



CITY OF  
**PORTLAND, OREGON**

OFFICIAL  
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **29TH DAY OF APRIL, 2009** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz, Leonard and Saltzman, 5.

Commissioner Leonard arrived at 9:36 a.m. and left at 1:11 p.m.

Mayor Adams left at 1:34 pm.

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

<b>COMMUNICATIONS</b>	<b>Disposition:</b>
<b>497</b> Request of James B. Lee to address Council regarding cost overrun on new Sellwood Bridge (Communication)	<b>PLACED ON FILE</b>
<b>498</b> Request of Lee Iacuzzi to address Council regarding demanding justice (Communication)	<b>PLACED ON FILE</b>
<b>499</b> Request of Crystal Elinski to address Council regarding housing rights and proposed budget cuts (Communication)	<b>PLACED ON FILE</b>
<b>500</b> Request of Stuart Emmons to address Council regarding Portland as a national leader in design and creative services and sustainability (Communication)	<b>PLACED ON FILE</b>
<b>501</b> Request of Carol Van Dyke to address Council regarding making our city and state more sustainable (Communication)	<b>PLACED ON FILE</b>
<b>TIME CERTAINS</b>	
<b>502</b> <b>TIME CERTAIN: 9:30 AM</b> – Adopt a comprehensive update to the Green Building Policy for City government facilities to reflect advances in green building (Resolution introduced by Mayor Adams)  (Y-5)	<b>36700</b>
<b>503</b> <b>TIME CERTAIN: 10:00 AM</b> – Accept report Act for Art: The Creative Action Plan for the Portland Metropolitan Region (Report introduced by Mayor Adams)  (Y-5)	<b>ACCEPTED</b>

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<b>CONSENT AGENDA – NO DISCUSSION</b>		
<b>Mayor Sam Adams</b>		
<b>Bureau of Planning &amp; Sustainability</b>		
<b>504</b>	Authorize an Intergovernmental Agreement with Portland State University in the amount of \$98,000 for the Single Family Weight Study to determine average residential waste disposal (Ordinance)	<b>PASSED TO SECOND READING MAY 6, 2009 AT 9:30 AM</b>
<b>Bureau of Transportation</b>		
<b>*505</b>	Authorize Intergovernmental Agreement with Oregon Department of Transportation to undertake the installation of variable message signs along the Mount Hood Hwy, Powell Blvd and 82nd Ave (Ordinance)  (Y-5)	<b>182719</b>
<b>*506</b>	Amend contract with Star Park, LLC for parking attendant and revenue services (Ordinance; amend Contract No. 35401)  (Y-5)	<b>182720</b>
<b>*507</b>	Grant revocable permit to Red Dress PDX to close NW 17th Ave between NW Northrup St and NW Overton St from 12:01 p.m. on May 1, 2009 until 12:01 p.m. on May 3, 2009 (Ordinance)  (Y-5)	<b>182721</b>
<b>508</b>	Authorize contract with CMTS, Inc. to supply street construction inspection and engineering technician personnel as needed and provide for payment (Ordinance)	<b>PASSED TO SECOND READING MAY 6, 2009 AT 9:30 AM</b>
<b>509</b>	Grant revocable permit to Scandals Lounge and Restaurant to close SW Stark St between SW 11 <sup>th</sup> Ave and SW 12 <sup>th</sup> Ave from 7:00 a.m. June 13, 2009 through 10:00 p.m. on June 14, 2009 (Second Reading Agenda 457)  (Y-5)	<b>182722</b>
<b>Office of Management and Finance – Business Operations</b>		
<b>*510</b>	Pay claim of Kaitlin Johnson (Ordinance)  (Y-5)	<b>182723</b>
<b>Office of Management and Finance – Human Resources</b>		
<b>511</b>	Change the salary range for the Nonrepresented classification of Housing Director to reflect added responsibilities (Second Reading Agenda 461)  (Y-5)	<b>182724</b>
<b>Office of Management and Finance – Purchases</b>		
<b>512</b>	Authorize an Intergovernmental Agreement with Multnomah County for shared use of electronic equipment and related sites (Second Reading Agenda 464)  (Y-5)	<b>182725</b>

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**Commissioner Nick Fish  
Position No. 2**

**Bureau of Housing and Community Development**

- \*513** Amend subrecipient contract with Housing Development Center to revise the total contract amount not to exceed \$203,900 for the additional provision of asset management services and provide for payment (Ordinance; amend Contract No. 38250)  
  
(Y-5)

**182726**

- \*514** Amend subrecipient contract with Housing Authority of Portland for an additional \$27,102 for Rental Access Services and provide for payment (Ordinance; amend Contract No. 38307)  
  
(Y-5)

**182727**

**Commissioner Dan Saltzman  
Position No. 3**

**Bureau of Fire and Police Disability and Retirement**

- \*515** Authorize contract with Health Cost Management LLC to provide medical bill audit and payment services (Ordinance)  
  
(Y-5)

**182728**

**Commissioner Randy Leonard  
Position No. 4**

**Bureau of Water**

- \*516** Authorize the Portland Water Bureau to acquire fee ownership of a property needed to expand the Portland Emergency Coordination Center (Ordinance)  
  
(Y-5)

**182729**

- \*517** Authorize adoption of Red Flag Program for the Portland Water Bureau (Ordinance)  
  
(Y-5)

**182730**

**REGULAR AGENDA**

- 518** Amend Sidewalk Obstructions code for a temporary extension of the expiration date to allow time for a City-wide public involvement process to educate, assess performance measures and engage citizens in the evaluation of the Street Access For Everyone package (Ordinance introduced by Mayor Adams and Commissioners Fritz, Fish and Saltzman; amend Code Section 14A.50.030 N)

**PASSED TO  
SECOND READING  
MAY 6, 2009  
AT 9:30 AM**

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<b>Mayor Sam Adams</b>		
<b>Bureau of Transportation</b>		
<b>519</b>	Assess benefited properties for street improvements in the SW Nevada Street Local Improvement District (Hearing; Ordinance; C-10021)	<b>PASSED TO SECOND READING MAY 6, 2009 AT 9:30 AM</b>
<b>520</b>	Adopt a City-wide strategy and guiding principles to further Portland efforts to deploy electric vehicles and work with regional partners to develop a network of charging stations for public use (Resolution)  (Y-5)	<b>36701</b>
<b>*521</b>	Authorize procurement per Section 5.33 of City Code and contract with Precise Parklink for multi space Stelio parking meter pay station repair parts (Ordinance)  (Y-5)	<b>182731</b>
<b>522</b>	Remove redundant and outdated language, fix organizational and grammatical errors, reconcile conflicting Code provisions, increase program efficiency and effectiveness, and improve public comprehension to the Public Improvements Code (Ordinance; amend Title 17)	<b>PASSED TO SECOND READING MAY 6, 2009 AT 9:30 AM</b>
<b>523</b>	Accept a grant of \$298,980 from Oregon Department of Transportation and Metro for the SW Capitol Highway: Multnomah to SW Taylors Ferry Concept Plan Refinement (Second Reading Agenda 477)  (Y-5)	<b>182732</b>
<b>Office of Management and Finance – Financial Services</b>		
<b>*524</b>	Amend contract with SAP Public Services, Inc. to provide additional consulting services for \$1,250,000 for City Human Capital Management implementation (Ordinance; amend Contract No. 37969)  (Y-5)	<b>182733</b>
<b>*525</b>	Amend contract with Pacific Consulting Group, Inc. to provide additional Quality Assurance consulting services for \$53,000 for City Human Capital Management implementation (Ordinance; amend Contract No. 35627)  (Y-5)	<b>182734</b>
<b>*526</b>	Amend contract with JKF Consulting, Inc. to provide additional consulting services for \$80,000 for the City Human Capital Management implementation (Ordinance; amend Contract No. 38306)  (Y-5)	<b>182735</b>
<b>*527</b>	Amend contract with Mouri Tech, LLC to provide additional consulting services for \$175,000 for City Human Capital Management implementation (Ordinance; amend Contract No. 38039)  (Y-5)	<b>182736</b>

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<p><b>*528</b> Amend contract with SAP Public Services, Inc. to clarify SAP software maintenance fees (Ordinance; amend Contract No. 36718) (Y-5)</p>	<p align="center"><b>182737</b></p>
<p><b>*529</b> Amend contract with SAP Public Services, Inc. to provide additional software licenses for \$246,458 for the City SAP Enterprise Resource Planning system software licenses and maintenance fees (Ordinance; amend Contract No. 36718) (Y-5)</p>	<p align="center"><b>182738</b></p>
<p align="center"><b>Office of Management and Finance – Purchases</b></p>	
<p><b>530</b> Accept bid of Nutter Corporation for the NW Irving St and I-405 Sewer Replacement Project for \$505,000 (Purchasing Report – Bid No. 110115)  <b>Motion to accept report:</b> Moved by Commissioner Fish and seconded by Commissioner Saltzman. (Y-4; Leonard absent)</p>	<p align="center"><b>ACCEPTED PREPARE CONTRACT</b></p>
<p><b>531</b> Extend contract with Environmental Systems Research Institute, Inc. for \$727,000 for an extension of geographic information system software maintenance and technical support (Second Reading Agenda 487; amend Contract No. 40983) (Y-5)</p>	<p align="center"><b>182739</b></p>
<p align="center"><b>Commissioner Dan Saltzman</b></p>	
<p align="center"><b>Position No. 3</b></p>	
<p align="center"><b>Bureau of Environmental Services</b></p>	
<p><b>532</b> Accept a donation of \$9,000 from Providence Portland Medical Center for the construction of a green street stormwater curb extension in the public right-of-way at NE Glisan and 63rd (Ordinance)  Continued to April 29, 2009 at 2:00 pm.</p>	<p align="center"><b>PASSED TO SECOND READING MAY 6, 2009 AT 9:30 AM</b></p>
<p><b>*533</b> Adopt findings, authorize an exemption to the competitive bidding process to City Code 5.34.150 and authorize a contract with Williams &amp; Dame Development Inc. to construct a Green Street Facility (Ordinance)</p>	<p align="center"><b>REFERRED TO COMMISSIONER OF PUBLIC AFFAIRS</b></p>
<p><b>534</b> Authorize a permit of entry agreement with the Portland Public Schools and an indemnification to the extent allowed under the Oregon Constitution and the Oregon Tort Claims Act to maintain rain gauges at various school properties (Second Reading Agenda 494)  Continued to April 29, 2009 at 2:00 pm. (Y-3; Leonard and Saltzman absent)</p>	<p align="center"><b>182740</b></p>
<p align="center"><b>Bureau of Police</b></p>	
<p><b>535</b> Authorize the Portland Police Bureau to reorganize the current precinct structure from five to three precincts while continuing Portland's dedication to community policing principles and ensuring officer safety (Resolution) (Y-3; Adams and Leonard absent)</p>	<p align="center"><b>36702</b></p>

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<b>Commissioner Amanda Fritz</b> <b>Position No. 1</b>		
<b>Office of Healthy Working Rivers</b>		
<b>536</b>	Accept report on the status of the Office of Healthy Working Rivers (Report) (Y-4; Leonard absent)	<b>ACCEPTED</b>
<b>537</b>	Accept the 2007-08 State of the River Report (Report) (Y-4; Leonard absent)	<b>ACCEPTED</b>

At 1:57 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,  
OREGON WAS HELD THIS **29TH DAY OF APRIL, 2009** AT 2:00 P.M.

