to be able to actually create the beds a and that is to actually go in, remodel the southwest second site which involved having the salvation army move from there to another site that we could then have the volunteers of america occupy. So this was an unforeseen circumstance that stopped us from moving forward with phase two, if you will, of the treatment part of project 57 for volunteers of america. So it was an extenuating circumstance we didn't see at the fall bump.

Saltzman: Are you planning on bringing more contingency things before --

Leonard: Do I have to answer that on the record?

Saltzman: Yes.

Leonard: Not that I can recall at this time.

[laughter]

Saltzman: It strikes me that there's one budget process that four of us are involved in and there's a separate budget process that you're undertaking here, and I don't think that's right. Like last week, the software system. \$300,000 sounds meritorious when considered in a vacuum but, when considered against all the other competing priorities, I think that's the way it should be. I guess I would not ask Casey what is the current status of our contingency fund? I guess this is a \$242,000 draw. Where are we left after this? And tell us about the spring bump.

Casey Short, Office of Management and Finance: The general fund contingency, as it currently stands, the general part of it, is \$8.6 million of which 4,325,000 is reserved for other things, including police overtime, park block 5. There's an oak bottom project that was reserved in the budget and a million and a half dollars for a loan to the business license surcharge fund in that's needed for money to pay the schools. It's a cash flow thing. So that leaves about \$4.25 million unspoken for in the general fund contingency. If you back out the \$275,000 that council committed to last week for the secondhand, that brings you had to just below \$4 million. The status of the spring bump, what people are going to ask for, I don't know at this point.

Saltzman: What's the resource forecast for the spring bump?

Short: There is no additional resource forecast. If there are additional general funds needed, the bureaus need to avoid overexpenditures, which is generally what you get in the spring bump because it's the end of the fiscal year and you don't need money to do something for the coming week. Source of any funds there would be the general fund contingency, and I just don't know what the level of that is going to be.

Saltzman: Unlike the fall bump where we had considerable surplus resources that we spent, we're not going to have that situation in the spring bump?

Short: Correct. The same as it is every year. The fall bump is additional money. It largely comes from money that you started the year with more than we anticipated in the budget process. Conversely, if you run into bad economic times, you might have less money in the fall bump, you find yourself having to cut. We haven't done that in the three years I've been here, but that can happen and I believe has happened in the past. The major difference between the fall budget adjustment and the spring one is the fall catches up from last year. You see what you really started the year with to see whether there are additional revenues or reductions in revenues that you got and if there is additional money the council can do with it as it sees fit. In the spring, it's primarily a matter of catching up with what you've done over the course of the year, moving money from one place that another to account for some places that have overspent and some that have underspent.

Saltzman: And then the police overtime reservation in the contingency, does that include money for likely presidential candidate visits?

Short: It could. Last year the police bureau did not need to tap into that 1.8 million that was set aside in contingency. I think, if you've got that reserve set there and you don't need it, it essentially becomes available for whatever purpose you choose, either to fund something going on in the current year or to carry it forward to the next year so you've got it available going through the whole bunch jet process or the fall bump process depending on when it becomes available.

Saltzman: I guess my last question is the issue of whether the salvation army complies with our equal benefits ordinance. I think we've had that issue come up before on our winter shelter. Are they going to comply?

Meyers: Commissioner, I think I can answer that and in some parts your other concerns. First of all, yes, they do comply and they have in the past. In terms of the impetus behind this and why it doesn't come forward in the fall bump, the county had acquiesced to some degree, the mayor and council had, that there was no brick and more for available or no capacity to do additional treatment beds. That's why we originally asked for \$262,000 in the fall bump. Mayor and council authorized 131,000 simply because they didn't think there was going to be the capacity. The stars aligned after January 1st, and we found a very unique opportunity for salvation army, who was planning a move from their present building -- the building's for sale. We saw an opportunity to move a very

effective and very successful in-patient or -- i'm sorry -- women's shelter facility that has been, in terms of the old shelter philosophy, was to stagnate how people were coming in, and they were stagnating. This program moved forward by both commissioner Leonard and commissioner Sten, we're bringing people in at the back end and moving them out into permanent housing through case management. So this is a very successful program. We saw an opportunity to move it to a new location and not only move it intact but we had the ability to expand for future capacity from 34 up to 60 and, in addition, have the women's access center in the front where not only would it take care of the women in the program during the day but have additional capacity to bring women out from the rest of the community. That's been funded as well by the safe group.

Saltzman: Are you telling me that, when they sign the contract or we sign the contract, they're going to provide an addendum that says they're in full compliance with the city's equal--

Leonard: I'm not sure that that's accurate. I'm not sure that it is unless something's happened.

Saltzman: That's what he said.

Meyers: We contracted with them. In fact we have other contracts. The men's winter shelter, we historically contracted with them, and in fact we're in contracts with them right now. It was my understanding that there wasn't a concern over those issues with salvation army. They were compliant.

Adams: And I was told when I raised this issue earlier that they were in compliance, so I think Jamal is an expert on --

Sten: It's tricky. Last I visited it, which is not recently, they're not in compliance. Bhed has with the knowledge of the city council from time to time contracted with one of their subsidiaries who does comply. I think I remember having a conversation with commissioner Adams specifically about this. They have their point of view, and we've been trying to find a way to share services. I do think it does raise a question. What we've mostly done is their historical role. Maybe they found a way to comply. I don't know that they have.

Adams: This would be -- that's a useful question. Commissioner Saltzman this is an expansion of the part of the program that is not compliant or we just don't know?

Ty Kovatch, Commissioner Leonard's Office: This that you're looking at here is not an expansion of the existing program but offers the opportunity for expansion which wouldn't occur until the next budget year. The facility offers them the opportunity to serve a higher number of women the way it's arranged in its size.

Adams: So there's the program that we have the opportunity to expand next year -- is the comm in compliance or not?

Kovatch: I'd understood what was described here, which is that some local steps that they took to become into compliance with our issue the first time that was raised when the women's shelter was brought up either last november or the november before. I'm not sure of the details of how the contract --

Sten: The women's contract in particular goes through, I think, rose haven.

Meyers: Commissioner, I believe it's women's west.

Sten: It's women's west with west women's shelter, which is a separate nonprofit who had been in compliance. If this is through that same group, then it is in compliance.

Meyers: And, commissioner, it is, and in fact it's an intact program that is budgeted through the fiscal year, and we would be moving it in essence right now at the capacity that we have right now and in the next budget cycle it will be up to you whether you wish to maintain it as its current capacity or you have essentially the ability to expand it if you see a need.

Saltzman: This contract for construction will be through west women's shelter? They will be the physical agent, signatory to the contract? Provides a statement of compliance with the equal benefits ordinance?

Kovatch: We'll make sure that whoever the contract ultimately gets executed with after the money is authorized is in compliance. I think that's a fair request of us.

Saltzman: They will sign the certification?

Kovatch: Whoever -- however we've been able to execute contracts with the organizations that provide women's emergency shelter to have them in compliance, I think it's a fair statement that whatever we do to distribute monies in that regard is in compliance with our policies.

Saltzman: And who is signing the contract on behalf of the city?

Kovatch: It would be either the police bureau or the bureau of housing community and development.

Meyers: Commissioner Saltzman, it would be bhcd.

Sten: I don't know where I'm going with this, which is dangerous, but I think the council needs to give some thought as to how it wants to handle the ordinance in this. It's about city policy, and I think it probably is a reasonable person's distinction between it's November--we need a place for women to go. The salvation army has one. You come up with essentially a reasonable workaround on the arrangement versus you build the system with them if they're not willing to do it. I don't know what the right answer to that is, because I think it needs some explicit discussion.

Leonard: Of course, in this instance, we're just moving their location. Our actual work here is to create treatment beds for the volunteers of America. I mean, that's -- we're not actually entering into an agreement per se with salvation army for anything. We're just facilitating a move so we can get the current space from them.

Sten: I don't necessarily think in November of last year -- and again I'm not taking a position that we should do this. I'm saying I think there is a problem with the equal benefits ordinance here.

Leonard: And I agree, and I'm just saying that's a separate issue from this and we should take that up when it comes up again.

Sten: Yeah. I think where it starts to be implied here again, without having thought this through, is that we're taking what I think was probably more of an emergency role and moving it into sort of a multiyear strategy of how we get to the access center, and I think that all makes a lot of sense, but it probably is --

Leonard: That's fair. I agree.

Adams: And just to clarify, and I think we're probably on the same page, commissioner Sten, but if there are short-term exigencies, that's one thing, but sort of permanent workarounds, I would be very reluctant to green light those for anybody.

Saltzman: Yeah. I guess I would be reluctant, too. I'm not fully satisfied that we're not working around it. We're parsing words to get around it. But that's -- I don't think we're going to answer those questions any further. I appreciate the commitment that the contract will have a signed compliance statement with our equal benefits ordinance by whoever the contract signatory is. I say that on the record.

Leonard: And I commit to that.

Potter: Thanks, folks. Any further questions? Do we have anybody signed up to testify on this matter?

Moore: We have one person signed up.

Teresa Teater: Mayor and council members, Teresa Teater, downtown advocate. I was a former employee of volunteers of America in 1998-99. I read through the resolution and there's a real strict compliance with having been an overnight counselor with the program where you get drug tested. When you come through the door like after a weekend you're paired up with someone to be out on the street and if they see you go for a pay phone and you're calling your old hook ups for drugs you get told on as soon as you get back to the facility. The concerns I have from listening to this you don't know who's going to run this, other than volunteers of America. There's discussion back and forth about salvation army, and you're needing to use the facility in an emergency in the winter. If you have women locked into a strict program like we had at that time, I'm not sure how they're doing it now, but if you have to bring women in off the street in emergency that are using, are drunk, and blend them in this strict program, you're going to mess things up. I don't know if

you're following what i'm saying, but this all sounded confusing, like this isn't really well thought out. But the budgetary process is in a facility, i'm concerned about how it's being run. In light with what the Portland tribune wrote today, the front page about this thing being run by cascadia, there's no oversight in the front lobby. People are coming in at the first of the month with their booze and drugs because they've got their social security check, and nobody is doing u.a.'s and saying, you're not on your program, out of here. If you don't want to get well, you're wasting our money. I don't want to see you keep throwing good money after bad. This is city tax dollars. It sounds like you need a work session on how this is going to be running, who is going to be running it and what's going to happen in the winter when you need an emergency location for women that are out on the street using, etc. You don't want to mix up people getting well with people seriously sick. Thank you.

Moore: That's all who signed up.

Potter: Is there anybody here who wishes to testify that hasn't?

Pete Colt: Back in autumn, I was walking down everett, and on 19th and everett I was going to put a little money in a woman's purse, and she looked up and she was severely beaten. Homeless woman, drunk. She had been gang raped throughout the evening where there was a homeless camp set up with blue plastic things. They brought her back there and gang raped her and beat her. I tried to get her to good sam. She collapsed. Called 9-1-1. McNabb showed up, i'd love to have him do a foot patrol. Outstanding police. Long story short, I got her parents' phone number from her before the paramedics arrived, I was able to call them. She called again from lloyd center, I went over there, found her, got her into another program. I was able to get her home to california. She's now in corvallis. It's really important that we have a shelter for these women. I think what i'm trying to say is this, in terms of the prostitution in this neighborhood that i'm in, one of the things we could do when we really ask you to reestablish the prostitution-free zone is rather than exclusion, maybe say, you need to go into treatment. And you have to give them an x amount of time that they're in treatment. I agree with this woman who said it's probably not a good idea to mix people who are really serious about a program with people who are coming in from the shelter off the streets. So that's what I have to say about that. Again, oh, the graffiti abatement. Thanks, marsha dennis, thanks for watching our money. That's twice you've done that that i'm here. Is I think the women's shelter is an important thing. I think that these prostitutes deserve that treatment, just as the kids in our neighborhoods deserve to -- when I found out in the fifth grade these kids are allowed to walk off campus at the metropolitan learning center, and walk around this neighborhood, walk around couch park, walk around everett, without any adult sprks how frightening that is to me. Any way we can get these women off the streets and get them into treatment would be a good thing. So thanks for listening.

Potter: Thank you. Please call the vote.

Adams: I appreciate the conversation around the city's e.e.o. requirement and e.v.o. requirements, and look also acknowledge and appreciate the commitment that whoever gets this contract that they'll be in compliance with both. I want to support this enthusiastically, and I want to -- this is your lucky day, getting another compliment. I want to compliment commissioner Leonard, this was his idea, and these kinds of results in terms of reductions of up to 71% of recidivism between three and 400 folks, top offenders, that's amazing groundbreaking results. So thank you for your good idea. Jeff and ty and others, thanks for your contribution to this and making it work. Aye.

Leonard: I was at a public safety forum last evening, and there was quite a panel there in east Portland that included district court judge jones. And I hope I don't inaccurately describe what he said. The gist much it was that of the offenders that he sentences for crimes against people, which included burglaries and robberies, and assaults, I believe he said 80% of them had been through the jail at least one time before that for a lower level crime. And that there were always associated with some type of drug or alcohol. And his point was, if we could get in and catch them that first time and get them into treatment, we prevent crimes the second time that are much more in many cases

hurricane us and much more violent. And of course I thought about what we were going to vote on today, because that's precisely what this does. That's precisely what this program does. And it catches people that are in jail, lets them sober up and gives them a chance to get into treatment. And then avoids future crimes against our citizenry. I wished I had thought of this. I didn't. This is a remarkable idea that started with officer jeff meyers and me walking around with him. All i've been is a conduit of his very active mind in getting these initiatives here before the council. And i'm very pleased of the partnership that the council has exhibited with the police bureau and the leadership of the police bureau that although jeff came up with these ideas, he's had these ideas for a long time and they weren't always in favor, either with who the then mayor was or the then police chief. And it is only with this mayor and this police chief that we've actually had the opportunity to have this creative discussion, collaboration, between mayor Potter, myself, the police bureau, and street officers. And the result has been fabulous. And I can't speak liely enough of the great work that our police officers are doing if we let them do what they want to do, and if we support them. That's what this really is, is the council supporting the ideas of the front line street officers, sergeant matt engwen is a big part of that, and us giving them the things they need to succeed. So I really appreciate the support of the entire council, but particularly mayor Potter. This would not happen without his support. Aye.

Saltzman: Notwithstanding my concerns about the proper use of contingency, and the concerns I think have been allayed about compliance with equal opportunity ordinances bite contractor, I will support this because it is obviously something we do need, and it's certainly a meritorious investment. I'm pleased to vote aye.

Sten: Thanks to commissioner Leonard and officer meyers and the team, and all the other folks working out there. We're making huge progress, both on chronic homelessness and something that looks the same, I don't think it is necessarily, is chronic addiction. Which may or may not be homeless, but it's all kind of hitting old town as well as other places. And I just think that it's such an exciting moment, because the only way you really deal with homelessness is to engage the greater community and get people relationships one by one, and the only way you get addicts to stop committing crime is to get them off their addiction. And this is what this is all about. And not everything is perfect about this particular strategy, not everything is -- but it's a lot more perfect than what's out there right now. So i'm delighted to see it, and thank you guys. Aye.

Potter: A few weeks ago I was out at join talking to some of the homeless people. One of the people that talked to me was a woman in her early 30's that had been the victim of domestic violence. And she could not get into a shelter at the time to try to -- so join put her up for a few nights in a hotel, but it didn't solve the problem. She was afraid of this individual that she had been involved with. I think it's these things that tend to be swept under the rug and perhaps ignored or just not made aware of in the general public. But this is a real issue that we deal with. It's a real issue about drug addiction, and the harm that it brings to people, and that not only does this reduce crime, but it actually helps human beings. And I am very, very pleased to support this. I support officer meyers' work, and commissioner Leonard, your spearheading all of this. This is how I think effective policing in effective treatment works in our community, is a line -- aligning those with the people who need it. This moves a long ways towards that. I vote aye. [gavel pounded] please read item 333.

Item 333.

Potter: Commissioner Leonard.

Leonard: Thank you, mayor Potter. Commissioner Sten and I just concluded what can only be described as the most intensive budget hearings that i've been aware of that have ever happened in the city around the Portland development commission, which couldn't be more open it is --

Sten: Perhaps in the state.

Leonard: Perhaps or the state or the country, which could not be more opposite of what our collective experience had been heretofore. And I want to say that I was deeply impressed. I asked

tough questions, as did commissioner Sten, and the responses were always thorough, responsive, to the point, and accurate. And I, as a result, told the p.d.c. That as opposed to prior years I've actually questioned giving them \$800,000 in general fund money for their economic development, because of my concern of the lack of accountability and adequate benchmarks, that not only was I ok with that, that I would recommend to the mayor for his budget along with commissioner Sten the full \$5.2 million request they've made. So I hope that that -- that that recommendation by us and particularly by myself in the context of some of the concerns I raised the last few years in front of the development commission, indicates my confidence in how this organization has turned around under the leadership of the board and of Bruce, and has focused on what its mission is, and that is economic development. However, I want to make another point equally as clear. I think that the concern that I have and that others have expressed with respect to the legal advice from their department is not about who the people are. In fact, the people that are in the legal department at the Portland development commission are doing exactly what I would expect them to do under the current rules that they work under. They represent the executive director, Bruce Warner, and the Portland development commission, that is who their client is. So when the attorneys advised the p.d.c. that the city auditor, Gary Blackmer, two years ago, did not have authority to audit their books, I didn't agree with that, I didn't like that. The citizenry didn't like that. Gary Blackmer certainly didn't like that. But they were advising the p.d.c. what they thought the authority of the auditor was under the charter to audit their books. When the p.d.c. close to two years ago, a year and a half ago, refused to turn over documents to the city council that we'd requested as a result of our investigating the financial deal on the property owned by the p.d.c., southwest third and oak, I was not happy. I was so unhappy, I filed an ordinance subpoenaing the documents. That advice to not turn those documents over to us was given to them by their attorney. I then, as I do now, never once thought that that was a problem of the attorney, but rather the structure of how p.d.c. is constructed in the charter. So the way to resolve that is not as some people have assumed, to replace the people that work there. They are not the problem. In fact, as I've said to Bruce and others, I would hire any of them myself to do personal work for me. I am impressed with the work they do. But their job is to represent their client, and that's what they're doing. So we the council have to make a decision, if it's structured in a way that's healthy for the organization and the city, and I have concluded that it is not, that notwithstanding the -- what I would consider the historic cooperation that exists at this point, the apex of cooperation that exists between this council and the current p.d.c., having a structure where you have attorneys advising the p.d.c. on a narrow view of the charter, that is just the provision that creates p.d.c., as opposed to broader city policy, broader city council goals, broader city council policies distracts the p.d.c. from their real work. Thus you get into distracting arguments like whether or not the city auditor has the authority to audit the p.d.c. who actually thinks that that debate was healthy between the city council and Portland development commission has to whether or not a public entity that gets hundreds of millions of dollars in taxpayer dollars cannot be audited by the elected city auditor? I don't think that I was healthy debate. Who thinks it was healthy debate as to whether city council could look at financial documents having to do with the transaction of a publicly held piece of property on southwest third and oak with the private developer? Who honestly thinks it's debate as to whether or not we should be able to look at those documents was healthy? I absolutely reject outright that argument. And that's the argument that's been made. They distract us from the function and the purpose of the p.d.c. as I've told this executive director and the chair Mark Rosenbaum, I would be flabbergasted if in my remaining tenure here or theirs on the development commission, we ever had these issues arise again. I will sit here and tell you on the record, I am convinced they won't. Not in our tenure. But it is inevitable with the current structure in the charter the way it is, so the p.d.c. hires its own attorneys, that at some point in the future knows conflicts have to happen again. Because if they're hiring competent attorneys, and they do, and those attorneys know who their clients are and they do, they are going to object to other councils in the future, for instance, to come in and audit their books, or

for instance, to come in and ask for financial information on a particular deal that's going down. Once we make this change, I am convinced that the p.d.c. will begin getting advice from their attorneys like we all enjoy today. Up here. There are a lot of things that this -- that the public never sees that I'd like to do that I get talked out of by our able city attorney, who sits down and says, you need to think of what you're doing in the context of the broader city charter. In the context of other ordinances in the city, of broader city policy. And frankly, I need that advice. The p.d.c. does not benefit from that kind of advice. I would argue, and I think I have given two examples, where their advice is so narrow, it gets them into trouble, but they do not need to get in. How did it serve p.d.c. to have those two disputes with the council? It did not. It distracted us. According to the p.d.c., it created morale problems. With this change, I think we can move forward and have the same folks working there now in the same seats they're at now, giving the same advice that they are today on a day-to-day basis, which are basically advices on how you construct deals, how we write contracts, how you do development agreements, on a day-to-day basis, but done in the context of the broader city charter and the broader ordinances that are adopted by the entire city council, which does not occur today. That's a long way of me saying I think it's a minor technical change. Out aligns the council and the p.d.c. and their staff focussed in their same direction. We are not going to be at odds at any point in the future with people who are public employee who's work for the same taxpayers we do. So I urge the council to consider this resolution, and to support it.

Potter: Do you have anybody to testify?

Leonard: I do not.

Potter: I have some questions for the city attorney regards to this resolution. I would like to ask you, does the p.d.c. currently have the authority to hire their legal counsel?

Linda Meng, City Attorney: I believe they do. The charter refers to -- the charter directs the city attorney's office to provide legal advice to the commission at their request. And it provides that they can hire special legal counsel. Through the history of the p.d.c., it appears except for one year in 1958 they have had separate legal council. That was done right after the charter was enacted. So I believe it's probably a fair interpretation that they have authority to hire separate outside council.

Potter: If that's the case, does the city council have the power to require them to -- I should say, the power to direct you to assume the responsibilities of the legal -- .

Meng: I think the council has the power to direct me. Our general legal advice has been that the council does not have direct authority to tell the p.d.c. commission to take particular actions. The council does have a fair amount of leverage with the p.d.c. commission in the number of areas. The Council issues bonds. The council has ability to approve p.d.c. plans, the council has the budget committee for p.d.c. so the council has various influences, shall I say with p.d.c. our general advice in the past has been that a direct order from the council to the p.d.c., is not necessarily something they have to comply with, as a legal matter.

Potter: Under administrative powers and procedures of the charters of the city of Portland, paragraph 2 says that the commission shall have authority to appoint employ and discharge such officers and employees and agents of the commission finds necessary. And then in section 3, it refers to the commission may obtain the advice, services, recommendations of any officer, board of commission of the city of Portland and the city attorney and the city attorney staff shall render legal assistance and advice as required by the commission. That seemed to be fairly specific authority that is granted only to the Portland development commission.

Meng: Only -- yes. I mean, there is -- they have separate authorities under the charter to hire employees and to make those hiring decisions. That are separate from the council.

Leonard: I would point out, mayor Potter, that you're looking at section 15-104. The resolution references section 15-105. Which is a new section. And says that the city council should be the budget committee for the commission and shall have the duties and responsibilities of a budget committee provided -- as provided by state law. That gives us the council the authority to decide

what to fund and what not to fund. And the resolution if adopted would direct the funds that the city council all 0 indicates, as the budget committee for the p.d.c. only be used for the purposes of funding general council at p.d.c. that works out of the city attorney's office. What it does not preclude, however, and i've made clear and I want to make clear on the record, is does not preclude the ability of the p.d.c. to go and hire special council when in their opinion and solely their opinion they think that they need special counsel. For instance, if there's a perceived conflict that at times the p.d.c. has told me they think may exist at the city attorney's office involved in a particular transaction, only they would decide at that point that they need special counsel. They'll have separate budgeted authority by us, contingency fund that will allow them to hire special counsel. So we -- when this change passed the voters last year, giving us budget approval, it meant that we get to decide what gets fund and what's not fund and what this resolution basically says is for purposes of a general counsel, we won't fund private counsel.

Potter: Unfortunately the last paragraph doesn't state what you just said. It said that further be resolved that the director of the Portland development commission -- outline as selection process for legal staff as well as outline circumstances where it's appropriate for p.d.c. to hire special legal counsel from outside the city. So that makes that a joint decision, not a decision.

Leonard: That is not the intent. The intent is to codify what I said, and that is to make it clear in the resolution that we are not precluding the opportunity of the Portland development commission from hiring outside legal counsel. That in fact there are circumstances under which they'll need, to but obviously what I don't want to do is set up a paradigm where they then fall back on the ability to hire special counsel and exclusively use special counsel to replace general counsel. That's why that language is there, to create a very clear distinction between -- that support staff, which are other attorneys will support, and the need and the requirement for special counsel which I am entirely comfortable this language allows them to do with the cooperation of our city attorney and with bruce warner sitting down and deciding under what circumstances they would need to do that. The resolution also specifically codifies what i've promised bruce and the commission, and that is that they should jointly with the city attorney, decide who their general counsel is. It should not be a unilateral decision made by the city attorney or the city council who their general counsel is. They should not have someone they don't know and they shouldn't have to keep someone they don't want. I've made that clear, that's why the resolution says what it does.

Potter: Is this resolution enforceable?

Meng: Legally?

Potter: Legally.

Meng: Well, resolutions generally are not legally enforceable documents. Resolutions are generally documents that are internal direction within the city or express the intent of the council. So as an ordinary matter, resolutions aren't legally enforceable.

Potter: In this particular case, my strong sense and commissioner Leonard and I have discussed this, and we agree to disagree, it is this is contrary to the city charter in terms of the authority that's granted to Portland development commission, which is different from budgeting the budgeting process. So my question is under the circumstances, is this a document that can be used to require compliance from the Portland development commission?

Meng: I don't believe if the Portland development -- if nothing else happened, if there was no further action through the budget committee or some other action, I don't believe that if the Portland development commission refused to enter into agreement or refused to have the city attorney's office represent them, that the council could take legal action to enforce that.

Leonard: The point of this is to withhold the funds allocated for an attorney.

Meng: As I've said, the council has authorities and other influences over what pdc does. Some of them are political, some are financial. As a legal matter I don't believe the city could take this to court and file a lawsuit and demand and require that p.d.c. Do this.

Leonard: If this passes, it says we will not disperse funds for the use of hiring a general counsel that is a private general counsel. We legally have the authority as a council, and in fact are required if we adopt this resolution as a council to not allow our funds to be then used to hire counsel that is not working out of your office. General counsel. I'm asking for your agreement.

Meng: That's what is expressed in this resolution, is that that's the intent of the council, yes. That's the way I understand it.

Leonard: To summarize, it's called power of the purse. This is an historical argument the president has had the with congress, the legislature has with the governor, that we're having now, whether or not the different legislative bodies have the power to direct what happens through appropriations. And in is a time tested strategy by which legislative bodies control agencies by the power of the purse.

Adams: I have some on the ground questions just to try to clarify the sort of day-to-day potential roles and responsibilities. When I seek advice from the city attorney or any member of the city council seeks advice from the city attorney, it's covered under attorney-client privilege. Correct?

Meng: Yes.

Adams: Does attorney-client privilege extend to someone within another staffer within the city wanting to know what my conversation with you about bike boxes consisted of?

Meng: The way we operate with the counsel, we have a general understand with entire council that we can talk to individual council members confidentially, and so we can talk with you, with any of you confidentially. The client is the city of Portland, and I believe p.d.c. is part of the city of Portland. And therefore other staff members can also ask us legal advice. But that's not ordinarily kept confidential. One possibility to consider is whether that would make sense if this went forward to have the same agreement with the p.d.c. commission that they could seek advice confidentially. As an interim measure The idea is while policies will be developed, they will come forward whenever they're brought forward.

Potter: There's two other points I think are important. One is that -- I respect commissioner Leonard's recitation of past problems, but also that those problems no longer exist. I understand his thinking that this is preventive on future behavior, but it's also understood p.d.c. appointment of the commission is recommended by the mayor and approved by the council. I think any changes to the future p.d.c. board that this would be one of those issues they would talk about. My concern is how this affects the morale of the p.d.c. from my perspective, this is a slap in the face of p.d.c. I don't think commissioner Leonard meant, that but I think that's the effect. So i'm concerned, and i'm -- unless there's another question -- excuse me. I just want to finish my point. I'd like to talk about, are there other ways to solve this problem than to the creation of this particular resolution. And after linda is done, i'd like to have bruce come up and talk about any other alternatives that could be made that would resolve the issue, but not create this particular solution. Go ahead.

Sten: A couple questions. On the broader, I don't think it's going to happen, but if there was major mistake, liability of p.d.c. would the city be responsible for that?

Meng: It may depend on what it is. P.d.c. is an agency under the statute, and there may be some limitations. I'm kind of speaking off the top of my head. There may somebody limitations on their liability there. May be other aspects where the city would be liable. They are created by the city charter.

Sten: I do support the substance of what commissioner Leonard is arguing after many years of working with p.d.c., and I also share the concern you just shared, and randy and I have talked about it. I believe that we have pushed this agency hard, and I believe it is now showing many of the characteristics that I think many of us had hoped it would have for many years. And I want to commend bruce warner and chair rosenbaum and the team on that. So i'm really trying to look at ways to get at this. I do think historically attorneys at p.d.c. have been used to not do things that the commission did not want to do. I think some of the legitimate policy disputes are amazing waste of time, and I think that's been an issue. I don't think that's the issue right now. I just wanted to check

in with Linda, I probably do have a unique perspective as housing commissioner, I think I probably worked -- I don't think i'm exaggerating, i've been housing commissioner for over a decade, so I think we've had over 100 times where i've had to mediate a dispute between the city attorney's office's view of how to set up -- this is minor stuff, and bhcds. It just seems to me to burn a lot of time and energy. And I just can't figure out -- you can comment or not. I would like to have one lawyer who answers to -- who just decides what's legal rather than mediate those things. Because of the shared arrangements -- so I think there's a macro issue, but i've seen it day in and day out. The last issue was the Grove Hotel. We had a dispute over funds and we had attorneys negotiating with each other. And it just don't seem efficient to me. Do you have any thoughts on that?

Meng: We've worked really hard to not end up with dueling legal opinions because it's not helpful and most of the time we've been able to resolve those issues. And I -- I think we both try to cooperate with each other, and work through those things so we don't ultimately end up with duelling opinions. But sometimes it takes an effort.

Sten: The other phenomenon i've seen, and what i'm leading toward, mayor, I would love to have some conversation about is there other thoughts about how to address this, particularly commissioner Leonard might be interested. I don't know if there are. If there aren't, we can take a vote. I'm interested in that topic. It does appear to me, this might be something policy boards could talk about, is that it does seem to me that historically -- maybe because of different motives, and maybe just different orientation, but what i've noticed is that your office gets asked a different question than the p.d.c. attorney. I'll take the thing we did this morning, the satellite district. I asked your office how we could do it. Matt's issue on the potential danger, I don't think either of you did different legal work. You later got to the dangers where mayor Potter asked you that, but it was two completely different opinions. I can tell you in the real world, it looked as if p.d.c. thought it couldn't be done, and it looked as if p.d.c. didn't want to do it. And i'm not sure that's what happened. So I see all kinds of places from the mundane, what's legal with p.d.c. funds, to the dramatic which I agree isn't going to happen, but there's also middle ground, where different questions get asked of different attorneys, and I just think if both sets of questions were flowing to the same attorney, they would be in a lot better position to let the two sides figure out what they need. I don't think it has anything to do with the attorney. I think if matt baines receives my questions at the same time he receives the p.d.c. questions about the satellite district you would have had an automatic response. I don't think the p.d.c. commission was trying to be objective, but that's how it ended up conning across. And I had to backtrack and kind of -- so I think the commission sometimes gets disserved by the fact that dynamic happens. So again, I am being a little long-winded and I don't think I just asked you a question. Maybe I did.

Meng: I'm hoping not. [laughter]

Adams: Isn't that an eloquent statement.

Sten: Did I speak in english is my question.

Meng: It's true, what the question is makes a difference, and it's also true if the city has the direction, then our job is to help you get there in the best way we can. If there's questions about whether you want to go or if there's differences of opinion, we try to give the best sort of straightforward legal advice so you can take the risks and weigh them. But it matters what the question is, and where it looks like people want to go.