The meeting reconvened at 2:17 p.m.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz,  
Leonard and Saltzman, 5.

Commissioner Leonard arrived at 2:19 p.m.  
Mayor Adams was excused to leave at 3:23 p.m.

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

<p><b>538</b> <b>TIME CERTAIN: 2:00 PM</b> – Accept Citizen Campaign Commission Second Biennial Report to the City Council and Citizens of Portland (Report introduced by Auditor Blackmer)</p> <p><b>Motion to accept the report:</b> Moved by Commissioner Fritz and seconded by Commissioner Saltzman (Y-5)</p>	<p><b>Disposition:</b></p> <p><b>ACCEPTED</b></p>
<p><b>539</b> <b>TIME CERTAIN: 2:30 PM</b> – Accept Independent Police Review Annual Report (Report introduced by Auditor Blackmer)</p> <p><b>Motion to accept the report:</b> Moved by Commissioner Fish and seconded by Commissioner Fritz (Y-4; Adams absent)</p>	<p><b>ACCEPTED</b></p>

At 4:11 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.

**April 29, 2009**  
**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.

**APRIL 29, 2009      9:30 AM**

[gavel pounded]

**Adams:** We're glad you're here. Karla, please call the roll.

[roll call]

**Adams:** First we do communications. We have five people signed up today. Karla, please read the title for council calendar 497.

**Item 497.**

**Adams:** Good morning, mr. Lee. Glad to see you back. Hope you're well.

**James B. Lee:** [inaudible] I speak only for myself, thank you for hearing me today. When I started following the sellwood bridge project, the reported cost was \$80 million. Last fall, when the policy advisory group, the price had risen to \$340 million and this was somewhat perplexing and, in fact, this became a consternation several months ago when tri-met issued a \$134 million budget for the beautiful -- the model of the beautiful bridge you see outside this chamber. So this bridge is basically the same as the sellwood bridge, two lanes -- the sellwood bridge. Sidewalks for pedestrians and cyclists and the only difference is that it has to handle hugely heavier loads on the sellwood bridge. I went down to the Oregon transportation commission meeting two weeks ago and asked what are we getting for our extra \$200 million at sellwood and I got a response from gail ackerman who said she was so concerned with the same thing that she had charged her staff with trying to identify benefits for regional transportation for this extra expenditure and they are answer was that we're getting nothing for that extra \$200 million. Furthermore, she asked mr. Jazen, who is the administrator for the Portland region, to speak to me about it afterwards and he said, yes, that, in fact, \$80 million was a very realistic figure for a complete -- for a very functional thorough sellwood bridge, a new bridge, not a rehabilitation of the old bridge. So this is extremely perplexing. In fact, it's outrage us in one sense. When you consider that Multnomah county is cutting law enforcement and human services and we're concerned about schools and the Oregon health plan and I think this is basically a version, Oregon's variation on alaska's famous bridge to nowhere. We certainly need a new sellwood bridge, everyone agrees. But where this extra \$250 million came from is hard to tell. The mayor has worked long and hard on the advisory group. I think the bridge project is going to have to be rebooted.

**Adams:** Thank you very much. I appreciate your testimony. Karla, please read council calendar 498.

**Item 498.**

**Adams:** Good morning, and welcome back to the city council. Glad you're here.

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

**Adams:** Just need to give us your name and you have three minutes.

**Lee Iacuzzi:** Ok. My name is lisa lee iacuzzi and i'm not a good queer. First of all, i'd like to talk about the sit-lie ordinance that's coming up. I know mr. Leonard doesn't have a problem with that and believes in humanity and i'd like to thank him for his support of homeless people. I'm not happy with the first 100 days of your office. It's not been good. You got a lot of plans that have -- that want a lot of money. You could do something really effective that doesn't cost anything except your heart. I'm asking for your heart. This is no money involved. I understand if I was a business owner, I would not want people hanging in my business, but if i'm homeless, and I need a place to



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sleep and i'm sleeping, and I get woken up by the police and criminalized because i'm poor, is not humane. Mr. Saltzman, I believe you're in charge of the police department or have some type of supervision. The police themselves supported our protest last year. They even gave us pizza. The police are tired of the bullshit. The police know it's not right. Why don't you know it's not right? Mr. Fish, you work with homeless people. Are you kidding me? I'm not going to get your vote? I ask for compassion. I ask for humanity. It's not right what's going on. I'm asking for modification. I understand why you need the sit-lie ordinance, I totally agree with some of the issues around it. I don't care who's paid you. I don't care who your constituents are. I don't give a shit. All I know is your first 100 days has sucked and it's going to get better. I need some heart. Thank you.

**Adams:** Thank you very much for your testimony. Karla, can you please read the title to council calendar item 499.

**Item 499.**

**Adams:** Is crystal elinski here? Hi, welcome to the city council. Glad you're here.

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

**Adams:** You only need to give us your first and last name and you have three minutes.

**Crystal Elinski:** Ok. My name is crystal elinski. Good morning, commissioners and fellow citizens. Everybody. On march 25th, a month ago, four people came to address the city council regarding housing and tenant rights specifically at central city concern but ultimately all of Portland. I thought it was an agenda item considering the chronic homeless issue and one of the highest unemployment rates in the nation. The office of planning and sustainability and office of neighborhood involvement and bureau of housing and community development makes drastic cuts at a time when major increases are needed. To build a strong citizen-fed community-led city we need programs, small grants program, green building and community garden and --

**Adams:** Could you turn your phone off for a second?

**Elinski:** I need to call gene's place because i'm no. 9 on the list and they told me to call --

**Fish:** It's causing havoc with the mic.

**Elinski:** What happens with the vision into action 2030 plan and the 10-year plan to end homelessness. When I write to city hall and I approached sam Adams in the hall and asked him to call on me to speak. About what, he asked? About homelessness and housing. His reply, I have a lot of other important issues to deal with. He did not call on me that day. Months passed and we -- a blinking neon rose and the sex scandal that keeps on giving. I would want to revisit that day. Zoom back in time with me, it's the 25th of march. I'm reading what I wrote on that day. Two weeks ago I was listening to the local radio station when I heard the voice of former colleagues at p.s.u. The topic was intriguing. I'm no. 55 on the waiting list for the transitional housing. I've been waiting in line at 5:00 in the morning on the day that central city concern finally opened it. Since then i've been required to report to their office every thursday to stay on the list -- on fridays. The ultimate catch 22. Over the years, I had heard about the treatment of the residents and the city's transitional housing and shelters and never thought I would experience it firsthand but after two years of living a slumlord and dealing with harassment and discrimination and confusing procedures, I found myself on the streets like many others and called the radio station to share my story, but couldn't wait long because of the line waiting to use the phone. I'm appalled at what i'm hearing about the lack of tenant rights. Not because I don't believe it, but because it's still going on so long after the 10-year plan to end homelessness. I'm calling from the women's warming shelter which took months to get on the waiting list. And it's closing in a week. Please let me continue. I'm on a million waiting lists. Being homeless is a full-time job. I'm finally up for gene's place but probably just lost it right now and dreading it. Unless commissioner Fish, you have news for me. My section 8 voucher was supposed to come eight months ago. Wasting our taxes on the soccer stadium and the living green building and the 12-lane bridge. When you do get grants it's for the

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joint terrorist taskforce, under different names and the Oregon guard is going off and we're being treated horribly by the --

**Adams:** I need you to wrap up.

**Elinski:** Portland cannot be the nation's most progressive city as long as it ignores the poor. Not those who favor big business and developers.

**Adams:** Thank you for your testimony. [applause] Karla, please read the title for council calendar 500.

**Item 500.**

**Adams:** Good morning, mr. Emmons. Welcome to city council.

**Stuart Emmons:** Good morning, mayor and commissioners. Thank you for seeing me. It's a pleasure to be here and probably going to be trivial from the statements that were said before me. I have a statement with a golf ball teed up on it for your information and inside of it, talking about Portland becoming a -- seeing itself as a sustainable capital. A design capital and how to get there. And I have pictures of penn station, pictures of 1960 corvette. And the golf ball on the front to make -- try to make my point. My words are also kind of focused on memorial coliseum and knowing jobs and spending priorities are obviously related and spending for housing and schools being a priority. We're teed up to become a sustainability and design capital, which will result in sustainable jobs. We'll be judged by our actions, not just our words. So coincidentally on the front burner is the memorial coliseum and what i'd like to ask is that we do something doable and cost-effective and popular and save the memorial coliseum. It's the right thing to do for sustainability. Demolishing it would make us a poster child for bad sustainable practices. As far as the money goes, i've heard and maybe you've taken tours with others, it's too expensive to remodel memorial coliseum, the mechanic system and the roof. On and on. Business people sometimes miss the best business deal and maybe creative mind minds and government visionaries can see the best solution. It's losing \$200,000 to \$500,000 a year. Peanuts. With the new management structure and a new manager, I really think we can put that building into the black. So memorial coliseum is one of the top arenas and maybe the top in the country. When the curtains open up, the space inside is really unbelievable. And that could be a nucleus for a rose quarter that we haven't envisioned before that can be extremely successful. I think we could build a rose quarter that is truly green, active, creates jobs and has a lot of community support. And just one other sidebar on my remaining time, even though I don't want to get into the baseball stadium siting. I think there have been a lot of ideas out there and the expo center up in north Portland seems like a really good thing to take a look at. Thank you very much for your time.

**Adams:** Thank you, mr. Emmons, really appreciate it.

**Fish:** Mayor, may I address two quick points?

**Adams:** Yes.

**Fish:** First, thank you for this document.

**Emmons:** You're welcome.

**Fish:** I assume you did it in-house.

**Emmons:** I did it in-house.

**Fish:** I want to say that the debate over memorial coliseum has stimulated a lot of good ideas and also taken us back about five years ago when a group of p.s.u. Students came up with ideas. A headquarters hotel and sustainability center and an athletic complex. All of those seem to be things we ought to consider.

**Emmons:** Uh-huh.

**Fish:** Even if we can't fund them. We ought to consider them. That's always been the problem and I appreciate that cost is an issue.

**Emmons:** Yeah.

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**Fish:** To me the issue is not whether it's a beautiful or ugly building. I happen to think it's a beautiful building. I have a colleague who thinks otherwise. But I think it's what is the best use for the building. I will point out that you have a picture of the old penn station, which was one of the most important architectural structures in the country, demolished to create a new penn station, which is the ugliest public spaces ever conceived and it's of some note that the city of new york is planning to move it across the street to a historic structure which is a post office, in partial recompense. That their plan is to go back to the future and move it into the historic farley post office and recreate something great. I would hope in our debate and discussion we do consider alternatives and I want to be clear. I don't have a fixed idea with what should be done with memorial coliseum, but I hope we have time to consider what the options could be.

**Emmons:** Thank you.

**Adams:** Thank you very much. Karla, please call the title for council calendar item 501.

**Item 501.**

**Adams:** Ms. Van dyke. Ms. Van dyke is not here. So let's proceed to the consent agenda. Is there anyone in this room that would like to pull any items from the consent agenda? We had no prior requests for items to be pulled from the consent agenda, so Karla, would you please call the roll on the consent agenda.

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye.

**Adams:** Aye. [gavel pounded] consent agenda's approved. We have a two -- two time certain today. One at 9:30 and one at 10:00. Karla, please read the title for council calendar time certain 502.

**Item 502.**

**Adams:** Thank you. The -- Portland is one of the first in the nation to adopt a green building policy for its own facilities. Today we'll review proposed updates to that plan and to make it -- additional - - to make it -- raise the bar for ourselves and to clarify how the policy is to be applied, these updates are to reinvigorate our efforts. We're going to hear from parks, water and the office of management and finance on their experience with the policies and successes to date. But first, we're going to hear from susan anderson, the director of the bureau of planning and sustainability, to give us an overview.

**Susan Anderson, Director, Bureau of Planning and Sustainability:** Good morning. As mayor Adams said, gary from parks and tom from the office of management and finance and david shaff will be up in a minute. Last summer, to convene the other bureaus to look at the city's green building policy and make new recommendations so we're here to do that. We'll provide a summary of the great things that have gone on over the last three years and provide recommendations for ways to enhance and approve on the green building policy. This will ensure that the city remains a leader, biofuels and other technologies and practices. We'll continue to be a model and to quantify our impacts so that businesses locally can learn from us and other cities around the world. So to tell the story of where we've been, I need to go back in time. Back to 2001. At that time, the city was one of the first of a very small handful of communities to adopt a green building policy. I remember coming up here and bringing a video of the mayor of seattle who had actually adopted a similar policy the week before and I needed that because I needed to convince the council at that time that this was important and that other cities were moving on this. The policy required that we meet the leed certified green building standard. And leed, at this point, is something that you all know about. But at that time, I had to talk about it over and over and over again and emphasize the importance of it to city government as a change agent. So commissioner Saltzman was the engine behind this approach of leed. Four years later, we updated the policy requirements and moved from leed certified to gold as a standard and set benchmarks for water efficiency, waste and energy conservation. What's happened? Unlike a lot of other cities where the focus on leed in their communities has been the public sector, in Portland, what's happened is because we also have

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requirements related to -- with the Portland development commission that require leed certification if you get any kind of financing or -- or tif funding or anything. It's become a revolution of 150 buildings in Portland either completed or under way that will be leed certified. The city has three. We haven't done a lot of building and these folks will talk about those. We've completed some great green tenant improvements and not building a lot new but taken a look at our facilities. The fire station and fitness facility. And add 27 square feet of ecoroofs to city-owned properties and I was adding up ones coming. Very soon, we'll have an acre of ecoroofs on city facilities. A country highlights, the b.e.s., bureau of environmental services, has implemented process management for all lead process in the city and created an alternative technology review committee which is helpful to bring in new technologies and try those out. Also my office partnered with the bureau of purchases to provide trainings in many departments on green building and the city's policy. I'll let these two go ahead and then david will come up.

**Zari Santner, Director, Portland Parks and Recreation:** Good morning, mayor. Members of council. I'm the director of parks and recreation. We're one of the two major developers in the city government. By we, I mean Portland parks and recreation, the office is office of management and finance. And we're also the largest landowner in the city. Portland parks and recreation is proud to be in the forefront of sustainable design in city government. We have a long history of sustainable practices which began many, many years ago, almost two decades ago with the integrated pest management approach and water conservation for irrigating parks. However, our most recent successes are focused on new construction. As many of you know, the east Portland community center pool opened recently and we're proud of the fact that it is that facility -- has achieved or is almost to the point of achieving the leed platinum certification and much credit goes to the commissioner Saltzman who worked tirelessly to get investors so we could have photovoltaic cells on the roof to provide electricity for the building. We, about three years ago, completed an university parks community center, its renovation and expansion also has achieved leed certification for our green building strategies and construction practices. Five years ago, we renovated wilson pool, which is an outdoor pool in southwest Portland and that was the first, in addition to many, many sustainable features, it was the first pool in Portland that -- one of the pools is being heated through solar packages. Within our bureau, we have recently completed greenhouse gas inventory of our facilities which has led to a climate plan for the bureau. We challenged, we have created a challenge for our employees. The conservation challenge which we intend to reduce 25% by the year 2020. And the first phase of that is going to focus on five major community centers. Our community centers consume 50% of our total water and energy use. So we are very much in support of the aspiration language recommended that all existed city-owned buildings pursue leed operation and maintenance, at a silver level certification. I need to point out that many of our facilities are old. And that a lot of the fixtures and facilities within each building will require major update in order to meet that standard. There are prerequisites for achieving the ebom silver level and we're going to come back to you to ask for financial assistance so we can achieve these goals but we look forward to that and I know that this is something that you have been supporting and we're very appreciative of that. In conclusion, the sustainability plan ensures that all of our facilities are design, built and managed to promote a sustainable future and green building practices are certainly a key component to achieving this goal. Thank you.

**Adams:** Thank you very much.

**Tom Feely, Office of Management and Finance:** Good morning, tom from the office of finance and management. We were participants with the update to the green building policy and definitely strong supporters of it. I think probably visible has been the ecoroof on the Portland bidding. Unfortunately, it's not available for the public to see, but i'd like to invite you or your staff to take a tour if you haven't seen it recently. It's really filling out nicely. And we're also working with the bureau of environmental services for the ecoroof for this building. In addition to that, we've used

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the bureau of planning and sustainability's green improvement guide, tenant improvement guide on several projects, including the recent upgrade of our internal city shade facilities. I don't want to repeat what zari said, but we're committed to it and it's going to guide us in the future and we fully support it. Thank you.

**Adams:** Mr. Shaff.

**David Shaff, Director, Portland Water Bureau:** Good morning, i'm director of the city's water bureau. We've converted our entire construction fleet to b99 biodiesel and we're installing microhydro turbines that are at our pump station and use recycled paint from metro on our concrete banks and i'm here to express support for the green building policy and share with you our experiences and accomplishments since the policy was originally adopted in 2001. Like o.m.f. And parks we like to brag about our firsts and we're proud to be the first bureau to be constructing the city's first leed certified renovation of an entire building. That's where we do testing of our water meters. It will be completed sometime this year and incorporates a number of green improvements and those include energy efficient lighting and hvac that we expect to reduce by 35% to 45% energy use. And recycle our water that we use to test the meters and that will save us approximately 50% over our previous facility. Solar generating equipment will provide approximately 10% of the normal electrical load in the building and the solar hot water system should provide 100% of our water heating needs for five to six months of the year. The updated green building policy, as we plan ahead to improve our pump stations, we're going to be looking at opportunity to install more efficient pumps, programmable thermostats. We're confident there are opportunities to make green improvements. By optimizing the efficiency of the carolina pump stations we've decreased electrical usage by 17%. We now have three of the 11 certified employees with leed professional accreditation in the city of Portland and hope to have several more in the upcoming year. This training helps the city to incorporate green policies into our c.i.p. Projects as well as improve operating practices and equipment choices and also gives our staff the ability to be better educated consumers of proposals and technologies that are brought to us by contractors and vendors. We take the commitment to sustainability seriously. We believe it will save money over time, reduce energy consumption, waste and improve the health and well-being of our employees. Thank you for your time.

**Adams:** Thank you all for your leadership in this important area. We have another panel?

**Anderson:** We have someone who will explain what we're actually talking about.

**Adams:** What a novel idea.

**Alisa Kane, Bureau of Planning and Sustainability:** My name is alisa kane. The city's green building coordinator. I convened staff from 10 bureaus to make updates to the existing positive and what we wanted to do was to clarify and enhance the policy so it reflected industry advancements. What we did was improve requirements around recycling, water conservation and adding renewables and added language to minimize waste and conserve water and clarified the policy so that it was applicable to occupied structures. That was a question we got often. We wanted to focus on where our employees are working and make sure the projects were funded and staffed at levels that were appropriate to implementing the policy and then we also wanted to make sure we were getting direction on the historic renovation of any properties we have, and that's something that the Portland landmarks commission is going to work with us to offer advice when we're going to contemplate removal or remodel of historic buildings and this effort was reinvigorate. Existing buildings operations and maintenance. Ebom and that's where we can ensure the health of our buildings and the people who work there. With this, i'm looking forward, I think we'll be able to leverage stimulus dollars and continue the collaboration we've seen today and I want to acknowledge the work of my colleagues and the project managers and staff who have sought out training on these issues and making us a premiere city. I want to thank commissioner Saltzman and mayor Adams for their work and propose we adopt this comprehensive update.

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**Adams:** Questions from council.

**Fish:** I just have basic questions to make sure I understand what we're doing. What buildings would this apply to and what buildings would not be covered by this policy?

**Kane:** I like to take this on a case-by-case building. But buildings such as city hall or Portland bidding, we'd want it look at pursuing leed for existing buildings. Some of the parking garages, that's not a good fit. Also smaller pump stations or restrooms. There are things we can do to improve environmental performance, but certainly pursuing leed is not the best use of our resources.

**Fish:** In the area of affordable housing, we have a variety of financing tools and we and if the city finances a non-profit development for housing, do these policies apply or do the p.d.c. Greening Portland affordable housing guidelines?

**Kane:** It's been p.d.c. that apply in this situation and although we have been able to support it through another mechanism, the green investment fund, which is in its final year, but announced yesterday that we were able to support two affordable housing projects that should be coming online.

**Fish:** It's an interesting question, as of July 1st, we're going to have a new Portland housing bureau, which transfers them to the new bureau, with the bureau of housing and community development. The housing guidelines developed by p.d.c. And stakeholders, I guess would apply to those, but the city of Portland would be in the lead in terms of developing and financing those projects. So do we potentially have a conflict?

**Kane:** I think they're mutually compatible. This one, if we look narrowly at the policy for city-owned facilities this would apply to the ones we own and manage and occupy. The ones we're financing, the way it's been so far, the Portland development commission takes the lead and they've been revising those guidelines and we want to see long-term environmental perform and improve occupancy and health and we're not cross breeding here.

**Fish:** That's helpful for me. When the resolution -- the resolution before us talks about in second to the landfill resolve that the city shall finance and staff its green policy. So we're talking today about building that we own and operate. Not buildings that we finance, like the affordable housing portfolio?

**Kane:** Correct.

**Fish:** That's helpful for now, thank you.

**Saltzman:** That raises some interesting questions. I think as commissioner Fish pointed out, but -- so I guess I want a little clarification. If housing finance shifts from p.d.c. To the Portland bureau of housing, at a minimum, the affordable housing guidelines should apply.

**Kane:** That's correct. And they're going through an update right now to reflect --

**Saltzman:** [inaudible] th finance goes along with it.

**Fish:** As I read your report, they've not been finalized. There's an independent process with stakeholders, after reading the report, I think I'll have to get involved with, since they'll be the guidelines that govern the new Portland housing bureau.