Adams: And it also matters who asks. One of my frustrations on the legal front as it relates to p.d.c. is with an earlier commission and an earlier administration at p.d.c. where overnight the legal determination from p.d.c. was that program funds could no longer be used for anything other than to address blight. Before that, program funds had a much more discretionary use to them, right or wrong, and overnight there was no change in state law, there was no change in local laws, it was the leaders that be wanted to move in a different direction, and the attorneys, acting on behalf their clients, helped them get there. It was not a policy discussion at discussion, i'm not even aware there

was a policy discussion. There has been, I have had frustration with some of the same issues that have been discussed here by the city council.

Potter: Was that a question?

Adams: No. That was a statement. But wasn't it a good statement?

Meng: They were all good statements. [laughter]

Adams: Oh, very nicely done. And that's why you're the city attorney. Good politician.

Potter: I'd also like to ask Bruce Warner to step forward. Ask him a question. Bruce, it's my understanding that you have made a couple of suggestions about how – ways in which the attorneys could be more responsive to council. Could you describe some of those recommendations and what you think they would do to resolve this?

Bruce Warner: I would be pleased to, Mr. Mayor and counselors. First off I really appreciate the discussion. I think the dialogue you just had really does get at the issues, and the city attorney was right on in materials of the issues and the ability to work to get the right question in front of everybody. So you know what you're answering and where you want to go with that. I just also want to say, based on what the comments you made about my legal staff, they are really good. They've done a great job, and I'm really pleased to hear the council acknowledge that. They make -- they provide legal opinions, and it's up to me and the board to act on those. And so placing any of this -- am I blaming the legal department's feet is ill played. Again, some of the things we've done over the last couple years to really address those issues I think hopefully get at some of the root things you've identified. And I hope and I'm realizing now from listening to the discussion that there are some real differences that you see in the way the agency works, and I'm very pleased that you acknowledge that. In terms of the proposals, I did talk with Commissioner Leonard about a proposal, which he rejected. It doesn't go as far as he's outlined here. But I think we have an opportunity, and I want to stress to you that Matt Baines is going to be retiring after 28 years of public service, and we're going to miss Matt. What I suggested is that we have a process to move forward to hire a new p.d.c. general counsel where I initiate the process, hire new legal counsel, but we do it with a board comprised of my board, the city attorney, and if the council so desires, one of the members of the council or their designee could be a member of that committee. The other thing I wanted to suggest, I think this is -- this gets back in terms of the collaboration, how we make sure we're working together, is that I want to make it clear as part of this new hire there will be in performance expectations to this -- for this new legal counsel to require coordination with the city attorney and would I also hope the city council would gift some kind of direction to the city attorney in terms of how we work together. And this increased coordination I think what I would be looking at is some regular meetings, it may be monthly or bimonthly meetings of the p.d.c. General Counsel or staff working on various projects. But the intent would be that if these meetings result in differing opinions, hopefully we'd understand what the actual question was to make sure we're all answering the same question, that on those issues important to the city council and the p.d.c. board, the expectation that these waters work together to come up with one opinion that really addresses those issues. And further what I would suggest, if no resolution is forthcoming this, is an opportunity where they both present those issues to both parties right up front so we have a dialogue and get to the meat of the issues and make sure we're all in agreement with the question and the answers. And then what I think is even more important, I believe p.d.c. general counsel and the city attorney ought to as part of this collaboration coordination process issue some regular reports. Maybe every six months. Identify those areas where they collaborated, identify those issues where they disagree and talk about where they disagreed, for what reasons, for why not, and at the end of the year, maybe December before the budget process begins next year, we take a look at those in terms of the performance, and it would be my expectation that the city attorney, myself, and the p.d.c. general council would talk about the issue, and if there are real issues that need to be addressed we bring those forward to the board and the city council, and we look at other options. We would be -- would I commit to you to come up with recommendations if indeed

those reports show we still need to do further collaboration and coordination. But I agree with you, commissioner Leonard, while i'm here and while you're here, I don't think that's going to be a problem. But I want to create a system a tick process to ensure that doesn't happen again, and I -- the other comment i'd make is I believe this is what we were looking at, they have further discussion as the city council sits as p.d.c.'s budget committee for the first time in early may. So that's a long answer, mr. Mayor, but I hope it was responsive.

Leonard: I'd like to give my reason that I didn't agree to that suggestion by bruce. This has been -- these discussions bruce and I have had, keith and I have had, mark rosenbaum, a number of people have been collegial, nonadversarial and the very same tone we've had today. I want to recognize I greatly appreciate and I want to acknowledge you've lead these changes. I greatly appreciate and acknowledge that. I haven't always thought that were you doing it the way that I thought you should do it, but I think in the end you're right. Your approach is better at times in specific things you've done than maybe what I would have preferred to you do initially. I appreciate your leadership and your style. The reason that I couldn't agree with that recommendation is because it really misses the point. It assumes there's a communication problem between the council and the p.d.c. or the legal team. It seems if we meet regularly and discuss it will avoid future problems. That's not the problem. I totally agree with what bruce and the mayor, the legal staff was first rate. There's nothing wrong with what they do. Nothing you have to explain that I need to know better. I understand why they give you the opinions they do. I understand why, and I understand your responsibility once you get that and how you implement those opinions. And as long as we have a structure that creates legal advice within the current system, it is inevitable that these conflicts arise. No matter how much we talk. And to be clear, I don't expect if this passes, and you have legal advice from the city attorney's office, for me always to be in agreement with what that advice is that you're given. You're still their client. In many ways it creates less opportunity for us to complain, because you're going to be advised from the same office that we're advised from. What I do think it does is avoid the unnecessary conflicts. I guess my last point was saying that some of the concerns commissioner Sten has, which I don't deal with on a day-to-day basis, may not be fixed by. This you may still get the same advice that you got from a private -- the private attorneys that you have now. What i'm hoping to avoid are these huge public relations battles over whether or not gary blackmer can audit your books, whether we can look at documents. Those are the huge distracters I see that will predict that this change i'm convinced will prevent. Not those day-to-day kinds of legal advice. I would expect you to get the same advice. If we all after sudden agreed with everything that your attorney were telling you, I would be -- I would consider another offer you gave to me privately that you didn't talk about, let's see how it works for a year and revert back if it doesn't work. I would be open to that. I want your advice to be objective. I want it to be edgy and I want it to serve your best interest. My point si don't think it does right now. Because of the construction of how you hire an attorney.

Potter: Do we have a sign-up sheet.

Moore: We did, and no one signed up.

Potter: Is there anyone here who wishes to address this specific issue? Please call the vote.

Adams: I'm going to support this resolution. I would like for there to be a perception and reality of a win-win here. So i'd like the negotiation to commence and to come up with an agreement that to the best of the collective ability addresses any potential concerns or pitfalls that might occur with this. I think p.d.c.'s ability to have confidential advice during the formulation phase of policies or operations or management issues I think is during the formulation phase is important. But I also think having consistency when that formulation leads to actual policy direction, that the consistency is very good, strong, positive potential upside. I think as we look at this, i'd also, if not in the same specific time frame as we look at this issue with p.d.c., phase two, it would be to also come up with similar procedures for fpd&r, which operating under a similar approach that is called for in this resolution for p.d.c. so that our -- we're treating everyone fairly and I look forward to the sides

getting together and coming up with something that hopefully meets the concerns and our best hopes for at least the large ones for this resolution. Aye.

Leonard: Aye.

Saltzman: I'm going to oppose the resolution. I think that the city charter clearly states the p.d.c. has its right to have its own legal counsel. I don't think that's trumped by the provision of the charter that sets us up as a budget commission. What I think it does set us up for instead is to become dysfunctional like congress and the legislature often are with their executive branches. We don't agree with your policies, so we're going to try to withhold the money. Talk about fruitless debates. Those are the classic epitome of fruitless debates about doing those types of things. They skirt the issues. P.d.c. is a complicated agency. Its board of directors and its director deserve their own legal counsel. So we have clashes. Those clashes get worked out. Right now is an apex of good working relationships. I worry about the impact of this move on morale, and I don't think aspiring to have type of withholding of funds battles with legislatures and congress have with executive branch is anything really to emulate. So I vote no.

Sten: I do, as I said, believe this is a very hard push and it may be pushing p.d.c. more than is perfect. The reality is it's in front of us, and the commission has made the proposal, and my concerns about the competing legal departments, what I believe structurally blocks some of our collaboration, I think it actually the way it happens when you have two different opinions given on the same thing, it leads to problems where some don't necessarily need to exist, and I think it also does tend to lead towards -- this will come up in debates later today, perception of how test that may or may not be there. When you perceive that somebody is trying to be obstructionist, it leads to a whole psychology that is often insurmountable. Given I support the substance I'm going to support the piece. This is a 3-2 vote with the commissioner in charge of p.d.c. not in support. This is hardly a mandate. I think what this probably becomes is a very strong signal that the majority of council would like to see this resolved, but I think as has been talked about, it considers to be some conversation on how to pull it off. While I do appreciate the offer, I think it was a good one, I think I was looking for something which may not exist, which is -- somewhere in between the full text of this resolution and inability to consult on a higher. I do see a structural problem that I think is causing historical -- I think it causes friction when everybody is working together and has been used without any doubt in my mind by other executive directors and commissioners to literally say to the council, no, we're not going to do what you want us to do. That has nothing to do with today's age, but it's not history, it's when I was on the council. So I think there's room to keep working on it, but given a choice of a yes-no vote, and given I fully agree with the substance of commissioner Leonard's analysis and my only concern at this point is trying to come up with a workable able implementation strategy, and I hear what commissioner Saltzman is saying, I would vote aye.

Potter: I've state mudslide reasons why I'm concerned about this. I think it's contrary to the city charter provision. I think it impairs the morale of the p.d.c., and there are other ways to arrive at the very same thing other than taking this very strong action. So I'm sorry it came to this, but I sincerely and strongly believe that this is not the appropriate thing to do to show the p.d.c. that we have appreciated what they've done to date. I do, and I want to thank p.d.c. for their efforts and I vote no. [gavel pounded] please read item 334.

Item 334.

Potter: Call the vote.

Leonard: Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. [gavel pounded] please read item 335.

Item 335.

Potter: Second reading, call the vote.

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

Potter: Aye. [gavel pounded] aye --

Adams: Aye.

Potter: Did you hear the fifth vote? Please read item 335-1.

Item 335-1.

Potter: Today I'm asking the council to reconsider an ordinance passed last week, item 319, directing the auditor to treat the July 15th special election as a general election for the purpose of the campaign finance fund. A consequence of the ordinance that was passed is that a publicly financed candidate advancing from the primary on May 20th to a special election on July 15th would be eligible for \$200,000 from the campaign finance fund for a campaign lasting less than two months. The \$200,000 is the same amount of money given to publicly financed candidates advancing from primary to general election in November with a campaign lasting almost six months. The same amount of money for a campaign lasting almost as three times as long. As a council we must do what is fiscally responsible and fair to all candidates and city elections. I believe council has unintentionally passed something that is neither. The campaign finance fund was intended to level the playing field. In the interest of fairness to other publicly financed candidates and other races, I don't believe we can provide a greater level of funding to one candidate while forcing the other to use the same amount of resources for a longer period of time. I heard from some of the community reconsidering this ordinance is changing the rules midstream. However, the run-off election if there is one, hasn't even begun. Also in that regard we did pass a number of changes to the voter-owned election recently, and that was not claimed as midstream. I have heard that this additional money is needed to introduce a candidate in a very pressed time period. The candidate will have already spent \$150,000 of voter-owned election funds introducing himself to the community. I've heard the criticism that we're in favor of candidates who take private financing, I don't see that's possible since v.o.e. Will still receive dollar for dollar matches funds. I worked with commissioner Leonard to come up with a new ordinance that would distribute an amount of money from the campaign finance fund proportional to the time period between the primary and the date of the special election. This isn't about a candidate so much as a system that I want to see succeed. I want to make sure that its success is founded in its principles, and principles of leveling the playing field for all candidates. I see this has a potential harm to that particular election. First I'd like the council to discuss the reconsideration, and I --

Sten: I would like to open this up for discussion. I think it's going to be a little tricky discussion. I want to start out by saying I think there's a good argument that's been made that there should be a lesser amount of money for the special election. I guess I would like a little more explanation, I would be happy to take a vote on reconsideration. I'm not arguing against the reconsideration, but I guess I don't -- I'd like to hear more explanation how you jump from \$200,000 to 66 in terms of what's a reasonable, and I'd like a little more explanation of why mayor, would you consider this an adequate process to make that decision. I will probably, and I want to lay this out very clearly, abstain from the final vote. It's a race for my seat in a special election I collected and the person who will get a far different amount of money than would reasonably be implied in Council's earlier action. The council's earlier action that commissioner Leonard's urging, which I support, was to do not make any substantive changes to the special election. So what's being called duplicitous by the auditor was an ordinance that says treat special election as regular election. Which is the only logical analysis that could come out of commissioner Leonard's point of view. There was a solid argument that maybe candidates should be allowed to consider to switch to the other open seat. That was shot down. There was an argument to give candidates a little more time. I would say both of those decisions favored privately funded candidates because there's little time to qualify. -- it's reasonable for those who sought to qualify to think it would be treated as a regular election -- I think while making the argument you are is reasonable--I'm actually open to personally supporting it, I think the range of reasonableness you picked the lowest possible number one could reasonably argue for. Based on what I consider a somewhat weak argument, the idea that you spend the equal amount of money during a campaign each month is not through. You spend 80% of your money, I can show from your records in the last five weeks of a campaign. So to say an eight-week

campaign should cost a third of what a 24-week campaign cost, doesn't hold up to spending patterns. It's -- and the decision to propose \$66,000, as I understand it, was debated between your office lead by Austin, who was upset when somebody said she might have a political motive. I don't think she does, but it has the appearance after political motive when your chief of staff who has endorsed Nick Fish and commissioner Leonard meet over the weekend by phone or how ever --

Leonard: That's not true.

Sten: All I know, the issue was not raised to me on Thursday or Friday. On Monday there was a joint proposal by your offices at 66,000. And all I'm arguing is if you want to avoid the perception that this is set up to favor politics, you need some process. There needs to be an ample opportunity for people to debate what the number should be. I'll stipulate to the premise it should be less money but the idea that your offices over the weekend go from 200,000, the reasonable piece, to 66, I think it stinks.

Leonard: That's not accurate. Given you've characterized my prior remarks about not changing anything, I do feel responsibility to --

Sten: I'm opening it up to discussion.

Leonard: Ok. Let's talk about the process part first. Last Wednesday we had presented to us an ordinance that made reference, and this is my characterization, to an obscure citation of the code, that quite frankly I know sitting here now four of us did not understand the implications of. So in terms of process, I am deeply disappointed, and I'm not pointing the finger at anybody, because there are a number of people that could have illuminated what that effect was going to be to us here last Wednesday. A number of people could have illuminated council, when you're voting on this, understand what you're voting on is allowing \$200,000 for a voter-owned election candidate for the July 15th run-off. That was not made clear to any of us. As far as perceptions go, you have a perception and I understand it, that you think that some of us may be motivated politically by taking this action. There's a perception also that because your chief of staff was the one that would benefit, you decided not to make that clear. I don't necessarily --

Sten: Wait, did I file this?

Leonard: I didn't say you filed it. I said there was a number -- I'm not pointing --

Sten: It was my job to get you to understand Gary Blackmer -- 's.

Leonard: Yes. Not just yours. I've said this to Auditor Blackmer, I'm not -- I --

Sten: You said I have a chance to explain to you what an ordinance you voted on did.

Leonard: You and commissioner -- if you let me finish I'm explain why. You, Auditor Blackmer, the proponents of the system, had an inherent -- inherent responsibility in my view, particularly in the context, particularly in the context of the concerns that have been raised about not only the structure of voter-owned elections, but the administration of voter-owned elections, and some of the recent decisions. You had a particular responsibility to be as transparent, and if anything, defaulting to explaining to a very specific detail what it was we were voting on. As a result, when I learned of this on Friday, I felt like I was misled. And again, I'm not pointing at you, I actually wrote an email to the auditor where I told him I felt misled by the presentation last week because it did not include that. So I'm just saying the proponents who understood this had a special obligation in my opinion, to come up and explain that.

Sten: I have this weird feeling people who vote on things should have an obligation to look into them. My question would be --

Leonard: That's not how we do things here.

Sten: I'm proposing we just have a process to do this. I didn't get a phone call, an email. It was my job to tell what you the thing meant, yet you didn't take the time over the weekend to let me know what you're --

Leonard: Therein --

Sten: We need process. I am going to abstain from this vote.