**Kane:** That's correct, thank you.

**Adams:** And commissioner Fish, I would welcome that. I know there are unique situations as relates to financing housing, so I'd welcome your thorough review and report back to us whether we need to accommodate or make any specific acknowledgment of that in our policy.

**Fish:** Thank you, mayor. I want to be clear we want to bring our affordable housing development to the highest standards of green building that can be reached within the financing limitations. For example, this council challenged us on the resource access center to go for gold. I think we're going to go for platinum just for hell of it but there's a cost involved. People say, well, you know, where can you trim some dollars on the overhead? The resource access center is a \$29 million investment.

We could take a few million out in the front end and get rid of leed altogether. We know that's not

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what this policy and this council wants to do. We also know that that investment in the front end is going to bear enormous dividends over the long term. It may be a few more in the front end, but the savings accrue throughout the project. But these are delegate issues particularly during times of scarce resources. Thank you, mayor, we'll engage with council on that.

**Adams:** Further discussion from council? Thank you very much for your great work.

**Kane:** Thank you.

**Adams:** Anyone else signed up to testify.

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

**Adams:** Anyone who wishes to testify on council calendar -- all right. This is a resolution. Karla, please call the roll.

**Fish:** I'm pleased to support the resolution which contains important aspirations for our green policy agenda and our sustainability agenda is what gives us a national identification and international profile and where green collar jobs are coming and perhaps be the hub of electric car industry. These are important policies and guidelines and it's a work in progress. And I take seriously the challenge of finding the right mix with our affordable housing projects that the city funds indirectly, but doesn't own so that we can continue to bring the standards up for all housing in our community. Aye.

**Saltzman:** Well, I want to thank the mayor and bureau of planning and sustainability for their outstanding work in bringing an update to the green building policy. One that's timely and one that certainly hearing from the bureaus, it is very different from 2001 when we first brought this policy forward. When it was looked upon as -- people didn't really understand the importance of this, both in terms of doing better by our environment, but also establishing the opportunities for businesses to gain expertise and designing and building green buildings and also our ultimate goal was to have companies that manufacture the stuff that goes into green buildings right here in the Portland area and I think there's been substantial progress on all of those fronts, but particularly pleased about the parks good work on the east Portland pool. That's really outstanding. Platinum. The water bureau and o.m.f. It was a beautiful ecoroof. I have toured it. I think all of these are a tremendous effort to continue to marshal or desire to save and protect our environment and climate and with the opportunities for economic development and jobs here in the Portland area. So once again, congratulations to the mayor and everybody. Pleased to support this policy. Aye.

**Leonard:** I appreciate your good work. Aye.

**Fritz:** This is excellent work. Thank you. Aye.

**Adams:** Well, I just want to thank the bureau leadership. I want to thank all the private sector partners that have been involved with this. And I want to thank the bureau of planning and now planning and sustainability for helping to -- in your efforts to help us lead the way but I -- lead the way but recognition for commissioner dan Saltzman, who did the heavy lifting on this update and now I take. Handed off to me and take and run with and will do so with enthusiasm. But thank you, commissioner Saltzman, for your great work and leadership in this area. Aye. [gavel pounded] council calendar 502 is approved. Karla, please read the title for council calendar item 503.

**Item 503.**

**Adams:** Last time we had this topic before us, we filled the council chambers with supporters and we're going to spare you that team today but we could if we wanted to.

**Fritz:** And you have the emails to prove it.

**Leonard:** And the history to back it up.

**Adams:** Instead, we're going to hear from my key partners on this issue. Before us is metro councilor carlotta collette. Otherwise known as --

**Carlotta Colette:** Lottie.

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**Adams:** Lottie. In public, I get tongue tied with your name. I apologize. From Washington county dick schouten. And katherine cosgrove from the creativity network are here to share and answer questions as well. Thanks to you in the audience that have been supportive and i'll turn it over to my colleagues.

**Jennifer Yokom, Mayor Adams' Office:** Thank you, mayor and commissioners. My name is jen yocom. As many of you heard last month with the state of the arts address with racc. Recently, we've seen galleries close and heritage centers and some cultural arts are cutting budgets up to a third. But with challenges, we're seeing opportunities with the federal opportunity package and the arts and culture council -- the good news, is that we've been doing our work at the regional level over the last couple of years. In 2006 with the approval of council, then commissioner Adams in conjunction with the regional arts and culture council and skyline consulting and katherine cosgrove, began in the regional creative capacity project. Greater efficiency and ambitious agenda for the arts and culture community at the regional level. I'll turn it over to collette.

**Colette:** Thank you, mayor, thank you -- is it abrams?

**Adams:** I have deserve that.

**Colette:** My name, for the record, is collette.

**Adams:** That's a hard name.

**\*\*\*\*\*:** It is.

**Fish:** I was at fred meyers and someone came up to me and said, "i know who you are." I said, ok. "your sam Adams, aren't you?"

**Colette:** Metro councilor for district 2. But the tiny town of river grove and my city, milwaukie and johnson city, as well as a lot of unincorporated clackamas county. It had a broad community. I want to tell you a little bit of the creative capacity project and how I got involved. I first heard about it when I was on the milwaukie city council and when you're elected to office, you look around and think, did we just lose power? What does my city -- I looked at paris and london and new york, it's obvious, we don't have a vibrant arts scene like these great cities. So one of my first actions was to create an arts scene. Which we now have. Done the groundwork for and working towards having a great cultural arts center. Sort of like the louvre or the met. Maybe not that scale. But I did a lot of research on the city council of what the role is of the arts in creating vibrant communities and I looked at Portland and the work that you've done with your young creatives and attracting young artists to the community and seeing the role of the arts as a community building tool. And so when it became up that this creative capacity coalition was forming and mayor Adams asked me to co-chair it, I was excited because I looked forward to the opportunity of working with your arts scene, which is already vibrant, to try and create a region-wide arts scene. This started about two years ago, with an assessment of what our three counties cultural strengths and weaknesses were. And we've handed out a detailed timeline of what we did over the past couple of years. We surveyed creative professionals and held town hall meetings and round table groups and focus groups and did an online survey and did regional polling which you'll hear about. Probably 1500 people participated in that process and helped us to create a strategy and recommendations outlined in this report which we're going to talk about today. We decided our goals into three major goals. Strengthening our cultural infrastructure. Approving access to the arts and arts education, which is one of the first things cut from education budgets, and investing in local creative talent. The artists themselves. In a minute, commissioner schouten will talk more about those goals. Our last actual arts plan was developed in 192 and called arts -- 1992 and called arts plan 2,000. But there still remains one of the biggest shouting problems we have. And that's that we don't coordinate what we do as a cultural community and people are left out and we don't take advantage of the opportunities we could have if we worked collectively. This plan will help galvanize, local communities and governments and -- and advocates to help work together on a shared strategy. And that's really what we're about today. About two weeks ago, we held our first big town hall to --



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there's a picture. To premiere this arts action plan and it was a very lively discussion. About 370 people who attended. And that was the first of really what will be many more regional discussions about this action plan. We'll be holding town hall meetings in other parts of the region. Mayor Adams said let's try to make these all along light rail lines. Clackamas county doesn't have its light rail line yet.

**Adams:** Yet.

**Colette:** Yet. But if we put off ours until the fall, we will have and we can hold it at clackamas town center or somewhere. Commissioner schouten will tell more of the details about the action plan knowledge thank you.

**Dick Schouten, Washington County Commissioner:** Thank you, councilor collette. For the record, my name is dick schouten. And represent a good piece of beaverton and cooper mountain and the reedville area and we've learned a lot about the regional capacity project but learned how far behind we are. You can take a look at the bar graphs, we don't look as strong compared to seattle and particularly denver. And so for the sake of full disclosure, I know Washington county, we do a lot of -- 247 per person. We drag down the collective average. Seattle, I understand is looking at efforts similar to ours so we can anticipate their dollar figures may look up higher than they are currently. We've learned from the scientific focus groups and telephone surveys in the spring of 2008 that there's strong and consistent support for the art, culture access and arts education from voters across the tricounty area and the numbers are strong all across the region and the numbers in Washington county are not very different from Multnomah county and clackamas county numbers are strong too. Just a little bit below the first two counties i've mentioned. So I think we have some opportunities here. Of course, we won't -- as our metro councilor has told us, we have three overarching goals in the action plan. We won't go far in the first goal. Strengthening our culture infrastructure, if we don't take a look at the 15, \$20 million dedicated public funding. Request that's going to be a ballot measure down the road or some levy. That's some ways to be seen. The public opinion research shows we have opportunities and if you take a look at the public interest piece you can see some strong numbers. Particularly for the willingness to pay a small, but I think significant, piece, which is the dollar per month figure. And citizens across the three counties have made it pretty clear they do value the creativity of the arts and education piece and i'll talk about the art action plan and how it can help us engage the public dialogue around these opportunities. I should point out, too, that we've talked briefly, I think, about the work that's been done with richard, florida. But we've had work done by joe cart write. When we think of richard florida, our ability to attract, hangs on the culture that is here. But obviously, the -- you know, to the degree we can strengthen that in the county is a positive thing in the economic standpoint. Going on to goal 2, you can see in terms of access it arts and art education, all too often in the past and I know in the beaverton school district, arts is one of the first things to get chopped in the school budgets. We have great project programs that we need to continue to promote as much as possible and those things poll very well too. And number three, investing in the creative talent, we know this region has been known for attracting, as I mentioned earlier, richard florida, what he calls the creative class. And we've outlined strategies that will help us to nurture and keep that talent invested in the Portland region. You'll see three strategies with 18-month and five-year benchmarks and I won't go into the details here. You can see that in the materials you've received and will be receiving. But the document in the art plan is meant as a roadmap for coordinating the existing programs and creating new ones. For example, to address part of the first goal, a new non-profit organization -- excuse me, creative [inaudible] network was formed to ensure that local arts communities do not lose the gains and coordination that it's seen the past couple of years, to expand the grassroots outreach and advocacy efforts and mobilize further the arts community and conducting additional polling work in the near future to see about the viability of various dedicated funding options. You can see on the screen, the recent town hall we did in conjunction with c.a.n.,

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that we'll be discussing those things in town halls in addition to what was kicked off in the pearl district and begin the conversations with a reasonable way. I know commissioner Fish has met, how we can tackle the homeownership of artists and I want to thank you for what you've done. Clearly, you're the leaders in this area and look forward to other parts of the region coming along in a strong way as well. Over the next 18 months, mayor Adams, councilor collette and I will convene a regional steering committee and providing -- setting up quarterly opportunity meetings and reporting back I think in a formal way in the fall of 2010. Thanks for why are time and thanks.

**Yokom:** Thank you so much forever that presentation. And commissioners, for your -- just so you -- you can get a quick highlight of the pieces that the city of Portland is engaging in on this action plan exclusively. We're going to be working with the creative advocacy network -- if you look at your screen, here's some highlights. A couple of things we're going to be pursuing in the next couple of months. Mayor Adams will be co-chairing the regional steering committee. I'll be able to report back to your offices at any time and then also acting as a resource for the creative advocacy network as they pursue a dedicated funding mechanism. And some of the strategies we wanted to do anyway, but it's great that we have the opportunity to coordinate and also pilot some programs here in Portland and share the results at the regional level as well. So --

**Colette:** We'll get to questions in a minute, but I wanted to thank you all. You've already done so much for the arts and this community really leads in region and all of us knows that the arts feeds our souls regardless of the economic community right now. It's terrible, we know that, but the arts are still a vital part of keeping people's spirits [inaudible] the w.p.a. Was one of the most important programs that came out of the depression and our children must continue to learn creative skills and creative innovation is critical to our businesses. For these reasons and many more, government bodies throughout the region have a vested interest in the success of our arts community. We present this action plan to you for adoption as the baseline for a vision of a more vital, creative and innovative metropolitan region. Thank you.

**Adams:** Questions from council?

**Saltzman:** Sure. I was in elementary school a couple weeks ago and approached by a woman volunteering here. I think she was an artist and she was so excited about the levy and I needed to support that. So -- tell me --

**Colette:** A little ahead of ourselves.

**Saltzman:** What is the thought process behind a levy. Is it something that metro -- a metropolitan area wide.

**Yokom:** I'll ask kathleen cosgrove, their mission is to pursue education and research around the possibility there. So she can present what they're planning on doing in the next few months.

**Adams:** Thank you all very much. Oh, you can stay. Good morning, ms. Cosgrove.

**Kathleen Cosgrove:** Good morning, happy to be here. Kathleen cosgrove. Well, i'm glad to hear our word is getting out. It's a little bit jumping the gun, but let me explain. The creative advocacy network has been formed to look at the issue of public funding, and we're a long ways before we're willing to say we're going to bring anything to the public because what we want to do first is really engage people in all three counties and look at what our options are. And we know that we're aiming for a dedicated fund of \$15 million to \$20 million. We know from early research what the public is saying is important to them. And what they're supporting, which has a lot to do with arts and education and integrating the arts into the core curriculum of students. But now is when the tough work begins and what we'll be doing is setting up a workgroup that has representation from all three counties. Business leaders and people from the creative services industry. Educators are very important. Parents. Not just the usual suspects. There will be people from the artistic community there well. And guide them through a process where they address these issues and we look at national models where there are other areas that are doing this. To be more direct in answering your question, commissioner Saltzman, if we want to do a regional funding measure, the

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-- the two most likely possibilities for doing that are to create a new special cultural district, potentially, as denver has, and other areas have. Or to use the existing taxing authority that metro has. And we'll be looking at both of those, the pluses and minuses of both of those, but certainly no conclusion has been made.

**Saltzman:** Is it safe to conclude that a significant portion of this funding would be supporting arts in the schools?

**Cosgrove:** That's what it looks like at this time, yes. That's what the research is saying that people want and is an important part of what we're doing.

**Saltzman:** Thank you.

**Schouten:** I think another piece, in terms of funding so that people have easier access. People with limited means and who are daunted by some of the fees and charges that are part of accessing art would have more opportunities to provide, you know, that kind of access.

**Fish:** If I can jump in with what dan said. He's identified an important point. In sort of the ether, we're hearing that Portland public schools may go out with a bond measure to deal with the problems of the parks bureau has been charged with exploring opportunities for potentially a bond measure sometime in the future. Voter owned elections, is going to be referred to the voters next year at some point. Arts funding and dedicated funding. Those are wholly independent of what metro, the county, other jurisdictions may be contemplating but i'm realizing there's some overlapping objective in each of these and mayor, I don't know the history has been, but my sense as a citizen, these weren't always as well coordinated as they could be within jurisdictions and since things that parks can look at might benefit schools and vice versa. And arts piece could benefit schools and parks, I would welcome an opportunity to talk about long-term planning and we get markers down and avoid a voter overload in the next few years.

\*\*\*\*\*: That's a great idea.

**Cosgrove:** One the next steps we'll be doing is talking to all of those partners and seeing where there's opportunities to collaborate. If there's some crossover, can we bundle some of these things together and minimize what we have to go out for. Where can we complement one another? But it will be coordinated with the other interests that our community has, they're also important.

**Colette:** In fact, the denver \$15 is fairly broadly defined creativity. And I think what they did was what you're talking about. Bundling a number of issues and concerns under the heading of a creative -- I think it was a bond measure there, as well as.

**Cosgrove:** Sales tax.

**Colette:** They have sales tax. But that's one way do it, is to put together a number of things that could fall into a creative cultural district and then not have to go out for a bond for this and that. And really go out for a shared bond.

**Schouten:** Yeah, I think commissioner Fish raised a good point. When I think about my area of the county, particularly, clackamas county Washington county, the agency that provides the most in terms of arts and craft, I think is the tualatin hills parks and rec district. They put out -- the tualatin parks and rec. Various things related to the arts. So I think there's definitely some opportunities to explore that further.

**Cosgrove:** There's also historic preservation, it's an important issue to people that ties in with this broader topic. And there's also a link --

**Adams:** Bless you.

**Cosgrove:** That's harder to get to. With the current sustainability movement. And how we can learn from what's happening within those publishes and how we can tie those together I think is also important to look at.

**Adams:** Any other discussion? Well, I just want to thank you all for your leadership on this issue. It's an absolute pleasure to work with each and every one of you and look forward to the years ahead making real progress on this issue. It's really important. So thank you.

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

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

**Adams:** So Karla, anyone signed up?

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

**Adams:** Unless there's additional council discussion, please call the roll.

**Fish:** I'd like to compliment the mayor for the leadership he has given on an arts agenda at a time -- I have the honor of serving on the Oregon cultural trust and at a time when giving is down statewide and the legislature is raiding our trust fund, it's all the more important that we have a local strategy and this strategy is driven by our mayor, with the assistance of Eloise and Kathleen and the mayor's team and other leaders. So I'm excited about the agenda. And I'm glad Dick mentioned the work for artists. Portland housing bureau is interested in being a partner and thinking through creative solution on that issue. I'd be remiss if I didn't put a plug in for work for art and I'm hoping at some point, all city employees are participants or certainly we have a challenge among council offices to make sure people sign up for work for art. It's an easy way to contribute. Just gets deducted from your paycheck. And we can be consumers of culture. And the notion, it was noted that nonprofits, theater groups, all kinds of arts and culture and heritage groups are struggling. The thing we can do is important them by going to events and renewing or memberships and that's something that every citizen can do to support arts, culture, heritage. This is a very bold plan. We have it in the lobby of our office and we hand it out to everyone who comes in. It starts with the mayor who has put the arts at the center of his agenda and I want to compliment him again for his work. Aye.

**Saltzman:** I want to thank the mayor, councilor Collette and commissioner Schouten for this great regional wide approach to looking at the arts and integrating arts into our everyday lives and looking at efforts to perhaps develop a regional funding to support the arts, particularly arts in the classroom. It's a great plan and a lot of enthusiasm behind it and I look forward to seeing it as it evolves. Aye.

**Leonard:** I too, appreciate it work. Commissioner Saltzman and I are, I think the only ones here who partnered with then-mayor Katz to save the old armory build, which I would point out to commissioner Fish, I actually do find attractive. [laughter] and there's a target of criticism for spending the money we did to restore and save it and I'm proud to say that Sam and I went there shortly after he was inaugurated to honor Vera Katz's work on that particular building, a venue of which is the focal point for a number of local artists who do really wonderful various performances. My family is so taken by it, we buy an annual package of 10 tickets to the Gerding Theater. We attended this past Saturday. Storm Large has an one-woman show called "Crazy Enough." and it was an amazing performance by an iconic local artist that knocked our socks off. I would encourage anyone interested in wonderful local artists and plays to go to that theater and see what's there and participate. The arts is a very wide and deep subject. Some people oftentimes confuse it to mean paintings, singularly, and it's not. I'm a tremendous lover of music and I try very hard to focus on local musicians. I came across a young woman. On a local website, Mississippi Studios, by the name of Amanda Stewart. Reminiscent of Judy Garland. From my era. We have a wide array of various arts that are really uplifting so I really appreciate this work and am supportive of moving forward and particularly with the leadership Sam has given to this. Thank you. Aye.

**Fritz:** Thank you, everybody, for your good work. My children went through Portland public schools and got arts education and drama and I appreciate the focus on that part of program and I want to recognize that there are a lot of good jobs in the arts in Portland and creative services is one of the target industries and although we understand in our hearts and minds about the beauty of arts in all flavors, as commissioner Leonard said, it's important to recognize this is a huge part of our economy and we need to continue to grow the good jobs in creative services so I'm pleased to support this initiative. Aye.

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**Adams:** Thanks again to everybody that's been part of this. I want to underline my thanks to Jennifer and Polly in my office. And Chris, and Kathleen, my co-chairs. Look forward to the work ahead. Also want to acknowledge every single person up here has championed -- championed funding for arts at one time or another, one program or another and I want to acknowledge that and especially underline Commissioner Fish who has had a big hand in putting this action plan together.

Aye. Council calendar item 503 is approved. We're moving on now to the regular agenda and that's council calendar item 518. Karla, can you please read the title for council calendar item 518.

**Item 518.**

**Adams:** Thank you. I'm going to turn this over to Commissioner Fritz. But first, I want to just welcome those of you that are -- how many of you have testified before the city council before? Ok. How many of you have signed up to testify today? And you know that you've got to sign up on the paper sheet there. So Karla has the paper sheet if you haven't signed up.

**Fish:** We really appreciate you being here on an issue that we're trying to strike the right balance. We know we have competing needs but this council is a very progressive council and committed to compassion. We know -- this council knows that investments in affordable housing and investments in programs that help people get off the street are absolutely important. We're the only city council in Oregon that has a 30% set aside of all tax increment funding which accounts for over \$80 million. Over five years, we hope, God willing with the economy, to have over \$150 million.

**Adams:** Investing in programs getting people off the street, affordable housing programs. We're the only government that has that. We're the only government that provides support for dignity village. We're the only government that invests the tens of millions of dollars when we have them into affordable housing and homeless programs to fund, put money where our mouths is in terms of the our 10-year plan to end homelessness. It's a difficult issue and we look forward to today's hearing to get your ideas on how to balance the various needs that we have to balance on this issue.

Today is not a wholesale reapproval of the sidewalk obstruction ordinance. It's an extension so that we can use the fresh eyes led by Commissioner Fritz, and with the help of everyone on council, to really look at this issue. We don't -- to really look at this issue. We don't feel comfortable with a multi-year extension until we look into that. We're looking for your observations and best ideas to moving forward. We're looking for creative ideas you might put on the table to consider. We're glad you're here and look forward to this hearing. Commissioner Fritz.

**Fritz:** Thank you for coming. It's important that you're here and we're glad you're here. Today is the last day to vote before the sidewalk obstruction ordinance would expire. We face --

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

**Fritz:** We face the most --

**Adams:** Part of the rules of the chamber are -- ma'am, everyone gets a fair -- gets to sign up and say their piece, but we don't interrupt each other.