Leonard: Therein is the Achilles heel to this system. That the proponents of it somehow think that it is up to all of us to read every line in every detail and understand every nuance of every decision that's made. These are taxpayer dollars that are being used to promote a candidate for office. They're not private funds to be bequeathed to anybody for a purpose that isn't thoroughly, clearly aired in a public forum. This is the -- let me finish. I don't interrupt you. Please dot same. This is the Portland city commission, you are the senior member, you understand protocol at least as much as I do if not better. You had a special obligation along with Auditor Blackmer to make sure we understood what we were voting on last week and we didn't. I'm just responding to your question of transparency and process. Second, the mayor pointed out that the \$200,000 that is in the current ordinance that the council adopted for voter-owned elections was intended to be a \$200,000, to be spent after one successfully enters a run-off from a primary and goes into a general election, which is some five months later. The important dates here are not the difference between may 20th when this primary is, and july 15th when the run-off is. It's when the ballots go out. The ballots go out for the may -- for the july 15th run-off if there is a run-off, on june 27th. That's five weeks after a candidate received \$150,000 to contact the voters, then within that compressed five weeks that candidate receives \$200,000 to contact voters. \$200,000 for a five-week period. I will tell you it -- if a privately funded candidate finds him or herself in the position where their opponent has been handed a check for \$200,000. They do nothing but sit on a phone from 7:00 a.m. until 11:00 p.m. At night for that entire five-week period in an attempt to raise the same amount of money to compete. What you have ensured with what I will call was passed last week in the manner I described, what you have ensured is just exactly the opposite of what I thought this program was supposed to do. You have ensured a competition to make these races amongst the most expensive races there are. I got elected the 5½ years ago in a special election. In the same time period I spent same amount of money, \$200,000, as did my opponent, to win this seat. I spent from 7:00 a.m. To 11:00 p.m. raising that money. I did not have time to go out and meet with voters, did I not have time to do the things this voter-owned election candidate will be able to do because he's already got the \$200,000. It's interesting to me while have you a concern that would peg a very low amount, it's interesting to me what the proponents have done is pegged the most expensive race in the history of the city of Portland in a runoff as the amount the voter-owned election candidate gets. It's patently unfair. So in my view, one of the goals of this system and one of the reasons I have worked so hard, though I didn't support it initially, i've worked hard time prove it, and tried to defend it even when unfair attacks came against it. Been increasingly hard to do, what I have tried to do is make it a fair system that creates a level playing field. What this does put a privately funded candidate in a position where they were in such distinct disadvantage I don't see how they compete. And the proposal that the mayor and I have talked about which by the way did not happen over the weekend, I have never talked to Austin about this, i've only talked to Tom Potter about it, I wrote him an email over the weekend which he answered Monday morning, he and I never talked about anything over the weekend, or did -- nor did anybody else, nor did my staff nor anyone else, what we decided would be fair and objective is the formula in front of you. You take the amount of days between the May 20th primary that is coming up and the November general election which I believe is November 4th, and you divide the \$200,000 by those number of days. When you use that calculation and use July 15th as the run-off date, you get \$66,666 that the voter-owned election candidate would get. But there's another important aspect of what we're proposing to do. If the privately funded candidate raises more than that, not only does the voter-owned candidate get dollar for dollar of that increase, but up to \$300,000 if the privately funded candidate raises that much money. That's more than what the current system allows.

Sten: That's not what your ordinance says.

Leonard: I believe --

Sten: If that's your intention -- it would match the amount they get, which is -- they get double the amount they get.

Leonard: We're responding to something that happened on the fly. That got stuck through without proper airing and discussion, so, yeah, we're trying to fix something --

Sten: I'll all -- all i'm calling for today is proper hearing and discussion. You want to vote this through today, I think this needs airing and discussion. I think people need to debate and it talk about it. That's the whole point. You make as your argument it's unfair that publicly funded candidates don't have to call for dollars. That's what the voters are buying with public funds. They're big the candidates' time. That's the deal.

Leonard: You shouldn't be able to buy an election. You should be able to buy time to talk to voters, about you you -- but you shouldn't be able to buy an election.

Sten: So I guess --

Saltzman: What was your idea --

Sten: I want to ask you one question. I'm curious, let's say it was fully my responsibility to brief you guys on --

Leonard: I don't think it was.

Sten: Let's just say it was. On what pre-july 15th special election as general election, for purposes of -- I think in common sense parlance that means the rules that would apply for the general election apply here. And the whole system that was put in place. I don't think there's anything duplicit about that -- I don't think it was snuck through. It's very unfortunate that that happened in the way you say, but the phrase, treat the special run-off as the general election, would imply to anybody with common sense that that means whatever the rules are in the general election, those are the rules. Was your assumption that there was no money?

Leonard: I thought we were going to discuss it. I'm just saying you can criticize the rest of the council --

Sten: i'm trying to understand, did you assume that there would be no money given for the general --

Leonard: You or commissioner blackmer or any of the proponents should have sat up here and said, just so you understand, you have a lot of resolutions you read, a lot of ordinances you read, you guys run bureaus, I just -- just so you didn't miss this point, this means in the special election the candidate would get \$200,000.

Sten: I understand your desire for me to staff you. I get that. But what i'm asking --

Leonard: I think i'm talking --

Sten: What i'm asking is, when you voted for this, did you assume they would get no money, some money, or just the same money and you didn't remember what it was? This is all about what you thought.

Leonard: What I thought is the amount they got would be determined at some future point. This is not a subject area that i'm all consumed with. This is not a subject area I spend all of my time here. What we depend on here is respect between one another. That I make sure you understand what you're voting on, if I suspect you're having concern, you might have some concern with it, it isn't to try to hide it, it's to make sure you understand. That's called trust.

Sten: If what you expected, which I think might have been a reasonable guess, it has nothing to do with the ordinance said, and if the point is respect -- only people who endorse benefits from the -- nobody called me to talk about it, but yet it was my responsibility to fix it last week, nobody called me, nobody emailed me, nobody told me were you going to send this forward, but I disrespected you, I think we should go back to what you just said you were -- your original expectation and say there's a process to decide how much.

Leonard: I agree.

Sten: What this council should not do is over the weekend come up with a number that there's an argument for but not one the citizen commission agrees was, which is who we appointed to deal with this stuff. One at which there is a great logical argument against and one for. There should a process for that to be debate and discussed and decided. That's all i'm saying. I think if you had no

idea that treat the special run-off election as general election, meant exactly that, then it's absolutely fair to reconsider this. And I think your argument that the \$200,000 is probably too much for this situation, I don't have a problem with. But I don't -- what I don't like is getting up Monday morning and finding there's going to be a vote today to change it to 66 based on what?

Leonard: I agree. Mr. Sten, I agree, but I don't like getting up Friday morning and learning a fast one was pulled. That bothered me.

Adams: I would like to, Mayor, ask the auditor some questions. It seems like there's agreement on council that some sort of additional process beyond this particular council session makes sense. Is that agreed? Is it possible between now and a very close-in future date that we could have the campaign, the elections commission weigh in on this issue, and parenthetically, I don't have a copy of it, my understanding is that a letter was provided to us, so I need to express a concern about this group making recommendations on an advice without convening as a group and without taking public testimony on the issue to hear both sides. I have a concern that that violates open meetings laws. And as one person on the council I would like them to stop that practice. So having said that, would they be willing to get together and get back to us were the recommendation after they hear all sides of the argument?

Auditor Gary Blackmer: We don't have anyone from the commission here. They actually met Monday night and it was too late to put out a revised agenda with that topic on it. And in fact, they left with the notion that they felt like the spirit of what they had recommended earlier still held. And -- but they also agreed they could work on it if there were a longer time line. Meaning that my understanding on Monday was that the council could vote for the exception today and perhaps vote for something else next week, or at some future date, and they would try to get something, I don't know if they can get it next week, but depending on what you're asking them, they could certainly make a hard effort to give you something.

Leonard: We received a letter from the chair of that commission stridently defending the \$200,000. The decision has been made as far as I'm concerned. What we find ourselves in Auditor Blackmer, I hope you know how much I respect your work and you as a person, but frankly on this issue the strongest proponents have become blind. I fear, to the inequities of what's happening. When I read that letter, I thought, you know, instead of having a balanced discussion about what's fair, we now have people who are proponents of this system who have power over the system defending decisions that were made rather than being balanced and listening to concerns on both sides. And I fear that what we're going to get into is having a recommendation to us that just reinforces the \$200,000 decision was made that's just patently unfair, and I like Commissioner Sten's idea. I'm not suggesting -- let me finish. I'm not suggesting that today that we vote on -- I hear you. I hear you and I don't want to do exactly what it was I felt happened to us. And I don't mind having further discussion. I'm sure the Mayor feels the same way. But what I don't want to do is pretend like there's some fair impartial process, because there's not, to decide what that is I think we have to discuss --

Adams: There's a fairer and more impartial process. There are a number of people on this council who have made endorsements. Or staff people have made endorsements. I have not made an endorsement, neither has Dan.

Potter: Neither have I.

Adams: Do you have a suggestion if the commission isn't it?

Sten: I think -- I'm concerned when you have a point of view that's different than an appointed body. You call into the question the objectivity.

Leonard: They wrote a letter.

Sten: I read the letter. What the letter said is what we recommended to you in January, which you accepted is that we not make any changes and treat this like a regular election, study it, and do the special election process later what you're saying to that, what you agreed to --

Leonard: Did I not agree to that.

Sten: Let me keep going.

Leonard: Wait. The no change --you changed the process last wednesday. That's been a spin that's been come out for the last week. [talking at once]

Sten: I have specifically, I want the council to respect this and carefully, remove myself from any discussions of this. It's my seat and my chief of staff is running. You keep doing the you. The council voted 5-0 to make those changes which I had nothing do with drafting because i'm careful and think it's inappropriate.

Leonard: I agree.

Sten: Your argument is didn't explain it to you --

Adams: I asked the auditor a question and i'm going to get an answer or die trying. I am concerned, normally would I have no problem sending this back to the elections commission and saying i'm going to really give a lot of weight to your recommendation. But i'm concerned about the decision making process for this issue. Can you give us your thoughts?

Blackmer: Let me see if I can defend the citizen campaign commission.

Sten: I'm sorry to interrupt. Let me just say what my point was. I think whether you did or not, there was a general consensus reached by the commission which the council at least quickly signed off on, not to write special election rules. That was the consensus. I think if we were to go back and give them instructions that there's a 5-0 unanimous feeling on the council that the number of 200 is too high, they're out of that paradigm, the paradigm is let's not make any changes. And I think there's a logic to that. What you're sake which I agree with is in the real world that's not fair. If we were to go back and say, we want you to come up with a number below 200 that you can justify, I think it's a very different question. That's what I was going to suggest.

Potter: I'd like to respond. When you read the memo, there's two reasons why they don't think it should change. One, that they shouldn't get into campaign strategies and 2 that we shouldn't change the rules in mid race. There is no mid race for a post-primary, we are in the primary. The rules were changed significantly last week, the two reasons they gave, they shouldn't be involved in campaign strategies. On the other hand, what I was trying to do figure out this is going to recur at some point in the future as long as we have voter owned elections. And I hope we have them for a long time to come. What I was trying to do, is there a formula that could be used to determine, because each time between a primary and a general election for a special election can be different. Like for this, we could have chosen july or september. There's got to be some way to figure out what's a reasonable amount of money, to put in a general election that allows the voter-owned candidate to have the same level playing field as a nonvoter-owned candidate. And that's -- that is a discussion worth having.

Sten: I just think you came up with one or two or three logical formulas that one would fall to. The other would be that you say you assign a percentage of the spending for expenses that occur every month, and knock those off for every month it's short. You might knock off some amount percentage for how close were you to the last election, and then you allocate more than just -- I don't think any reasonable look at how a campaign spends can conclude that one-month campaign, only needs a third of what a three-month campaign. You spend all your money in the last month. So you've got to look at what a reasonable campaign is going to spend in the last month. It should be more like what is a campaign going to spend in the last 8 weeks of the campaign. I think you should get deduction for your point. You've just advertised a lot. That's a different -- I don't know what number that gets you. I appreciate we're friends, we can debate this in this way. This is democracy, it's great. And I appreciate your points, and I wish I would have articulated to you what I understood.

Leonard: That means a lot. Thank you.

Sten: But i'm not going to suggest a number for all the obvious reasons, and would I vastly -- i'm not going to say under no circumstances will I vote on this. If it's a 2-2 deal, I may need to, but this

has to be decided. My preference would be to abstain, and I think anybody who has made an endorsement in this race ought to abstain.

Adams: Can I try to summarize --

Leonard: I'll talk to you more about that. I could be open to that.

Saltzman: Can I make a suggestion?

Adams: I just want to clarify the kinds of things we would like -- it sounds like everyone is ok with having the elections commission look at this.

Leonard: With the caveat of the concerns that have been phrased.

Blackmer: I would like to respond at some point.

Adams: We want to look at them as not just spending sort of pro rata for the entire time period each day divided by the time period of each election period, but also the points that commissioner Sten raised in terms of sort of the timing of the spending. Are there any other specific issues that should be part of their discussion?

Potter: The timing like the fixed -- .

Adams: You ramp up your spending at the end, that's when all the advertising has to be paid for.

Sten: I think there's a much -- I think this isn't -- I think they probably, if you're going to get into much lower number, which means you're much likely to be into a substantial matching funds issue.

And then there probably needs to be substantially enhanced reporting requirements on the private funded candidate should that be the situation. Under the current situation it's not as tight for the obvious reason that you're not really into matching money until really late in the game, but if somebody were, for example, to be at 66 under your proposal, and receive 100 in the last day, it would be over. And anybody who thinks that that can't happen should look at my race.

Potter: Do you think --

Adams: Do you think we can, trying to keep the conversation moving forward, do you think we can do this?

Blackmer: I think the commission would be happy to do that. They tried to respond in some way in the meeting, and they simply didn't have the time. They recognized how complex and they wanted to make sure they didn't bring something forward that made the situation worse. Essentially they repeated what their earlier memo to council was, which was this is complicated, let's not change the rules, because there could be unintended consequences. The rules that the candidates got into with a special election were all in place and have been in place for three years. So there were no surprises in terms of what those rules were and what they entailed. They'd been on the city books for that period of time. Not -- there was no surprises in terms of what those rules were. \$200,000 has been there.

Leonard: There is.

Blackmer: If I could defend myself, i'd appreciate it. I got a clear direction, I thought from council, and I got a clear direction from the citizen campaign commission that it's dangerous to change the rules in midstream. And that what we thought was that meant let's stick with what we've got if it works for this special election. The vacancy happened early enough that candidates could and one did qualify, and to that extent it was a workable system for the special election. So that was the impression I got and I thought you were very eloquent in the dangers of, that it's a lose-lose situation if you start changing the rules, because someone is going to be unhappy. That it undermines the credibility of the election if we start changing rules and it accidentally benefits one candidate or another.

Leonard: You'll concede that was specific to the suggestion that was being that i'd we allowed candidates getting signature for one seat to transfer to another seat. And a special election by itself, I understood requires us to develop rules, thus why you brought an ordinance last week. You explained it to me, and you and I had a conversation on the phone about it. You neglected to point out -- you point out a lot of things, you didn't point out this particular aspect.

Blackmer: Let me finish. There is a mechanism that used to be in place with council where I could actually bring things and talk about them with the executives before they came on the agenda. It was just a routine communications tools. It was called the execs. We're not invited anymore, so we don't have the opportunity to talk about these things in advance and say, does anyone have any questions? So I essentially have to go around to each of to you brief you on what i'm bringing to council. And it's hard to get in on your calendars. So to the degree that this is an issue that I would have been happy to sit down with any of you had any questions, I assumed that everyone understood what the rules were for the system as it was operating, and that by applying them to this one they would understand what that meant. I apologize sincerely for not communicating that. I will take responsibility for that.

Leonard: It was clearly a misunderstanding. I'm happy we're having this discussion about taking a breath and having a further discussion. I think commissioner Sten's suggestions are entirely reasonable and i'm happy to support them.

Saltzman: Unlike a lot of issues where we have to look to what the framers of the constitution had in mind, or something, the framers are right here. I'm tempted to say let's pick a number that is reasonable in my estimation, our estimation about what it takes to run a decent citywide campaign in five weeks, and I think that number is higher than 66,000. And i'm also sensitive to the issues, maybe 200,000 is overwhelming for a nonqualifying candidate to keep up with. But i'm comfortable with having the commission take a look at it given the discussion we've had today. I was taken aback by one sentence in this email, from the campaign commission chair that this could be a lesson now, the candidates who choose not to run with public funds may not be realizing there may be an advantage in spending one's time reaching out to voters rather than to wealthy contributors. To me that's a pejorative statement. I've raised this issue in the past, I think the commission certainly has a bent where most of them are big proponents of voter-owned elections. But we also want a system that is fair to those who choose not to participate and I think the instruction to them is you've got to rise above your biases and I think they did a good job on the independent expenditures issue. I just found that one sentence to be a little bit -- it took me back a little bit.

Blackmer: Ok. I'll convey that to them.

Adams: What do we do with this?

Harry Auerbach, City Attorney: Procedurally what you need to do is vote on the mayor's objection. If you sustain his objection, if three or more of you vote in favor of it, the effect is that the prior ordinance is repealed. And then you can direct gary to do whatever it pleases to you do.

Potter: Ok.

Sten: Knowing the faces and not knowing the robert's rules of order -- I do believe there may be public testimony here. I don't know if you're taking it, I don't know if you do on this.

Potter: I think we're going to actually establish a public process for this. Did we have a sign-up sheet?

Moore: No. We had considered this as having a first reading already. If council wished to take public testimony, i'm sure they could. Correct Harry?

Auerbach: Sure.

Potter: Would I prefer to vote on this and I think the direction from the council is to send it back to the campaign committee with some very specific instruction.

Adams: Is there anyone who wants to testify? We've taken -- yes? I'm fine with --

Potter: Please come forward.

Jeff Malachowsky: My name is jeff malachowsky, I live in northeast Portland. I've been there for about 25 years. I didn't intend to testify, I came to watch and listen. But by trade, i'm a nonprofit consultant. I have worked in the field of campaign finance reform around the country for 15 or 20 years monitoring and helping campaigns all over the country, including here in Portland. I was also the founder of a national institute, the only national institute that studies campaign finance at a state

level, nonpartisan, nonprofit throughout the country. It's sort of the equivalent of the federal election commission, but for states and municipalities which of course have very different laws. So it's from that perspective that I just wanted to make a couple comments. I think that the voter-owned election system in Portland, people have different opinions. Some are for it, some are against it, some think it has strength, some think it has weaknesses. I think that makes complete sense. People in Portland have different sides on the election at stake here, and I think that makes sense. I think that one thing Portland is or should be united around is the degree to which we value participation in a committed and vigorous approach to experimentation in ways increase democracy to promote participation in our elections, to be an innovator in public policy, we think about it, we take it seriously, we invest effort into it. Sometimes it works well, sometimes it doesn't. And I think that the discussion that we just had and the direction that this discussion is moving exemplifies the best of that kind of a mind-set. To take seriously our commitment to experiment, to take seriously our commitment to weigh the pros and cons, to look for ways to do things, and then deliberately move forward. I was concerned with this proposal that we didn't really have the data to determine an appropriate method for allocating costs on a shorter versus longer election. We just don't know what it is. There's a simple way of per voter allocation, well in a special election you need to contact the same number of voters. Why should we drop so far down? We've already heard some of the arguments. Fixed cost, moving cost, costs spread out across the course of an election. A summer election is even harder to get people's attention than a winter one. There's a lot to think about and it felt as if we were scrambling to address a system that in fact was a good example of our effort to be innovative and entrepreneurial and we were going to scramble the entire discussion. Now I think stepping back to provide time for data and deliberation it just makes a lot of sense. It makes sense for the reform, it makes sense for the commitment to give Portland voters well reasoned choices, candidates choices as well as choices to the voters. And I think it will give us the chance to think it through, have the data and have a set of arguments that we could defend. So I'm proud and commend you all for this direction.

Leonard: Very thoughtful comments. Thank you.

Adams: Thank you.

Potter: Thank you. Do we need a motion or just vote?

Auerbach: Vote.

Adams: I want to be really clear that I'm assuming the process that the election commission is going to take will start with an objective statement of the issue, that it will take public testimony in a formalized way, giving each person a required amount of time to say whatever they want to say, that there will be minutes for us to review, and that out of the commission will come a motion and a vote. So that there is some formality to this. These are really important issues, and again I have a concern that this commission is operating in an informal manner inappropriately, and I think this email is an example of that. So having stated those concerns and outlining my hope for what would be an objective process about setting an amount less than 200, but more than 60,000, I vote aye.

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

Potter: I would also like to ask that we have some time lines associated with this. Because I don't want it to run up against the end of the primary before some recommendations are made. So I don't know what's a reasonable amount of time. I would certainly expect we have sufficient time to discuss it, get public input and take a vote well in advance of the primary itself. Aye. [gavel pounded]

Saltzman: Mayor?

Potter: Yes.

Saltzman: Could I ask the council's indulgence to take up the issue of just recognizing the forest park conservancy? We've had Michelle Bussard in the audience since 9:30 this morning. It's a relatively brief item. It's a four-fifths item.

Potter: I need a motion to suspend the rules and hear a four-fifths item.

Leonard: So moved.

Adams: Second.

Potter: Call the vote.

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

Potter: Aye. [gavel pounded] Karla that's read the item.

Item 340-1.

Saltzman: Thank you mr mayor, forest park as we all know is one of our -- the gems in our park system here in the city of Portland. And it's heavily used, and over the years it's become frayed around the edges. We've been fortunate all this time to have a group called friends of forest park who has helped the city parks and recreation bureau in maintaining it in acquiring additional acreage, and just enhancing the public experience at forest park. However, tone sure forest park feature a new model is needed, and neither the Portland parks nor the friends of forest park alone can do it all that must be done for forest park. We must take this partnership to the next phase, and that is the forest park conservancy. Great cities that have great parks and great parks have great conserve sis. And I want to welcome michelle and dave. Michelle is the executive director of the forest park conservancy. Dave is the head of our city nature division.

Potter: We still have a number of other issues to vote on.

Saltzman: Sure. This will be very brief.

Dave McAllister, Parks and Recreation: Mayor Potter, members of council, dave mcallister, city nature manager. I want to reiterate commissioner Saltzman, he's exactly correct, forest park is the gem of our park system. It's a large system representing 200 acres. It has mature douglas fir forest, remnants of that forest up to 300 years old are -- exist there. It represents the city's legacy, and its commitment to future residents. And I include in those residents about 120 species of birds and 62 species of mammals. It does have a myriad of management issues, and they include invasive species, wildfire management issues, and we have challenges around our recreational use. And education, environmental education opportunities. Our challenge into the future is to have Portlanders to continue to love forest park, but not love it to death. With all of our natural sites, parks cannot manage them adequately without partnerships. The friends of forest park stand out at an -- as an outstanding partnership. Portland parks and city nature is greatly appreciative of the efforts to date and look forward to the expanded partnership role with the forest park conservancy. Together we can continue to steward this invaluable resource in a manner that will continue the bring pride to the city. And one final thought, michelle is a new executive director of the forest park conservancy, a.k.a. Friends of forest park. And the development of this new model and approach is taken over about a year to complete, and so I did want to take a moment to tip of the hat to gale schneider, who recently resigned as executive director, michelle bussard taking her place. I just want to acknowledge her for her efforts to date.

Michelle Bussard: I too acknowledge gail. To step into her shoes has been an honor. Forest park is a place valued for its own sake, and as an expression of our most deeply held aspirations for community and conservation, for opportunity, and prosperity. Is it a place thats has invited us to renew our relationship with nature, whether lingering on its edges, or plunging deep within to fine solace, recreational challenge, and opportunity. And for all those years, the friends of forest park very ably led by gail schneider has been the park's strongest protector and advocate. But in 2008 in honor of forest park's 60th anniversary, september of '08 to be specific, friends of forest park is ushering in a new and moment us chapter in the parks history transitioning to the forest park conservancy, and I thank every one of the commissioners and the mayor for supporting this transition. In the spirit of accountability and transparency, much of which has been the subject of your conversations today, I want to make some assurances to you. And to Portland parks, who is our strong eggs partner. The conservancy will be dedicated to the continued preservation, enhancement, and sustainable 50 forest park, and will cultivate leadership and work collaboratively with Portland parks and recreation and other stake holds to preserve and protect this asset. It will

manage the business of the conservancy in a way that is sustainable for the benefit of the park, the park users, our city, and all of our partners. It will increase public awareness and appreciation of the park and foster partnerships and opportunities for rewarding community engagement in stewardship programs, and finally, the forest park conservancy will continue to serve as the most passionate advocate and champion for forest park and its ever lasting recreational, educational, ecological, and economic values. And that is my promise to you. I don't know what all the gift policies are, but with do have little wrist bands about 25 cents each that say the forest park conservancy, and I hope I can give one to each of you.

Potter: What will happen -- those little baseball hats that say friends of forest park --

Bussard: We have some of those and we're going to auction them on e-bay to earn money to restore the trails out there and keep our crews employed.

Potter: Are there any legal or strurm changes as a result of changing the name, or is it strictly just changing the name?

Bussard: Technically no. We will be changing the name. We will continue to be a membership organization which we think is really important for the continuing ownership and buy-in. But no, there won't -- you won't see any drastic new legal change. But you will see a much higher profile and much more aggressive on developing resources to maintain this incredible asset.

Potter: If you could give those Karla -- was there a sign-up sheet?

Moore: No one signed up.

Potter: Please call the vote.

Adams: Welcome aboard. Good work. aye.

Leonard: Yes, welcome, michelle, on board. I hope the parks embraces the forest park conservancy group as a true partner. And don't view them as competing or as anything but a partner that helps improve what is an asset that I don't think any other city as I understand, enjoys in the united states. But this huge forested area. I'm asking parks to -- this goes back from a conversation hi a long time ago, maybe this isn't an issue, if there's any concerns from the staff with outside groups like the forest park conservancy, please take advantage of it. Please exploit them if you will for their highest and best use. You have a new director on board with michelle, thank you for your work and your foe us and I appreciate it. Aye.

Saltzman: I want to welcome the forest park conservancy, its new director and I appreciate mentioning gayle. We owe her a lot too. Even people like john sherman, who were instrumental in the formation of the friends of forest park. Michelle is inheriting a rich legacy. We sincerely appreciate all the help you give news preserving forest park. Aye.

Sten: Great. Aye.

Potter: New and improved forest park conservancy. Aye. [gavel pounded] thanks, folks. Please read item 336.

Item 336.

Potter: Commissioner Adams?

Adams: We're going to make this as quick as possible. In order for to us comply with state and federal regulation and consistency, we need a short hearing, and council consideration. Hopefully approval of this report. Portland bicyclists are being killed and injured by right hook turns, by automobiles, these are tragedies that we can avoid and reduce women improvements. And changes in traffic and engineering in the right of way. On december 5th -- pursue the bike safety reforms that you're going to hear very briefly about today.

Rob Burchfield, Office of Transportation: Good afternoon council. Rob burchfield, city traffic engineer. With me is rich newlands, project manager for this project, and i'll let you introduce yourself.

Mark Ginsberg, Chair, City Bicycle Advisory Committee: Mark ginsberg, i'm the chair of the city's bicycle advisory committee.

Burchfield: Thanks for being here today mark will offer testimony after our short presentation. In January we provided council with a progress report on this issue. If you remember, we had two fatalities involving bicyclists and right turning crashes back in October. And that general rate adds a lot of community concerns and the need for action. At that time we gave a progress report. One of the concepts we alluded to in that progress report was an experimental treatment called a bike box. And that treatment is one of the things that we are recommending for application as part of our final report. Since January we've developed designs for intersections proposed for treatment, and we've come up with final recommendations. There were 14 locations identified for study. One location has been dropped, that's dropped -- we've added an additional location, 39th and Clinton where we've had what I would call a rudimentary bike box that was installed a number of years ago, so our recommendation includes upgrading that location. There are two locations identified for study that we are saying still need some further conversation, further study. Those are Broadway and Williams, and North Interstate and Greeley. We have narrowed the alternatives for these locations down to two possible treatments, and I'd like to describe those for you. The treatment at Broadway and Williams could either be a bike box or a bicycle signal that could separate the bike movement from the right turning vehicles. That would be a unique treatment. We have a couple locations in Portland where we have bike signals, but this would be a new application for this location. We need additional traffic analysis for this alternative to determine if it is feasible from a traffic operations perspective. At the intersection of Interstate and Greeley, this is the location where one of the tragic fatalities occurred. We have two options. The site right now has a temporary closure for right turn movements that are coming from the north to the west, we could make that a permanent closure. That is probably the favored option at this point. We want to talk with more community members to make sure that is an acceptable alternative before we move forward with it. The other alternative that we are considering is a colored bike lane with an active warning sign. Those would give drivers better warning that there's a cyclist present and hopefully could avoid conflict with them. The proposed bike box would look into design like the design depicted in the slide. There are some key components. As a motorist approaches they'll see a wide white stop bar in the area in front of it is the colored bike box area which we're proposing to be green. The bike lane will be colored on the approach to the intersection and continuing through -- partway through the intersection in the conflict area for a short distance. There will be signing that helps enforce the requirements for drivers. There's a sign that tells the drivers they must stop here on red. There's a sign that will instruct drivers they cannot make a right turn on red, and another sign that will tell drivers that they must yield to bicyclists when they're making the right turn. All these elements are the treatment that we're recommending at the bike box treatment. I'm going to show you how a bike box would operate. The bike box enables cyclists to position themselves ahead of the stopped queue of vehicles in a location where they're visible. Once they're in that position they would -- and this would occur when they arrive on a red light. When the light turns green cyclist would proceed. And then the right turn would follow the cyclist. So if a cyclist approaches the intersection when there's a green light, the primary thing we have as part of this design is this colored bike lane area that extends into the intersection area. That's to help draw the driver's attention to this area of conflict and make him aware of the potential conflict. We think this design is a step forward in terms of the treatments we have available to us at night and will help directly address some of the concerns that came about as a result of the two fatalities. That's all the presentation we have prepared for you today. We'd be happy to answer any question and Mark would like to provide testimony.

Potter: Questions?

Saltzman: It's no right turn regardless of whether bicyclists are present?

Burchfield: Yes. That is one requirement for drivers that they probably will notice. That they're not allowed to turn red. Part of the reason is we don't want them to enter the area where cyclists need to have to queue. Most of these locations are busy central city intersections where there are

limited opportunities to make a right turn on red whether there's a lot of pedestrian and vehicle activity.

Potter: Further questions? Mark?

Ginsberg: Thank you, mayor Potter. I'm mark ginsberg, the chair of your bicycle advisory committee. The bicycle advisory committee as a whole and I personally support this. City staff came to us, asked if we approved of this in the theoretical sense and came to us twice for technical input which we gave them. We respectfully suggest you adopt this.

Adams: Thanks for your service on the committee.

Potter: I need a motion to accept.

Moore: We have one person who signed up.

Potter: I'm sorry. Please keep it brief.

Teresa Teater: Teresa teater, downtown bicyclists. I have some concerns because I looked throughout whole thing, are there any city ordinance like after -- if we're in the bike box area and there's a car behind us and three cars back, rear ends all those cars and they hit us, what kind of traffic citations? And the other concern was, people on cell phones, they're still lethal to on us bikes. I've had more battles people when i'm in the far left lane going down the street, and people trying to merge left and they're on their cell phone, and not even seeing me because their arm is up like this. So do you have some cell phone considerations eventually somewhere with some of these bike lanes and stuff?

Adams: We're preempted from regulating the use of cell phones in automobiles. My understanding is under many cases when you rear end someone, it's the person who does rear-ending that's at fault.

Teater: I was hoping in the beginning there might be some cameras on some of the signal lights observing how this all takes place and starts to see the battles, because if you zoom over into the lane just as the light is still red, you can see it is green, and you get a car getting ready to floor it, my concern is there's going to be a battle to the death. Thank you.

Potter: Need a motion to accept.

Leonard: So moved.

Potter: Second?

Saltzman: Second.

Potter: Thank you. Vote.

Adams: Thanks to my great team at pdot, and tom miller, shoshannah and roland in my office. Aye.