\*\*\*\*\*: I'm sorry.

**Adams:** That's ok.

**Fritz:** She illustrated one of the reasons we're doing the extension. We want a dialogue, rather a series of monologues. You'll have your turn and after this, we'll have a discussion.

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

**Fritz:** Got you. So we've been working hard for the past four months. I just got elected as you know, last November and I've been working to figure out how city government works and doesn't work. We're also facing the most challenging economic times of my lifetime and probably most of yours. And we've been working on the budget where we've been tasked with cutting millions from the planning and the way we do business with staff and the community. We've been doing major organizations of the city bureaus to try to do things more efficiently. I realized that the sunset was coming up and Commissioner Fish and I simultaneously realized and came to the conclusion we want more time to think about this, and talk to you and rather than talking at you and have you talk

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at us. We want to look at a whole range of issues connected with this ordinance. We would vote it up or down today. We could do that. But then what? One side would be happy, with you mad, and there would be of less incentive for people to come to the table and talk. And particularly, when I say the table, I don't mean just this table right here. I campaigned in 95 neighborhoods last year and I heard from people in deep southwest and outer east that they cared deeply about this issue and have many of the same concerns i'm sure we'll hear today and they want better solutions and they're committed to helping. When i'm talking about a conversation, i'm talking about a conversation all over the city of Portland. To educate what this ordinance does and doesn't do. To talk about your experiences and others about what it has and hasn't done and all of us together looking for better solutions. Commissioner Fish and I were not on the council when this ordinance was adopted and so he and i, he's the commissioner in charge of housing and i'm in charge of human relations, which houses the human rights commission. And we want a citywide process to talk about this and evaluate what's been done and not been done. Because when I was campaigning last year, I said I would need a lot more evidence to support this ordinance before I would vote to support it. I want to be clear. I'm not today voting in favor of continuing the sidewalk obstructions ordinance forever. I'm voting for an extension, through september 1. We'll have another public hearing and setting the sunset date in october so we all know when that's going to happen and how. Since i've been in office, i've heard from a lot of downtown businesses struggling right now and who have reasons that they believe this ordinance has been helpful. I've heard from the street access for everyone committee. Many good hearted people who have been working on this stuff than I was aware of the issue and put in a lot of time and effort into a report that was published in november, recently posted online, in which I haven't heard a report on the report which i've asked for. Which of the 17 recommendation in the report do you agree with? Which do you not agree with? Are there more concerns not in that report that you want taken care of? I've learned there are many difficult problems and many funding issues that need to be taken care of too. I want to be very clear, this extension is not linked to the funding. I didn't talk to the folks who have been helping to fund the services to see if we do this extension, will you continue the funding. This is independent of any funding and policy issues. Just doing an extension. I've heard a lot of concerns about this ordinance. I've heard that it's unconstitutional. That it interferes with freedom of assembly. That it targets people who are homeless disproportionately and about human rights and civil rights. That we should not be trade -- and civil rights and there's unequal enforcement. And there are private security forces also enforcing this, which is not supposed to happen, as well as the Portland police. I've heard concern about funding for day services and whether there's adequate day service even know and all of things that were promised and heard concern about treatment programs and job trainings and that's what we've been trying to figure out our budget to make sure we prioritize services to people who need them. I've heard about parks exclusion and the anticamping ordinance and that's something that I expect we'll continue to discuss over the next few months and I have heard it doesn't solve the issues facing people who are homeless and it moves people from one area to the other so it's only active in downtown and the lloyd district and just move the problems around? But most of all, i've heard that people don't feel heard, you don't feel respected and we don't feel we've been working together on this as we might. And part of that is talked about in the street access for everyone report. Where it talks about the volunteers on that committee don't feel there's been enough council engagement in helping to solve the problems, the ones I just listed. So what we're proposing today is a four-month extension with a hearing the week after labor day so that we can engage people all over the city in addressing these issues. So we can educate them about what it ordinance does and doesn't. So we can increase respect for volunteers on whatever side. And I guess I have to say that one of the things i'm most pleased about is the respectful dialogue that i've had in my office when i've had one side or the other. Everybody respects the opposing points of view and I have to mention that sisters of the road café has done an amazing job

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in highlighting the issues with this ordinance and engaging in this dialogue and I appreciate everyone who's done that. So that's why we're here today. Doing a short term extension to allow us to have the time to think about this and to problem-solve around it. A lot of times since i've been sitting here for the past four months, I wished there was a couple of weeks I could think about things and on this one, it's too important for me to feel I can vote one way or the other without having this opportunity for true dialogue in every section of the city. So one of the -- I notice that had not everybody raised your hand that you want to participate today. And my assistants are going to bring around clipboards if you could let us know how to contact you, through phone or email or sisters, we want everybody to -- you'll get your turn, thank you -- at the end of the sign-up we'll ask if anyone else wants to testify we want to truly engage in a dialogue. You have the commissioner of housing and human relations to spend time over the summer doing that. That's why I support the extension. I want to hear your concerns and i'll take notes and that's the beginning of this dialogue for me.

**Adams:** If you came in late and want to testify, this is Karla, she's the council clerk. You sign up and we call people, first signed up, first called up. We'll go right to testimony. Karla, please call the first three people. And because we've got folks upstairs, she will call the next three people. If you hear your name and you're upstairs, come on down.

**Moore-Love:** We have 23 people signed up.

**Adams:** Welcome to the city council. Glad you're here. There's no address required. All we need is your first and last name for the record and a clock in front of that hunk of wood will count down your three minutes. Please begin.

**Tobiah Tillman:** Ok. My name is tobias tillman and i'm here to let you know this is a human rights issue. That we're all humans here. And looking at this ordinance, I see inhuman treatment from my fellow humans and it breaks my heart. I know of -- the first time I met you, sam Adams, you opened the door for me. As I was working on a campaign for you to get voted in. And I wouldn't have voted for you if I didn't believe you were all humans and can be appealed to and when you have human beings on the streets right now, all the odds against them, lost their jobs, homes, they're living outside, humans are humans if they're living inside or outside and for them to be kicked out of their sleeping spots, it makes it harder. Harder to regain their composure, their jobs to really get themselves in a position of stable living and so this is something that I feel is adding to the problem. Not taking away. I mean, there's been ordinances like this in place for a long time and it hasn't solved the homeless problem. It's been growing and a large portion of that population is women and children right now. These are people we can't ignore. People out on the streets due to accidental situation and to make it harder on them I see is not a human policy. It's not a human thing to do. And so we need to act now. Vote no on this sit-lie ordinance. And do what's really in our human nature.

**Adams:** Thank you for your testimony. Appreciate it.

**Graham Houser:** Graham houser. I want to say I do appreciate the [inaudible] in Portland about homelessness and combating poverty and i'm impressed by what's happening and the services and I think this is a concern, because it seems counter to the mind frame that is here. And so i'm just very opposed to it. Criminalizing homelessness just compounded the problem and I think an important issue, i've heard talk about the resource center or day center happening. And I don't know if it's done yet or open, but I think the two should go hand in hand and I see it very imbalanced if this ordinance is happening with no day center to go yet. Maybe once that center opens up and running, then we can consider this. But with that not in place, it just seems unjust that this is happening. So thanks for your time.

**Adams:** Thank you for your testimony. Appreciate it.

**Lawrence Bishop:** Good morning, my name is lawrence bishop. I was a person homeless on the street for years and years. I got off the street here in Portland four years ago. I've dedicated my time

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to volunteer. By being out there, this is unconstitutional as far as i'm concerned. We need more shelters for women and children in downtown Portland. I really push that right now. Because they have to walk to the other side of the river, all different areas to get shelter and I only have to go a couple of blocks, if I needed it. And I don't have to walk across the river and I really feel that women, children need off the streets as well as men. And they have no place for them to go other than abusive centers and that's not enough. I'll stop there.

**Adams:** Thank you for your testimony. Well said. Appreciate you being here. Next three. Good morning, welcome to city council. We're glad you're here. Ms. Newell was first signed up.

**Nancy Newell:** Yes, how many minutes do I have?

**Adams:** Three minutes.

**Newell:** I want to use them well. Ok, thank you. I'm an activist, I have been for many years in the city of Portland. I fought the enron merger and I would say that we're in a period where not that the emperor has no clothes, but not only does the emperor have all the clothes but all the water, all the air, all the ability to make our environment toxic and unlivable. And when you're talking today about sit-lie laws, you're also talking about the animals to be deeply considered, because human connection with animals is a far healthier existence, and that is also a means of stress. I'll give you a few ideas, and I have many. Congress woman asked people to refuse to be removed from their homes. I think that's an initial start, because homelessness will inevitably be added to our street. I think we could engage somehow in using their properties, 'cause we're going to have to start cooperateng and sharing. This is a symptom that you are characterizing within the city, but it hits the city from every section, the deaths of those internationally traveling people. You can't stop that. That's not about don't sit and lie. That's about the stress in our society, and it will continue for a long period of time. You should put green shirts on these people. They don't use resources. They use public transport, bicycles, whatever means they can to get around. They share. They cooperate. They're forced into this position, but they're doing it and proving they're vile value -- survivalists. As sam Adams said, we are the ones that have success and money and some kind of security, yet we're contaminating our own environment too an extent no one else will. I don't know if there's some kind of award system, but I truly believe they deserve it I just like bicycle lists and everybody else I think a resolution immediately out of here is single-pay health care. Most of people are on the streets because they can't afford health care. How many americans are in that boatwright now? How many single business owners are in that boat right now because they can't pay their employees single-pay health care. The problems have got to stop.

**Adams:** I appreciate your testimony and your passion and some of the ideas you've thrown out. The city council has it high on top of its priority list, health care reform at both the state and federal level. We're also looking at it locally under the leadership of amanda Fritz, so those issues are absolutely all linked together.

**Kathryn D. Nilson:** My name is kathryn nilson, goodbye stoop. Just wanted to say "thank you" very much for the meetings I had with all of you guys. Amanda Fritz definitely and with your people. [giggling] I wanted to just say that obviously i'm here because I oppose the sit/lie ordinance. I ask that you guys would vote no today, and that's what I believe is the right thing for you to do. Understanding that you're probably not going to vote no, I think you're probably going to vote on the extension, and based on that some, I guess, requests. First of all, as far as, like, the state committee one-year listening session they had, some of the things that got brought up at that session were things that were unrelated to the sit/lie ordinance. Sitting, aggressiveness, sexual and physical assault those are dealt with other issues. I want to make sure we're not confusing the issue here. The sit/lie has to do with sitting and lying, not with aggressive behaviors, spitting, other things that are dealt with in this other law. I do think it's important to do community outreach. Over the next four months, it sounds like nick Fish and amanda have committed to an educational process, research building, and they have both said they will be able to make an important and



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informed decision in september. I would like to ask the same of commissioner Saltzman and mayor Adams. Also I wanted to thank you for supporting their appeal of this law all along, commissioner Leonard. As far as -- I believe it's really important that we have accountability around this process we're talking about. It can't just be that we have a process and we never hear about it until the vote. I think it's important that everyone here participates in that. Let's see. I challenge that the process would engage friends, neighbors, and families experiencing homelessness, not this process of the time together support against the law from corporations that haven't experienced this but have process -- profits in mind rather than humans. This is a crises situation that needs to be added. We can't just provide antibiotics to victims. It blows my mind that we need to talk about green policies while simultaneously contaminating human existence. Understand that it's not likely you're going to vote against the extension, but I ask that you would engage in a transparent, open, public process that will engage those who have been criminalized as a result of this law first and foremost and see homeleses in as an issue we must work together as a city to resolve rather than just hope it goes away. We're tried that before. It doesn't work. Anyway, i'm looking forward to working together, and we're all out here working on this, a lot of us out here are, and we're going to continue. We don't want more families, more children to be out on the streets, and that's what's happening right now as the numbers are in. Thank you for the opportunity to share with you today.