Leonard: It's unfortunate this comes so late, because this is really an excellent product born out of unfortunate tragedies, but that commissioner Adams focused on resolving so that we didn't have repeat incidents, at least minimized. I greatly appreciate as a person representing bicyclist and as a person who bicycles these recommendations and changes. Aye.

Saltzman: I think these changes are well chosen, and I hope motorist and bicyclists will respect each hoar and protect the safety of one another. These will help. Aye.

Sten: Good job. Aye.

Potter: Aye. [gavel pounded] please read item 337.

Item 337.

Potter: Second reading, call the vote.

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

Potter: Aye. [gavel pounded] please read item 338.

Item 338.

Potter: Please read 339. They're related.

Item 338 and 339.

Potter: Commissioner Saltzman?

Saltzman: The first item is accepting a third major gift toward the development of south park block five 397,000 dollars. I want to thank the Portland parks foundation and its executive director who secured the second donation from an anonymous donor allowing to us move forward with the construction of the park as planned. The second item is the actual awarding of a contract to do the improvements.

Potter: Did we have folks signed up to testify?

Moore: No one signed up.

Potter: Is there anyone here who wishes to address this specific issue? Please read item 3 -- call the vote on 338.

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

Potter: Aye. [gavel pounded] please call the vote on item 339.

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

Potter: Aye. [gavel pounded] please read item 340.

Item 340.

Potter: Second reading, call the vote.

Adams: I didn't get a chance to participate in the conversation last time, so I just want to make a few remarks at the end. Portland is -- people come from all over the world to see the Portland experiments and we're beyond experiment, the Portland way of doing things. And parks are an essential part of that. I know this has been very controversial, but i'm supportive of them because of the response to community concerns have been raised that removes the remodeling and focuses on new development. And I want to commend commissioner Saltzman for his really good work. And his team. Aye.

Leonard: I have had concerns about this issue, but not ever, and i've tried to explain not in the context of whether or not we need more resource for parks, and not whether or not the money will be spent wisely. I don't have those concerns. My concern has been increasing cost of homeowners, of first-time home buyers buying homes in Portland. We had had done a number of things to address that, including commissioner Sten's latest initiative around homes around schools and neighborhoods trying to do something to make it easier for kids, families with kids to move into neighborhoods. So -- but I do on a close call think this is an important initiative to move forward on, and will support it. Aye.

Saltzman: I'm pleased we're at this point. I just want to again, last week I recognize a lot of the staff, including riley whitcomb, for all their work, I forgot to mention my own staff, matt grum, who has worked tirelessly on this as well. I want to thank them for their efforts. Aye.

Sten: Aye.

Potter: Aye. [gavel pounded] please read item 340.

Moore: That was 340.

Potter: I'm sorry.

Moore: And we took 340-1.

Potter: We're recessed until 2:00 p.m.

At 1:34 p.m., Council recessed.

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.

MARCH 12, 2008 2:00 PM

Potter: Please call the roll.

[roll taken] [gavel pounded]

Item 341.

Potter: I would like to remind folks a lobbyist must declare which lobby entity the person is authorized to represent. Today, we're having, um, we're beginning the work of turning our visioning process and also looking at some of our previous plans and consolidating them into a single Portland plan. Have you heard, we have heard from unprecedented number of voters, excuse me are, Portlanders about their dreams for the future, as well as the value that those dreams rest on.

We have heard from Portlanders whose dreams have never been heard before, and the Portland plan will begin turning these dreams into a tangible road map that will guide as Portland grows in the coming decades. A conversation we're beginning today is how the Portland, Portland will take those values and turn them into the Portland of the future, and so starting off, we'll ask gill kelly to start the conversation.

Gil Kelley, Director, Bureau of Planning: Thank you, mayor, and good afternoon, city council. Gill kelly, director of planning, and with me today are members of the planning of the bureau staff to, my right, joe zehnder and to me left, steve and cecilia, who will make different pieces of the short presentation that we have today. We're here to give you a progress report. We said when we were last in front of you in november that we would be back every few months to just let you know what's going on with this, with this very large and important effort for the city, and so we're following through on that today. We're going to be talking to you about, um, some of the internal tasks, research and so forth going on. Our engagement process occurring over the last several months with the community, and, and with the upcoming milestone for the project so that you are, you are brought up to date. We are requesting no action today simply an update. I want to take a moment to thank the, the, Leonard Saltzman budget team for endorsing our request for, for next year, and I hear we're getting water bureau funding for the project. Thank you very much.
[laughter]

Leonard: Not sure what we lost on that one. [laughter] Very competent.

Kelley: But we do have a short power point that we're going to be showing you today, and it will be up on the screen for the audience here and televised so they can, they can follow along. We're going to begin that. I'm going to remind you of what the effort is and why we're doing it quickly. Steve will talk about a couple of the research tasks, to illustrate by example a couple of the things that we've been doing and how they will, they will benefit the project as it moves forward. Cecilia is going to talk a bit about the outreach that we have done to date, and she is heading up that, that team, and joe zehnder will talk about the project milestones in the context of the, of the project phases. We then have invited a couple of people on the community engagement team that's been working with us to, to present, um, linda robinson and lisa are here to talk to you about, about their perspective on the, on the outreach portion of the effort. We had invited marion haines from the Portland business alliance, who intended to be here today, but was called away to another meeting just before this one, so will not be, but wishes to, to convey the p.b.a. support for the effort. So, let's move into the first image here. The, the Portland plan, we'll update the comprehensive plan, and it's

1972 downtown and 1988 central city plan. And these are plans that laid the foundation for much of what we honor and cherish about Portland today. And it's time, once again, to take stock in our future, as we did then, and be very thoughtful and bold as we were then about how we want to shape our future for the next 30 to 40 years. One only has to look back and remember that before this generation of plans I just mentioned, there was no light rail system. There was no pioneer square. There was a flagging retail core that was easing its energy, oozing its energy out to the suburbs, and doors were closing downtown, and there were deteriorating inner neighborhoods in Portland that are now flourishing, and there was no neighborhood stability nor affordable housing tragedy to speak of, and there was no waterfront park, and we had a very dirty river. Is, I think you only have to go back and think about those things to understand the value of taking this once every 30 year or so major effort to conceptualize and plan our future. Of course, there are, also, things that, that, that we did not have then that we have now. One is that we had not, we had not annexed east Portland, and you could see from this map here all of the white area is annexed since the last time we did these plans. So, we certainly have a new component of Portland to plan for, and we now have a population of nearly 600,000 as opposed to the 350,000 that we had during the time which begs the question, will we double our population once again in the horizon year of the planning effort we're talking about. And we have a host of other issues that are current and for which our plans really have no, no direction to give us. And those are reflected on this, this next slide. These are reflective of what were then five areas that we came to talk to you about in november. We expanded them. And, and cecilia will describe in a few minutes, these are the issues that tend to resonate in our discussions with the community so far, and you could see that these are, are not only, not only the embodiment of the large, social, and then environmental drivers in, in Oregon and the rest of the country now, but they also cut across the typical planning categories of transportation, land use, housing, and economic development and so forth. So, these, these are relevant to the making of the new plan, and the last slide that I want to show you is just what we, we, what we resolved, at least for now, to be the five key products that will be the outcome of this left so when we're all done, these five groupings, the physical plan of development, which will include not just land use and zoning, but the transportation systems and, and our watershed thinking, and an economic development strategy both short and long-term being co-led by planning and p.d.c. The cooperation of o.s.d., and infrastructure plan that will guide the, the investment the city makes in the infrastructure in five-year increments over the horizon of the plan, and the strategies, updating our strategies around equity and inclusion, so for example, our housing, affordable housing policies and many others that get at the social fabric of our city in a basic equity, all of our citizens expect. So, those are the areas we're we'll, we're producing new guidance in the way that we did when we did this back in the 1970s and early 1980s in light of today's challenges and those that we see coming, coming forward. So, um, i'm going to turn it over to steve dodder, who will give you a couple of examples of the thinking that we've been doing about how we might use research going forward into the community discussions.

Adams: It's a framing question that I have.

Kelley: Yep.

Adams: So, educational institutions k-12 and higher education and, and, um, and the, the role of the county as part of this process. The terms of the frame, how are, are those pieces of, what in reality are part of the community stream, included or not in this effort?

Kelley: It will be included. Topically, they will be talked about, a portion of what you talked about will be described in the economic development strategy, the role of higher education, in particular. In community life, when we talk both in central Portland and, and in the inclusion strategies, those will come into play topically. When you go back to the, to the framing issue slide, you will also see that, that we have a category called ways and means we're we really want to get at who is doing what, who has responsibility to what is with what money and funds. I think we'll get at some of the questions that may be embodied in what you are saying there, as well.

Adams: The whole issue just, if I could, just a few seconds more.

Kelley: Sure.

Adams: So the whole issue of facilities, educational facilities, we dealt with it this morning. David Douglas public schools, to try to figure out how to provide, you know, neighborhood schools, but also, city-wide access to various programs. They are going through a planning process around facilities, integrated with curriculum and access to curriculum. How, how, how are you going to integrate them, a, and then b, how do we do it in a way that they actually feel some buyin?

Kelley: We haven't yet -- we have had some preliminary discussions with the school district, not just d.p.s. and the others, and certainly with the higher education entities. Getting this on their screen, we haven't yet figured out with them exactly how those issues get, get represented and moreover, how the policies are worded in such a way that they are useful for them. So, that's some of the work that we intend to do going forward. I can only say, only say at this point, I think the scoping of the issues that, the issues that we have done include the issues that you have raised, and so we'll have to be vigilant about making sure that there is, there is policy follow-through, but that's our intent is to get at those very issues.

Adams: -- part of our scope of our ambition for this?

Kelley: To a certain degree. I'm not sure what is in your mind, precisely, about that, but certainly would like to talk further with you about it. We want to make this plan relevant for not just city, but for, for the other entities.

Adams: I am asking these questions without clear answers, necessarily, myself. Yet. But, it seems to me that the county and the school districts are at least two of the major departments.

Kelley: Absolutely.

Adams: In the making and remaking of Portland that we've got to sort of figure that out.

Kelley: Absolutely.

Adams: That at the end of this, they want to fulfill our plan, as well.

Kelley: I think the you are got for what we are calling ways and means is resolution a and the city's capital budget, and those need to be looked at from a step back and saying, is this the way that we want to continue to do business?

Adams: Right, and I think that, actually, that going to resolution a prematurely, although appropriate to flag it as an obstacle, might or might not be relevant, our guidance says it used to be, but figuring out together with the school district and the county of what together we're going to do with citizens and everyone else to, to, in Portland, in the next 25 years, is absolutely something. I don't know how you do that in terms of the process, but I would be interested as you move forward.

Steve Dotterer, Bureau of Planning: Ok. As Gil said, I'm, I'm going to speak to, to some of the technical work that's been done today and how it might impact the products of the plan, and, and I'm going to talk specifically about the economic development work. There are seven work groups of city staff, and in some case, staffs from other agencies that have been preparing background papers that, that identify the current conditions and to what degree we're in compliance with state and regional requirements. And those documents will be available in early April. So, this is a bit of a preview of that material. The economic development group, which consists of, of p.d.c. and the planning bureau and the office of sustainable development and the bureau of housing and community development, looked at, are looking both at short-term strategy issues so that p.d.c. can update the, the, their current economic development strategy and then the longer term, 20-year strategy that will be part of the Portland plan. And, and, um, and in doing that work, they first started looking at, at the work that they traditionally look at, which is the kind of competitiveness the traded sector competitive issues and looked at the conclusions from vision p.d.x., which identified sustainability, both sustainability from a business practices perspective and, and sustainability from the perspective are, of businesses that Portland could be in. The Portland region could be in as an issue that we should focus on, and, and also, the issue of equity, that is, how

income is distribute and how jobs are distributed within the city, and is it, is it open to, to all groups. So, their research work covered all of those areas, and I want to, to speak briefly about, about one of those areas, that is the, the, the role of manufacturing, and one of the things that they have identified is, is looking at the chart, in 1977, manufacturing in this area was, was approximately 25% of the, the gross domestic product from the area. That is the income generated here, and the sales in this area, and, and it was almost the same percentage of jobs. Since then, what's happened over time is, is we all know that its decreased in terms of the percentage of jobs in the region, but it's maintained its role in terms of, of the, the money it brings into the region to support the region. So, as we look at what we need to do as a, as a jurisdictions or as government, traditionally, we, we support, um, business development by providing land, by providing the, the necessary infrastructure and providing, by providing labor training. Clearly, we need to continue to provide support in all three of those areas, and, and, as we have in the past, and our, our expectations about job production as a result of industrial activities will need to be different in the future, and they are beginning to look at what that means in terms of the job training programs, both in the short and the long-term. The other area that I wanted to mention briefly has to do with neighborhood character, and as you could see from the drawings, the, the, from one of the sketches, this deals with the, the, kind of the development pattern in the city and our developments generally, our regulation around development was, was built around the, the kind of center image, southeast Portland. Built in the, the -- did you have a question?

Adams: I did when you are done.

Dotterer: Ok.

Adams: Very exciting topic for me.

Dotterer: Ok. It's the area that was developed primarily in the streetcar era, relatively small blocks.

A certain lot pattern. Our zoning code and our other regulations were primarily written around this area of the city. Since that time, we have annexed the area east of i-205, which has the same kind of grid but a larger scale grid. The lots of different, and, and we've also had more development in southwest we're it's quite, quite hilly, the topography changes things, and also, the stormwater, because we have more natural streams there, those, those characteristics are different, and the next image, you could see one of the things that, that we're looking at is, is whether those three areas of the city shown in the green, the yellow, and the tan, um, whether the single set of regulations shouldn't be adjusted in some way to reflect those basic differences in the landscape, and by that, when I say federal regulations, we're thinking of not only the zoning requirements, but also the street design, standards, perhaps the storm water management approaches, and so, one of the conversations that we want to have with the community, we've begun, are these three areas logical groupings? How would they work out, how would, would our regulatory approach change so that we ended up with a landscape that met what, what the goals call for, currently, it says almost every neighborhood plan in the city says that we should reflect the existing character of the area. In many ways, our regulatory approach makes that very difficult to have happen.

Adams: Can I ask you an additional question on the slide seven, it says that we kept up on the g.d.p. or maintained it, which is pretty remarkable given the percentage of jobs.

Dotterer: Ok.

Adams: And how have you done that?

Dotterer: Well, we think it is because of the firms have become more efficient, and therefore, globally competitive so they continue to sell elsewhere in the country. Now, part of that means that they are more labor efficient. So, their role in producing income to the region is the same as it was in 1977. Their role in producing jobs for Portlanders will be different in the future, and we have to figure out how to, how to, how our programs should respond to that.

Adams: And g.d.p., their calculation, they banked profits from overseas? The g.d.p. can be very misleading.

Dotterer: And we need to be careful with that.

Adams: It's not, I mean, it's a global economy reality.

Dotterer: Yes.

Adams: So I'm glad you compared jobs to g.d.p., and so, there's efficiency in labor, and a lot of that is gone overseas?

Dotterer: Yes.

Adams: They are going to bank the profits in Portland.

Dotterer: Right.

Adams: But they don't have the jobs here?

Dotterer: Right. And, but then some of that income is used to support other activities in the region, and --

Adams: Absolutely.

Dotterer: And we need to deal with that. We also need to deal with the fact that, as you have seen in the headlines, there's a fair number of retirees in the sort of high-scale manufacturing area, and in order to keep those manufacturing businesses here, we have to have the labor to do the replacement as we go forward. So, I think both in the short and the long-term, this is an important thing for us to look at.

Adams: Does it seem like it's meeting family income for the region, flat at best.

Dotterer: Mm-hmm, well, and our job growth is not as good, either.

Adams: Ok.