**Fritz:** We'll be posting when meetings are happening on my website, what i'm finding out as I go along. I don't have an outcome in mind for whether i'm aiming to have this repealed or adopted in september. I truly want to listen and have dialogue, engaging everybody in figuring this out, the solution.

**Adams:** And I also, when commissioner Fritz and Fish set this forward as an idea, I thought it made a lot of sense. We've invested in a new human relations commission. We've never done that before, and I think it's a great approach, and I think we are all absolutely open to the results of this process. I think you're requests are very well articulated and reasonable, so I appreciate that in terms of the process. Next three. Good morning. Welcome to the city council chambers. We're glad you're here. I think you've all been here before, so it's good to have you back. You know the rules. Who would like to go first?

**April Burris:** Well, my name is april berth, and i'm here as a radical woman. I belong to radical women, which is a feminist organization, and i'll also here to ask you not to renew the sit/lie ordinance because it's enforced against select people and seems to be a tool used against homeless people. I looked up some of the numbers, and what I found was that, from august 1st or august 15th, 2007, to september 30th, 2008, there were 199 written warnings and 59 citations under the ordinance. And of the 170 people that were either warned or cited, 133 of those people were homeless. So that really shows me this is not being enforced fairly. I believe people are being targeted unfairly, and this does not apply, as we said earlier by commissioner Fritz, to sidewalk cafes and hotels. I've actually had to wait three to five minutes sometimes for some of the hotels that are loading people because there's just no -- they're blocking the entire sidewalk. So obviously this is not about people leaving 12 feet on the sidewalks so you can get around. This doesn't seem to be about that at all. I also want to say the ordinance, when it was written, as part of this plan, we would get additional benches, public restrooms, and day shelters. Well, we've seen some benches. I believe we've seen very few public restrooms. But we haven't seen public day shelter. In fact I read an article in the "oregonian" yesterday that said that's day shelter was being stalled because people were -- you know -- arguing about the urban renewal district. What you're doing is basically telling homeless people that they have to become criminalized because they have nowhere to go. I mean, I don't see how you can possibly tell people that they can't be on the street when they're unhoused and when we aren't providing shelter so I really want to have the council think about how we treat people, how they're being criminalized like this. Is that good policy? That's not what Portland is about. At least I don't think it is. An idea -- I mean, why do we have to extend this in

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order to think about it? What would be so bad about just not having this in place while we think about it? We could see how it works.

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

**Adams:** Thank you for your testimony. Really appreciate it.

**Gilly Burlingham:** I also prefer listening to everybody because I usually agree with everything everybody says. I'm from Chicago, so you know how it boggles my mind out here.

**Adams:** And while we know you, for the record, you have to give us your name.

**Burlingham:** My name is Gilley Burlingham, and I've lived in this wonderful city since October of '02. This was a wonderful day for me to be here. I was an environmental activist for 15 years, and to hear the excitement of we're leading the way, after 15 years, I was burned out, didn't want to work anymore, toxic floods, water, all that stuff. But what hit me in the face, 'cause I'd been living in the country for 15 years, homelessness is not visible in the country. The rural poor are not seen. I came out here in homelessness affordable housing hitting me in the face. I went to the first homeless connect, and I'm going to do just show and tell. I got involved at Southeast Uplift. Those are a homeless working group, and the final result was my two favorite groups here, Sisters of the Road, this fabulous book that humanizes the homeless, and the other group I adore, Street Group. As Israel, the new editor, said it used to be things that weren't that interesting. The homeless were writing about poetry, and it was fine. And art. But now even bankers are reading it because they actually have professional staff. I happened to go to a fascinating meeting about homeless take back the land. This was just last Saturday. Talk about revolutionary. I'd be happy to discuss that with anyone who is interested. This is kind of in the lines of Dignity Village. I've been sitting as a buckman board member on the community policing action committee. As a former psychiatric social worker, it breaks my heart that we meet in the East Bank Saloon at 7:30 in the morning, and the police are there, so it's perfectly safe. Officer Mike Castlio is a wonderful man. He has to deal with the homeless on this side. He is so patient, innovative, just wonderful. I cannot tell you how I've decided he should be given the Spirit of Portland award. And I know other people agree with me. I just thank you, as usual, for handling these jobs, these intractable issues of budget and human solutions.

**Adams:** Thanks for your tenacity on this issue as well. Appreciate it. Good morning.

\*\*\*\*\*: Good morning.

**Adams:** You have a fan upstairs.

**Patrick Nolen:** My name is Patrick Nolen, a member of Soapbox under the bridge and White Feather Peace Community -- Peace Community. I'd like to thank Randy Leonard. Two years ago, I came to testify about the same law. Randy called me out on the carpet and said, if you're going to say it, you need to be informed before you give up what you're going to give up. It was a lesson I greatly appreciated learning from Randy. We still haven't gotten what we asked for two years ago. We haven't gotten what we asked for three years ago in the original work process. We're still waiting for resource access center that is so tied up in legal red tape that it's really disappointing. It's nothing that Commissioner Fish or anybody can -- on city council I think can change quickly.

**Fish:** Actually, stay tuned on that. That's an important comment you just made, but stay tuned, Patrick, because there may be a way through that mess.

**Nolen:** I want 15 extra seconds. You took my time.

**Adams:** So granted.

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

**Nolen:** Beyond the resource access center, which I think everybody in the city of Portland would recognize we need, the other services that we asked for there, we're still waiting for a lot of those services. I really want to call Randy out again. When he recognized that the bathrooms weren't going to be forthcoming, he picked up the bathrooms and dragged them with him, and we got a bathroom. That was really an awesome step. I am constantly hearing about the 471 benches in the

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downtown area, that somehow this is going to make homelessness be better is that we have benches for them, benches for people to sit on. About half those benches are tri-met benches, and it's illegal to use those benches if it's not for tri-met purposes usage. How many of those benches are tri-met benches or benches that can't be used for one reason or another? Even past the benches, have you guys read this. Amanda Fritz recommended it, so I read it. Anything amanda Fritz suggests you read, you should read. On page 10, they actually call it out. They mention what the big problem is.

Businesses are affected by the negative behavior of people sitting on sidewalks. There have been people sitting on sidewalks who intentionally trip or spit on pedestrians, lean on, deface or lick display windows, grab or harass pedestrians who refuse to give money. First of all, I was homeless here for eight years, and I don't remember -- I don't remember ever spitting on anybody or grabbing anybody. And, secondly, all those things they mention are illegal. Every single one of those things are illegal, even if we get rid of this law. What possible purpose of a law that says we can't sit on the sidewalk if we're upset about people spitting on people. That's assault, and that person should get something other than sitting on the sidewalk. [applause] I'd like to say this law wasn't in effect when I was homeless, so I consider myself an outsider. I really have to look at it and say, how would I feel about that, and how would I feel if -- like I mentioned to amanda the other day, how would I feel if somebody came up to me and said, I can't speak with the accent I have. Whoa: Ok. So what am I supposed to do? Yeah. I'm taking more than nick's 15 seconds. I'm sorry.

**Fish:** I'll give you another 15, but can I comment on just one thing?

**Nolen:** Yeah.

**Fish:** You framed in your comment that we have existing criminal statutes we can use to enforce against people who are homeless on the streets, and I want to say that -- let's talk about the homeless for a second. That's an argument that we've heard is to use criminal laws to enforce some of these rules. And I'm not interested in using criminal statutes to punish people, particularly people who may be on the street and have enormous physical or mental challenges. We have a very high degree of people who are homeless who are, for instance, veterans who have significant challenges coming out of their service. I don't want to use criminal laws to enforce rules and norms. One of the things I'm going to engage you when we have the conversation is that it's based on a civil enforcement regime, not on a criminal enforcement. I want to understand your point better about what laws should be enforced. I'm not interested in using criminal laws to enforce with people on the street.

**Leonard:** I'm reluctant to engage in this exchange, but you've raised this issue, and I feel a need, since you've raised it, to respond. Some of the community can't have it both ways. I've had the argument given to me, specifically, randy, we have young folks around downtown who intimidate people, who scare people, who spit on people. If you don't vote to extend the sit and lie, then we are left helpless against them. I agree with patrick's point exactly. When there are behaviors that are criminal, I frankly don't care who is the perpetrator. They are homeless, mentally ill, drug addicted, I have a very, very long history of not only trying to help people who have those problems but hold them accountable for their behavior. That's actually how you get to the core of the various issues is you provide services, alternatives for people, and you certainly hold them accountable. It would be a horrible mistake for you to start this discussion that you intend to have for some reason by throwing out the option of holding people accountable who commit criminal acts. I couldn't disagree more.

**Fish:** I want to be very clear on my point. The default is to use criminal laws against everybody. I think there are some people on our streets for whom enforcing a criminal law to deal with behavior that we don't like that that person may not be responsible, fully culpable is a mistake. That's a blunt instrument that doesn't get where I want to go. We have a respectful agreement on this.

**Leonard:** This is just laying a discussion that is going to happen later on anyway, and it's appropriate to talk about that now. Your instinct, commissioner Fish, after meeting with homeless

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folks, homeless advocates, and homeless people and the police and the community, and that is precise live the tool that we had used to reduce crime in old town by 35% and reduce recidivism by 71%. You have to hold people accountable. And this program that we are voting on is one-sided. It completely puts the responsibility for it on the backs of homeless people and people who are drug addicted and people who are -- have mental health issues without providing them services. That's the key to making these kinds of programs work and why upper suing extending a policy that perpetuates a series of inequities is beyond me given the success we've dealt with in this down.

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

**Adams:** We're going to hear from commissioner Fish and then commissioner Fritz and then move on with our testimony.

**Fish:** Randy and I do not actually agree on some of the cornerstone points here. My point is there is -- we need to be -- I think we need to be careful what we ask for, and I believe a civil enforcement regime is preferable to a criminalization of human conduct. We can have this discussion, and that's why we're going to vote today to have breathing room to do so. I'm not singling out the service coordination team. To me, that's completely separate. We're talking about using criminal statutes and giving people discretion to use those statutes against people who are on the street. I have a different opinion on that. I happen to think a civil law approach makes more sense. That's why i'm interested in knowing about those portions that may have worked around a civil enforcement in lieu of a criminal enforcement.