Celia Heron, Bureau of Planning: I want to speak briefly, basically, back in november, you gave us two charges when we, when we came to you to talk about the Portland plan, and one was to go out to the community and say, these critical issues that you framed, these questions, are they really going to be an effective way to talk to Portlanders about what the scope and issues of the Portland plan will be? Will this be a good way to have that conversation? And the second piece, was frankly, what does the community think good public engagement on something as big as the Portland plan looks like? What does success look like? So, we've gone back out in the field since january. We've been talking, starting with the neighborhood network, neighborhood association, business associations, the coalitions, and beyond to ask those two questions. We've been trying to, to learn, take the lessons that we learned from these vision p.d.x. and community connect, also youth planning programs so we're really trying to engage the conversations around youth, and arguably, who more than, than the youth are going to really care what happens in the next 30 years because they are going to be there seeing what we have done and what they have helped make happen. So, we've gone out to the community, we'll be continuing to go out to the community asking these questions. On the content area, on the planning, what they are saying about the critical issues, first, i'm here to tell you something you already know, the people in Portland get that the Portland plans, livability and land use is a big deal, and they want to be involved, and they want to know that their input matters. So, when we said, what about these critical issues? Some of them, especially in the neighborhood merge, folks sending, spending a lot of their time, evenings, etc., taking care of issues like livability and land use, they say get to the issues. We know there is going to be a tradeoff, and let's talk about this. Let's frame the conversation. Frame the conversation and start talking about the possible solutions. At the same time, we have also heard that, that some folks say, wait, don't close out the options yet. Don't tell me all the topics. I need to make sure that my issues are heard and that they are reflected in what you are going to study together for the Portland plan, so, it goes both ways, and that means the information and the input and the involvement, you need to address both those audiences and meet them with their, we're their interests are irrelevant, but those are what we are hearing. We're going to have a complicated but robust dialogue in that regard. Other things we're hearing loud and clear is that there's a lot of good research out there, whether it's technical analysis, like steve is talking about starting out with the technical working groups, but as we go along, there will be a need for good information, technical analysis, whether it's carbon footprint or traffic studies, as we go along, and in order to make good, informed decisions, we need

solid information, and they are saying the citizens want to be part of that, they want that information, so they can help make that dialogue happen. What they are saying about the public engagement, again, is people do want to be involved, and loud and clear, they want to know that their input has been heard. They understand not everything that they say is going to get incorporated into a policy or plan, so they want to know their time and their thoughts and their input has been considered and they want to know what happened to that input. The other thing that we got a bit of pushback on was that the time frame, the time phase of the project, the project scoping, in terms of what are we going to study and how we're going to do it in terms of public engagement, they said we want more time. You need to give us more time to consider the issues, debate the issues, and talk about public engagement. One of the things we're requesting is to extend by 90 days this first phase of project design. The three-year Portland plan time frame doesn't change, but we want to allow more time for this portion so the public has due time to consider the work plan issues that are in front of them, and the public engagement that's so critical to making that work. Other things we have heard loud and clear from the people we've been talking to, they want that, the input to reflect the diversity of the interest and the communities out there in Portland. It's not just the usual suspects, but beyond. They say take the lessons from, from the community connect and go out to where the community leaders are. Don't reinvent the wheel. Go to their meetings and talk to them, have them help us speak with their communities so that whatever resonates with them gets reflected back to us. They tell us to be creative. It's not all about night-time meetings, sometimes it's hands-on or online tools, etc. And so, we're developing a, a full range of approaches and involvement and etc. To respond to these objectives in terms of what makes good public engagement. And finally, at the end of the day when we said, when we're done, what's the best success engagement, and that is when the Portland plan is all finished, that the, the community capacity, the community connectiveness, amongst the individuals and the groups is stronger than when we started. We've built on that community's capacity and the connectiveness. That will be a legacy beyond that. Joe will speak in a moment on the time frame and the phases of this, this multi-year project. But, basically, to wrap up on the public engagement, we are shaping with a lot of public input and continuing input on the active, inclusive, public engagement building on what we have learned and all the work that the neighborhood networks have done, and focus on information, education, and involvement and input, and we are proposing that the planning commission be appointed as the group of community members to review the public engagement strategy, a component of the, of the state requirement to do updates, and really, what we're starting to do is getting ready to roll up our sleeves because, because as Steve alluded to April 1, first part of April, we're going to have some key documents that people are very eager to see. One is the congratulation of the periodic review that says yep, it looks like we might need to do comp plan updates, the second is a proposed work plan. What are those issues that ought to be addressed? Third, is a public engagement strategy, how do we go about doing this thing called the Portland plan for the next 2.5 years. And then the technical analysis from the technical working groups. That really kicks off the first book end in April through August when we come back to council asking you to bless these documents, the formal documents relating to the state. This really starts the first major input of the public conversation, public dialogue, about, about what ought to be in the Portland plan and how you guys want to go about doing that. We're in planning with the community, a series of meetings, events, community affairs, and, and culminating or wrapping around June 6, which is what we're doing the Portland plan summit. We're bringing in a Danish parliamentarian and environmentalist, as well as other, other local luminaries, as it were, and a series of community meetings to have this conversation en masse around the key issues of the work plan. We should be focusing on that for the Portland plan and how we go about doing that with the public engagement.

Joe Zehnder, Bureau of Planning: Since we're over time, let me go quickly through the time line and phasing. The first phase is about project design and really, the content is what Cecilia just told

you. Designing the public engagement, work plan, doing background research, and the deliverables out april 1, and back to, to the city council august 6 for your review and approval of both of those for the congratulation and the work plan and the public engagement plan. The second phase, which starts in may, with the public engagement is, we're setting the goals, identifying the issues, and choices, really sort of the broad, the broad, um, the fullest draft of what the planning will address, and that goes between may of this year through summer of 2009. The second phase, the third phase is we're we actually whittle that down through making additional choices and focusing in on, on a set of policies and recommended actions that will, that will be the draft plan, and that's from, from the summer of 2009 through winter of, of 2010, and the fourth phase is implementation. We're developing the specific codes and regulations and capital project lists, and other, other sort of implementing actions to follow through on the objectives of the plan. As we said, we're in the public engagement now, to design it. We start in may with public engagement to set goals and move into the first phase, and, and, and we're going to have those, those public meetings city-wide, but one of the centerpieces of the engagement phase is june 6 is, with this, this summit meeting in the central city that, that really will, will set some of the bigger sort of aspirations of the plan. And with that, i'd like to invite up linda and, and, and -- lisa, lisa to, to add their comments.

Lisa Reed Guarnero: Good afternoon, I am lisa with, with the public engagement advisory team, and, and as a Portland resident, I know some communities perception of our city, um, community outreach seems to be, to be, seems to be a superficial exercise to give the appearance of engaging the public, they feel the plans the city made were placement, rather than, than what the larger, what the larger community really wanted, and if they were engaged, they felt they had went been heard, but i'm glad to say in the past couple of years, the vision p.d.x. Public engagement process was quite effective. The process was, was incredibly inclusive, far reaching, and was quite successful in being able to engage a very diverse population. Out of this process came great documents, like this one, uniting cultures in Portland. Which, which is an invaluable resource, and as you know, excellent and effective outreach is essential, but in order to accomplish this, there has to be adequate funding and, and, and enough time, there's a lot to be done to do this job right, and including an information, educational component so week can make informed decisions. Translation and materials to different languages so the city can be inclusive to all the residents, and a way to dialogue with -- a two-way dialogue with honesty and forth rightness at the front end about we're the city, we're the city is in the plan, and let the public know that the city, what the city has done with their input, so even if the outcomes that they hoped for weren't implemented, at least they know that they were heard. Alternative methods to disseminate information to engage different groups, for instance, online, printed, street theater, community events to, name a few. There needs to be plenty of visuals and other, and otherwise, in other ways, to simplify this very complex plan. This will accommodate different learning styles and language barriers. There needs to be enough time for people to consider the information and give their input with reasonable timelines. As public engagement continues throughout all the phases, the degree and kind of public engagement will change. So clarity of what kind of engagement is needed during this phase will be very important. In conclusion, we hope you will adequately fund the public engagement piece of the Portland plan and be sure to consider enough time for this job to be done right. The city has the chance to earn the trust of the public, to know that they are honestly going to listen, and that their input truly makes a difference. Once the city is able to gain the trust of the people, Portland will be an even more vibrant and energized city with participation and excitement than it's ever seen before. Thank you.

Linda Robinson: My name is linda robinson, and I was asked to speak today, in part, as a resident of one of those areas annexed since the last comprehensive plan was done, and to reinforce the importance of the idea to back their idea of having different, different codes or different characteristics for different parts of the city. I can, I can very much verify that overlying the existing comprehensive plan onto outer east Portland has created some strange situations. We have

flag lots that were created before we were an necked that have been, have been carved into additional flag lots so you have got long driveways, side-by-side, and you have got lots of private streets, often private streets side-by-side, issues of how those will be maintained in the future, plus the waste of land of having two side-by-side streets, nothing between them, and, and there are all sorts of problems that has created, and we do, do need to, to make some changes, make something that works, given the way that part of town is platted, and I know there are different situations in the west side, some of those newly annexed area with the hills and ditches and, and all those things that you have to take into account. So, that's, that's something that, that is very important, and in order to do that well, you really need to engage the public and people who live with those who tell you what parts of that work and doesn't work so I want to reinforce that notion that, that you really need to spend as much, allow as much time as you can in the early stages to get the public engagement. Come out and catch their attention, let them know that this is going to impact the decisions that are made about their property, adjacent properties for the next 20 or 30 years, and somehow catch their attention and get them involved. Maybe we can just do something with duct tape to, to get their attention, but, but maintaining the character of the neighborhood, we need distinctive and well designed places. What we're getting is not distinctive, well, distinctive but not good, and, and it's not well designed, so, and equity is another issue that, that needs to be dealt with in some of these areas, so i'm really, really concerned about, about the way that the public engagement plan, that they are really engaged, not a one-way conversation. I reiterate lisa's points about the two-way conversation, and there is some aspects you will hear from, from other people or some of the early plans, and we think that's not happening, and needs to be fixed before you proceed. And others will be talking to that issue, i'm sure.

Parsons: We have three speakers signed up. Paul, mark, and amanda.

Adams: If you will just clarify, the cameras are not here for the Portland plan. They are here for the very critical issue of what comes next. The comprehensive duct tape plan. [laughter] which seems to have more public interest at this point than, than the Portland plan. Or I should say media input, sorry to say.

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

Paul Leistner: I am paul currently serving as the chair of the southeast board, and I participated in the public engagement advisory group that keith and linda are on, as well. I appreciate gill kelley's commitment to follow the community governance principles with the Portland plan. I agree that a well designed Portland plan process could serve as a valuable model as to how to involve the public and decision plead guilty in the future. It's a great opportunity. Unfortunately, the Portland plan process so far does not live up to the principles and values set out in community connect, and b.i.p. and the public enforcement taskforce, especially in early involvement, transparency and good process design. Early involvement, the bureau of planning's technical working groups, which I think the results, the results are being developed now from, from the groups, began many months ago to examine the existing comprehensive plan to look for areas that need to be changed or added.

In contrast, the bureau of planning waited to start the design of the public process until only a few week ago. I know that they went out to, to coalitions, but the actual group that started meeting to talk about the process met first on february 19, at that first meeting, the group was told that they would need to have at least a basic draft to go to the planning commission within less than two weeks. So, i'm very happy that they have asked for an extension and cecilia before that brought on with her experience with onia, which also helped with that process. The early involvement is crucial to making these things really work. Also, transparency, we all talked about it but when members of the community contacted the planning bureau and asked for information about the technical working groups, who is on them, what's their charge and what are they doing, that, that information, the planning bureau would not share that with them, even though that is technically public record. Again, it just seemed like, why do that? It just creates suspicion so very recently we

have gotten some of that information. But that should have happened automatically. That's part of the culture issue we talked about before. And good process design, that's the most important element in any public involvement process. You spend tremendous amounts of money trying to fix them when they are bad so let's make sure it works right from the beginning. It's a gift to the bureau staff that don't get beat up, and also a gift to all of us that volunteer for these things. And a well designed process can build trust and credibility and insure that its likely to meet the needs of the bureau and the community without, without unnecessary turmoil and controversy. The draft, the draft involvement strategy that you have got before you today is not a good process design. It's more like a list of standard sort of off the shelf information. We need to clarify the role of that group that's been meeting, also, a and a half things that the planning bureau said that they want to do, the summit, the workshops, none of that was talked about by, by this, this group that, that has been meeting to look at the process. Also, the issue of using the planning commission as the citizen's group that's required by state law. I don't think it's a good idea. I don't think that's going to work well, and I don't think the state is going to approve it, so I really urge you to take a look at that, so again, we have got a great opportunity here, and I just ask you to work together with us and the planning bureau to design a good process right out, and then the next few years will be much smoother sailing. Thank you very much.

Mark Bartlett: Mark Bartlett, and I propose that we go ahead and involve the citizens more up front. My lesser to you, I've been trying to, to get that accomplished in the last four months, and without much success. I finally made the distribution list two weeks ago. As far as pushing the planning commission for the public process, I second that, as well. I don't think that that will work. How are nine people going to adequately represent the views and interests of a million people when they are busy doing, doing other projects? So, I would ask that, that there be some sort of committee set up. The citizens advisory committee. I know it cost more money, takes more time, but with the 90-day extension, maybe we can do something with that. I would also like to see, um, to see council fund this in a way that would allow more up front engagements because, because to date, it seems to be the citizens are going to get, to get stuck with, with choosing either a or b that, that, a recommendation already felt by the bureau and, and instead of actually collaboratively engaging the citizens to create the, the policy issues and, and the work plan. Thank you.

Amanda Fritz: Good afternoon, I'm Amanda Fritz speaking only for myself. The comprehensive plan is really, really important, probably secondary only to the charter in terms of setting the rules for how Portland operates. It's really, really important that, that we, we make this update of it happen in a manner that includes every Portland citizen. I am not able to track city council in this much detail as I have in the past because I'm doing heir things right now, but didn't you recently appoint or, or in concept, a public involvement commission? So why would the planning commission be overseeing it, why not involve the public involvement commission and, and make sure that there is an independent oversight on the public involvement part, which is, I think, what supper doing when you appointed that commission. I don't believe that the planning commission should be the citizen involvement commission committee for the Portland comprehensive plan. It's only because it's not physically possible for the nine volunteers to do all the work and everything else that the planning commission is supposed to do. I served on the planning commission for seven years, and I spent probably 20 hours a week doing the regular work of the, of the planning commission, so to ask them to do all of the citizen advisory part of this process is, is simply not feasible, not reasonable, and not wise because we need many more voices in on that committee than just the nine folks who were on the planning commission. The planning commission will be recommending a version of the, of the comprehensive plan to you as, as a regulatory advisory body. So, it doesn't seem reasonable that they would be the committee that would be proposing the, the, whatever goes to the planning commission at the same time. So, I really urge you to ask the planning bureau to rethink that section of the plan. And then thirdly, the opening summit is on a Friday. From 8:00 to 6:00. So, what that says to me is that the people who are welcomed to that

summit are those able to take a day off work, folks who have a business connection or an interest in the outcome of the plan, and agency staff. It tells me that students in high school, still in session on June 5, and working people and parents who have small children who, who don't have other daycare options aren't welcome at that summit. So, how does that, what does that say to the Portland citizens when we're inviting them to an 8:00 to 6:00 summit on a Friday at the very beginning of the planning process? What does it say as far as you are welcome in this process? Your opinion is important? It doesn't say to me that that's the, that doesn't set the stage to me for the kind of process that we want, and I urge you to rethink those things. If the public involvement commission, the planning commission being the citizens advisory committee, and the kickoff date as a Friday. Thank you.

Potter: Gill.

Kelley: We're not asking for, for the decision or direction from you all today. The issues that were raised by the speakers just now are part of the, of, we're just beginning that process but we'll come back to you with the decisions along those lines in August. Save the last points on the summit. With regard to the summit, it is an all-day event, but it's not, not the only or necessarily the most important of those initial engagement pieces. There will be many summits that we're having, mostly, on weekends around the city and neighborhood, so that there will be multiple opportunities. No decisions get made at that meeting, and in fact, the, the presentations that day will be recorded and had will be, will be, um, will be, will be made available in video format to anyone who, who wasn't able to attend the summit presentation.

Saltzman: Do you have childcare provided?

Kelley: At the summit, I believe that's what, what we're attempting to do, yeah.

Adams: Anything, persuasive, to hold it on a day that is not a weekday.

Kelley: Yeah. I think there are just constraints about the venue and, and the speakers and so forth but we will augment that day with several others around town.

Adams: I'd like you to move the date but --

Potter: The following day is the grand floral parade.

Adams: The following day is.

Kelley: We're in a busy season.

Adams: All right. [inaudible] [laughter]

Leonard: Get your chair, sit in your chair all night because the parade is the next morning.

Kelley: We heard the commission will not allow duct tape to reserve that. [laughter]

Adams: We'll have light showers to talk about that case. A couple of reactions. One, it sounds like you're still struggling with? A plan for, for Portland or is this a plan for the city of Portland government? And I think that, if it's for Portland, you know, I think we need to have equal partners or pretty equal partners with the county and the school district and, and other agencies that, that are, are, really, a huge responsibility for the people with, within Portland. So, I think, I think it's a difficult issue, a difficult request to, to, um, to figure out how to fulfill, but I'd like you to sort of struggle with that. The other thing is, um, and I think that, that the comments about the public input and public participation, you know, you should go back and, and continue to work on those.

Kelley: Work on those.

Adams: But what I didn't see here, enough of, and that is, you know, what's the diagnostic that we're going to be collectively working from? How, you know, you almost have to make some initial assumptions that can get tested, changed, or what, what, what is, what, what are the elements of a great Portland, city of Portland?

Kelley: Yep.

Adams: And how are we doing in terms of the geography and neighborhood and, and area and, and socioeconomic groups, all the different dice, but as you know, and I want to make sure it's part of the record, public involvement has to be two-way. We absolutely have got to collect some, some empirical data and share that with our makes and get them then to react and give us their wish list

and everything else because there's been amazing change all over the city, and people, people's old thinking of, of what kind of neighbor they live in might or might not be valid. Those are the initial thoughts.

Kelley: Ok.

Adams: I think you are, you are off on, on a very useful track.

Kelley: Thank you.

Saltzman: So, what about the suggestion of the public involvement commission being the main, the main body rather than nine-person planning commission that has a lot of work?

Kelley: I guess rather than answer that today, that's one of the, one of the suggestions, one of the questions we'll be looking at and coming back to you with. I just want to say that, that whichever way we go, we're really looking at a model that is not creating one more commission either here or there as the be all, end all for public participation. We found out through vision p.d.x. There are better ways. We want to go to people we're they are in all kinds of different methods. All kinds of ways, and not resolve or make a repository. One particular set of meetings or, or body and spend another year and a half trying to figure out what the perfect membership of that body is. We really just want to go to everybody we're they are, be very nimble and accountable and report back in all kinds of formats. That being said, the planning commission, which you endorsed early on, probably needs the benefit of some other voices and some other thinking in our engagement planning, and so I think that we want to have the kinds of conversations that we're, were alluded to here. What's the best way to get the advice, it may not to empanel another commission, but it may be to get the advice of, of, of the commission that was mentioned and also some of the others here and expand our, our, and amplify on the work we've been doing with the public engagement team, which only met two or three times. We're just starting up the effort.

Potter: What do you say about the, the issue of, of the planning commission already being very busy, and it's just going to be one more thing? How would they accommodate this additional task?

Kelley: They are busy. They are not as, as oriented toward the code right now, so they have done some clearing. They do have some big projects. They have a couple of big transportation projects that they are looking at. But, we're really paying a lot of attention to their schedule right now to leave ample time for the Portland plan. I think the role that was talked about here was not whether they should be the policy advisory body but whether they should be the citizen engagement kind of oversight body, and that's a separate, a separate question that I think we'll wrestle with, but I think that, that, you know, there are many new members on that commission. It's a full commission now. They came onboard very enthusiastic about having this role in the Portland plan. It's a lot of work. They have got extra meetings scheduled, and, and they have also been willing to go out in addition to, to the community-based meetings so there's the face of the planning commission represented out in the community meetings.

Potter: I'd like to, to have you meet with oni to find out we're the, the public involvement oversight committee is in terms of its development as well as --

Kelley: Be happy to do that, yeah. Ok.

Potter: Thank you. This is the presentation. There is no council action required. Thank you, folks. Please read the 2:30 time certain.

Item 342.

Potter: Commissioner Leonard.

Leonard: Will you come on up? Amanda. Did you turn it off? We turned it off. [laughter] Can you hear me? This is a technical amendment, correct?

Sara Petrocine, Commissioner Leonard's Office: Yes, a minor amendment to, to correct, that the right part of the code is, is, um, is cited at the end --

Leonard: Ok.

Petrocine: At the end of section c.

Leonard: We'll need to, to adopt that at some point. And I am welcoming, um, members of the group that met over the past three or four months to, to, um, to discuss the, the issue of, of reserving spaces at, at the rose festival parade that took a variety of forms, I mean, duct tape gets joked about a lot, but less funny is, is the, the, um, the instances of which there are a number we're, we're a number of, number of businesses and groups were spray painting on the sidewalk and the street, with permanent spray paint, reserved areas, with their names on it that, that exist to this day, and, and, um, less funny, also, is the, the, as I learned in the last few months that, the increasing defensiveness of which people were defending their spaces and the increasing offensiveness of which others found that to be as they would arrive early in the morning to go to the parade and, I think, all of us agreed that this was a good time to rethink whether we should allow the continuing practice of reserving spaces, and I think that we all concluded, after discussing it quite a bit, that, that we should not allow that practice to go on, and thus, the item in front of you. Interestingly, the group decided that, that really, if the idea is to make the rose festival parade a pleasurable experience, that we shouldn't stop with just, um, debating or discussing -- we shouldn't stop with, with debating or discussing just, just reserving spots, but also, issues relating to, to restaurants. One of the major complaints that we heard in this process, and, and --

Leonard: Is that working now? Very low. I think it's fine.

Saltzman: That was quite the opening statement.

Leonard: Very distracting. [laughter] The issues that related to convenience and why we ended up calling this proposal, in general, a, a parade access proposal was to make it a more pleasurable experience all around by including rest rooms. So, if you will recall council, in the fall bump, you approved \$50,000, that is to pay for rest rooms that will go up and down the parade route and some specific bleachers for reserves for the elderly and the handicap, and, and we'll also have, have a designated area to be determined by the rose festival parade and others for, for families with small children to be able to have, have activities and, and, um, face painting and those kinds of things before the parade because a lot of parents with small children let us know that its, you know, it's just very difficult to be at the parade and, and have, have your kids stay calm. [loud audio noise] My goodness. And this is the largest single news event of the whole year. Distressing that he was turning out like this. So, anyway, that's a long way of saying, of introducing these three folks who I would like to take a moment and have them give their perspectives and thank you for working on them. Jeff, why don't we start with you.

Jeff Curtis: Sure. Commissioner leopard, council, as executive director of the rose festival, we're responsible for producing the largest single day event in the northwest, one of the top parades in the country, and we have a great deal of respect for the city, our city leaders, as well as certainly, for our parade-goers. Some 400,000 people strong, and so when this, this came to, to be an issue last june, I came in front of you and said, you know, it was a timing issue about when is the right way to introduce something like this? And i'm pleased that we're here today in march because it's really about communicating to the public, what's the rules, the rules that you put forth. That's something that we have always done with the city of Portland. We work with you as a partner. We have the independent responsibility of producing this great parade, but, but really, we work as a partner with the city and we follow your lead. In the case of these discussions, it was really brought out and clear to me in the taskforce setting, not really about duct tape but having a parade accessible to as many people as possible. I truly, an organization, believes that we have a great parade and having an all accessible parade is in the best interests of the rose festival and the parade so under those premises, along with a commitment to the city that, a commitment to make the parade a better experience, not slowly relying on the rose festival itself, but the commitment of resources to do that makes this, this a, a proposals that makes sense, and we certainly, certainly, certainly endorse the, the recommendation in front of you. We really, really want to, to communicate with you as a city of Portland, and that's our major point of emphasis, the communication with our citizens about what's, what's proper and what's appropriate that, that they can't mark their space days ahead of

time. At the same time, it's very important that we respect the tradition of people coming down the night before, bringing that family down, and really making an experience. It is an incredible atmosphere to walk around on a Friday night and see what's happening in the streets of our city.

Leonard: Can you talk about --

Curtis: I invited commissioner Leonard so he could see this, and he's taken me up on that because it is an amazing experience to see. It doesn't happen any time of the year, and that's something that is tradition, and that you should be preserved. That's what makes Portland part of what it is, and the people that come down and, and have an event as part of an event, but what this does, it allows more people to come down on, on parade morning and have successful rights to the parade and have a great time and the amenities necessary. That's where we come from. It's all about accessibility. Not about whether it's right or wrong, but about having a fair parade route for all of us. And under those premises, we supported this ordinance.

Fritz: I'm Amanda Fritz. Amanda Fritz, and I was delighted when commissioner Leonard asked me to serve on this committee back in the summer last year, as you know, I'm a registered nurse and I work with inpatient psychiatry with people at life or death and people struggling with that, and having some other things within the city, with land use and parks, and as you know, are very contentious, I thought, well duct tape sounds like something that would be fun, and it was an excellent committee with a number of, um, business folks and, and people in the community, and I really appreciated serving on that committee. What I found was it's really not about duct tape but about Portland and who we are as Portlanders and the things that we care about. And I think that it's, it's indicative of that, that commissioner Leonard and all of you have had so many emails and involvements on this little issue. But, it's about fairness, and it's about community, and it's about who we are and what we think, how we think our government should operate to keep us safe to, keep things equitable, and to provide access for children and, and elderly folks and handicapped people and the folks who like to party all night, and so it was really a very fun committee and, and particularly, appreciative that you took the time to send it out to the community for review before coming to council, and I think that, that, maybe that's why we don't have 50 people signed up today because we had an opportunity to amend the proposal, and I certainly support it. Thank you.

Petrocine: I'm Sarah with commissioner Leonard's office. I just wanted to, to speak a bit to the ordinance that you have in front of you. There are kind of two pieces now. It was originally all one proposal, but in meeting with some folks from the revenue bureau and other bureaus in the city, the folks that are going to administer a lot of this, made more sense to split it into two, so what's in front of you today is up for a vote, is prohibiting painting, marking of space to, to reserve for the parade, and the other piece is about the bathrooms and the, the spaces for elderly and disabled, are going to be coming in the beginning of April as part of the special events ordinance that, that the revenue bureau put forward every year for the Rose Festival parade. They incorporate a lot of different things into that, that ordinance, and it fit into that better, so that piece will be coming in early April from the revenue bureau, and the piece is just about the prohibition of marking space, but all the recommendations did come from, from the committee and, and this is the piece that's in front of you now.

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

Moore-Love: We have one person, Veronica.

Potter: Veronica. Veronica, you may want to sit in that one. It seems to be the only one working.

Veronica Bernier: Ok. Good morning. I've been somebody from the community health since 1997. I support the parade. I love the park and rec activities, and I am glad to see it carry on. I'll tell you how I came to, to be, to see what these people have seen. I saw up close the effect of the electromagnetic tape, which is silver duct tape, on quite a few areas, and I have to say this about that, it gets bigger every year, the parade. The, and the duct tape problem. Initially, there was some people that used to lay out an area that was like four-by-six. It grew to 12, 24, and sometimes, 36

feet by six feet we're, we're these, these duct tape things are laid out, and what is happening is that people create their space, and we want them to be there. According to former mayor vera katz, this is a city who works well when all the people are included, and point of the matter here is that after people create larger spaces, we have to reserve space for the little guys, and the little people is what i'm concerned about as part of baby health. The two-year-olds. Walking around in the parade and, and viewing it, and I think also, just, just being typical two and three and four-year-olds, when they throw the candy, the kids run for the candy. The hard candy, and I know that I did that as a kid, you know. I ran for the circles. You all remember that? You don't. The ice cream man used to throw the little root beer hard candies and all of his kids go and pick it up, and it was for free. They still do that around certain places, and they cross the, the duct tape line to do that, and as they do that, they will trip over here and it becomes unsafe. So there's we're the borders are important. I'm not against it, just want to let you know. It's a 50-50 situation, you know, there's no, no real right way to do it, but we still have, have to talk about it and support it. It's a good one. Thank you.

Potter: Thank you.

Potter: No further testimony?

Saltzman: One question, sarah. So you are saying that grandstands for elderly, disabled, and areas for children, family of young children will be established in a forth coming ordinance?

Petrocine: As part of -- well, sorry, as part of the, of the special events permit, and the, there will be areas that, that previously the folks that, that, at the rose festival association and, and traffic, police, things that work on, on the logistics of the parade are identifying, that weren't used before for anyone to sit in, and, and there won't be bleachers or, or elderly or disabled folks at the workout but areas cordoned off that will be advertised, but they will know that they can go to view the parade along the parade route.

Saltzman: And they are with an inner generational group of course grandparents and parents and children? Can they take advantage of these?

Petrocine: We did discuss the need for family members to be able to be in attendance, so that there will be flexibility for that.

Saltzman: So it's not bleachers but areas?

Petrocine: There may be bleachers or just folks to sit in areas that wouldn't have before had a place for them. It would have been closed off and now it will be opened up and have bleachers in them, and there will be other areas, potentially, in front of the bleachers that will be flat we're folks could, could, um, put their wheel chairs or a lawn chair if they can't stand for the parade, things like that.

Saltzman: And then people who, who come the night before, can still, that's considered first come, first serve, no matter what time you get there?

Petrocine: Camping the night before the parade is allowed. You would be able to stay in your spot and, and reserve your area. That's, that's a spirit of the parade that, that we wanted to keep intact. That's been a tradition for a long time.

Saltzman: Thank you.

Adams: Just so i'm clear, you no longer reserve your spot along the parade route overnight with, with tape or objects or spray paints, but you can reserve it with your, your own presence and the presence of your family and friends?

Petrocine: Yes.

Adams: Ok.

Potter: Go ahead.

Adams: And, and i'm sure that, that the burnside bridge, we might want to look at it, later, the burnside bridge, I think, your folks can enforce this on the burnside bridge, but just double-check.

Petrocine: We will do that, thank you.

Potter: Can I, are you going to submit this as an amendment?

Leonard: Yes, amendment to 342, yes.

Potter: Can I make a friendly amendment, and that is one of the things I noticed, and I don't know if the folks with the rose festival agree, but since I walk the parade, I see a lot of campers and r.v.s set up, and they go away and come back the next morning. One of them was a 40-foot van, a 40-foot trailer that had a, a curtain on the side, and, and it took up 40 feet but there were a half a dozen people sitting there. And -- on the route, itself. It would be great if we said, any, any vehicles because they use a lot of vehicles to do that, have to be occupied because they go park them and then they come back the next morning, which to me, is sort of the, of the fancier version of duct tape.

Adams: That would be objects. We need to be clear on that.

Leonard: So, you heard the.

Curtis: Jeff curtis. I heard the question and I want to clarify just in case, some, some of those vehicles are on private property. They are actually not on, on the streets, and I don't know which one in particular you are talking about, but that is something, I do know, private property, if it's elevated, certainly, the private property can do that on their own.

Leonard: We don't allow parking on the street during the parade.

Curtis: No, not particularly.

Potter: The streets are closed off. People sit in that area, and I have seen vehicles on the street but after it has been closed off. My concern was just that, that if they are going to be camping there, whether it's in a pup tent or r.v., that its occupied as opposed to just leaving the vehicle there to be used the next day. On public property.

Curtis: Ok.

Potter: You may be right about the large trailer --

Curtis: Also, it can have been like a judging stand, something like that, as well, and we have areas along the route that will be there during parade production areas.

Adams: Try to clarify, you see this on the east side, but I think the mayor, what they are talking about is they will park the vehicle the night before, effectively, reserving the space, and then as the streets get closed off and all the traffic has to leave, including parked cars, they will move the parked car that has been there overnight, effectively saving the place, more effective than duct tape.

Potter: And/or just leaving the r.v. There during the parade because it's not on the actual street, it's on part of the side street, but it's right next to --

Adams: It looks like you have administrative authority to deal with that.

Petrocine: We have administrative rules in the process so that may be something that we could add in there, and there is a rule about taking your, if you do camp, that you have to strike your tents and things like that by 8:00 a.m. So that might also be able to include any vehicle.

Potter: Any further questions? Yes.

Leonard: I would like to move the amendment.

Adams: Second.

Potter: Call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. [gavel pounded] A non emergency, moves to a second reading. We're adjourned until next week. [gavel pounded]

At 3:21 p.m., Council adjourned.