**Fritz:** I will summarize at the end what else I have heard, but I have written down that we're going to have the issue of criminal versus civil enforcement. This is why we're going to have a full month of discussion. Everyone on the council wants to see the right thing down, the fairest it can possibly be.

**Nolen:** May I answer the question commissioner Fish asked?

**Adams:** Yes.

**Nolen:** I would think, yeah, we don't need to criminalize everybody that does something wrong. Obviously there are people that you need to look at what you're punishing somebody for. And that would extend directly into our anti-camping law here in Portland. If it's illegal for someone to camp while homeless, it should be legal for somebody to wear a suit without a tie. It makes just about as much sense. In a city where we're dealing with -- what? 12.5 unemployment, 11% increase in two years of homeless people, why are we talking about different ways we can criminalize people or different ways we can make laws that --

**Adams:** Patrick, I think this discussion is important to have, because what we don't want, what we have to be clear about, is part of your statement gave me pause as well, because part of your statement was rely on the existing statutes. And if we rely on enforcing strictly the existing statutes, we're going to have a lot more people with criminal arrests. And some of them are not -- have mental issues and other issues that I would be -- I want to get them help. I don't necessarily want them all to go to jail without trying to get them help.

**Nolen:** Out of those 177 people, are you aware of how many of them received criminal prosecution?

**Adams:** But that's not my point. My point was just the time we're going to take to look at this. Be careful what you ask for. Thank you all very much. I appreciate the dialogue.

**Fish:** I will tell you something right now. We do have a \$6.7 million hole in our housing budget. We do have people who are blocking us from building a resource access center. We do have people who think that having a new housing bureau is not a great idea. I could not move on those three issues if I didn't have colleagues, including randy, fighting to make sure that happens. And I appreciate today's conversation, but I want to remind people that a resource access center, the social safety net in had your budget, and a new housing bureau will not happen unless we bring the simm energy to bear to fight for those issues as we do on this.

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**Adams:** Let me announce the names of the next three. Thank you all very much for your testimony.

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

**Adams:** I promise i'll let you talk.

**Leonard:** I think you missed patrick's point. Patrick's point was not that we should enforce criminal laws. Patrick's point was there are those in the community who say that there are criminal violations occurring, and I think he'd testify -- I haven't actually observed that happens. The bigger point is why would we allow to extend a policy -- extend a policy that we have demonstrated doesn't work for people who are vulnerable. Why would we allow to extend the policy that we have demonstrated -- and I couldn't disagree more. The service coordination team is actually a model how this program should work. You give people alternatives, places to be. You provide treatment for them, housing for them, public toilets for them. Those are the kinds of elements that are in place that would allow me to get to the place where I would vote for this.

**Adams:** All right. Welcome to the city council.

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

**Adams:** We're glad you're here. Why don't you begin.

**Moriah Newman:** I'm moriah newman. I'm 17, and i've lived with my parents, not been on the streets, never been homeless, but we've actually had many homeless people living with us we do believe this is a community process, that it should be addressed and dealt with. I have a couple questions, and my question is -- there's a lot of talk about day centers and benches and public restrooms and places that will be provided to help solve this issue, and i'm wondering where are those, those buildings, those day centers that there's a lot of talk about. I hear a lot of talk, but i'm wondering where the centers actually are and where they'll be located and when they will be coming up. Is this specifically to target homelessness to ticket people that are sitting on the streets or would this be an issue of me and my family, we're shopping, and we decided to sit down one day. Would we be ticketed or is this targeting homelessness and saying we don't want you to sit here because you're a minority or something. I don't see where that comes into play, who decides who gets ticketed and who doesn't.

**Adams:** Those are issues we'll make sure we'll put in our review. Did you have anything else?

**Newman:** No. Not really.

**Fritz:** They're good questions and, by september, I hope there will be answers to these.

\*\*\*\*\*: Today, today, today, today.

**Adams:** You can clap, but we can't do that kind of cheering here. We've got to give people the respect of they signed up to testify. We need to hear from them.

**Elinski:** I just wanted to say really quick, what I got from patrick's point that is the businesses and everyone tends to associate that kind of activity with homeless people and profile. That's what's happening with the police and the private. That's what I got from patrick's point. My name is crystal elinski. I'm glad to be here again. I think it's synchronicity that brought me here this day, because I asked to be put on the schedule, and that was back a new year's resolution. I said i'm going to go to the city hall every week. All the services on wednesdays are the best when I became homelessness, but now i'm reporting, so I hope it's not a conflict of interest, but I hope, from speaking earlier, that you got the point that homelessness is a full-time job, and I just want to give a whoop whoop to everyone here to come here. It's very difficult. Thank you very much.

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

**Elinski:** And thank you, amanda Fritz. I feel that you understand. You've definitely got it. I just want to say that extending this is ridiculous. It's laughable. All of what stoop was talking about -- and i'll read more about it -- the ideas to implement them and collect the data, we can totally do it without the sit/lie ordinance in place. I know you know it's been deemed unconstitutional by a local court. If you look at the numbers of the arrests regarding something related to that and if you look

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at the people and their experiences -- and when i've been stopped by the police and the private security, I said, I have to have my tent here because I have to wait all night to be the first person in line in the morning. They tried to cite me because someone next to me had a on -- an open beer can. I was harassed by the private cops, and I was just because i'm homeless. Last year was when we should of have rid of this, when we were all outside protesting. Here's a visual for you. I'm going back home, when I was a happy residence of the buckman community, and i'm on the bus and there are two tourists, and tide explain to them why there were so many tents and porta-potties everywhere. And the irony that it was the rose whatever it's called, rose parade, and those were greshamites. They don't want to pay a \$100 fee, fine for using duct tape. That's the ultimate hypocrisy. Again, it's laughable and the new central east side industrial council that's hiring the rent-a-cops. Why don't you tell the gresham mites -- greshamites that they have a one-month service.

**Dan Handelman:** I'm dan handelman. I'm with Portland cop watch. They have a simple mission for you about the sit/lie ordinance. Your time is up. The safe oversight committee put out there report in november, which is five months ago, and you're asking for five more months to study the issue. This is an outrage as you sit comfortably on your padded swivel seats and others are being moved along. The report clearly shows the sit/lie ordinance is discriminatory. Council says they want more time to study the issue. Over 50% of the people excluded from drug-free zones were african-americans in a part of the city that is considered mostly occupied by blacks. Homeless people made up 78% of those given warnings and citations. The report makes it clear that sitting on the sidewalk is not the problem. You've already heard this from patrick. I won't read the list of offenses again. There are laws, including harassment, assault, and trespassing, that can be used against people who spit or grab people. If you wish to enforce them as violations or in some kind of alternative court, that's great. If you don't -- but don't do it through a sit/lie ordinance -- sit/lie ordinance. The cafes can generate money to pay for a permit to have tables out on the sidewalks while homeless individuals have no permit process and, even if they did, they would likely not be able to afford it. The sit/lie ordinance should be removed. Sidewalk cafés, restrooms, benches, and shelters can continue to be funded, but this abomination law needs to be scrapped. The aclu, an institution in Portland's homeless community, quit the committee after he seeing how unfair the law was. What's more, the public forum held on the ordinance happened in august, a month before the bottom fell out of the economy. Right now, if retailers are citing low patronage, it's not because of those sitting on the sidewalk. Like james francisconi -- francisconi said, i've got news for you and your friends, it could be you. To repeat, council set a sunset for the ordinance for two years. Same council report as requested after sit/lie was in effect for one year. It is discriminatory, unfair, and it criminalizes ordinary behavior. Your time is up, council. Let sit/lie die.

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

**Adams:** Good morning. Welcome to city council.

\*\*\*\*\*: She doesn't mean the interruption.

**Adams:** That's all right. Give us your first and last name.

**Sandra McDonough:** Good morning, mayor and commissioners. I'm sandra mcdonough. I'm a long time Portlander and c.e.o. of the Portland business alliance. Portland downtown services, inc., port alliance, and the Portland downtown resource center. We're supporting safe access for everyone programmed. Safe is a model of how diverse communities can come together in the city to create a program that addresses problems we've never been able to address before. I want to especially recognize the work of the safe committee, which includes businesses as well as advocates for homeless. This group of volunteers spend hundreds, probably thousands of hours, working on the program and released their report last december. Without their efforts, this simply would not have happened. I also would not thank commissioner Fish for including the service program, such a vital part of his program in the housing department. We have always believed that all parts of the

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state's programs are very important. We're happy to see them moving forward. Thank you, commissioner. We look in order to working with commissioner Fritz and Fish as they take this around the city. We've heard from a number of neighborhoods that they would like to extend the safe ordinance to their areas as well. She apparently agrees with me. [laughter] We think there are - - we think there are a number of neighborhoods --

**Adams:** Hey, hey.

**McDonough:** We think there are a number of neighborhoods outside downtown Portland and the lloyd center where we could address the issues of homelessness in the area. The safe program is designed to make it easier for people to remain in our central city, public areas peacefully rather than to exclude them. Its elements aim to make it easier for Portland's diverse residents and visitors to use the public sidewalks in a safe way. The business community has contributed time, property, and financial resources to make this a success, including helping us on three temporary access centers at the julia west house, the salvation army women's center, and at transition products, currently provides 200 spots that didn't exist before. Most importantly, we want to see that all aspects of this are enforced, including a permanent day access center, including making sure that sidewalk cafes are properly licensed, and doing everything, including the sit/lie provision, and we look in order to working with you and all the advocates for making it happen. Thank you to commissioner Leonard for the restroom down -- downtown.

**Adams:** This is a chamber of discussion and debate. We try to treat all points of view with respect. Good afternoon, morning, something.

**Barry Joe Stull:** It's quarter to 12. My name is barry joe stull. I gave the council clerk some of my flyers, I could have testified on virtually every issue before the council. I became homeless kind of abruptly in november of 2005 when I came home from work. At the time, I was actually a model citizen as a person with disabilities. I had a job. I was a performer, and I was paying my student loans. I lost all of those things, and it's a product of two things. One is i've got a long history in this city and a long history with the circuit court in Multnomah county. I was charged in 1989 with growing marijuana. The Portland police gave my ex-girlfriend drugs and money as part of a cleanup where they picked her up with a drug dealer in old town while they were cleaning up for the rose parade. I served a year and a half on a prison sentence and filed a case that went to the supreme court, stall versus hope. That's about what it takes to file a case. Well, what happened with me was I became protected under the Oregon medical marijuana act and had a run-in with jason sari who shot the unarmed black man. I was denied offenses under state versus owenby, and this was allowed by the court of appeals. After that was going on, my landlord brought a 30-day, no cause eviction which was illegal to file. The the I got locked out of my place. Brought that to the court of appeals, and I got my apartment back. They did it again. Both of those incidents were \$20,000 worth of my property taken out in broad daylight with the assistance of law enforcement with me having no recourse. I perform as a street musician. That's how I take care of myself. I've got a spinal cord injury that's very difficult to manage. My doctor has a supreme court space also pending, jennings versus baxter health care. When dr. Green testified on the case brought by jason sari, he testified that medical marijuana was second only to can treatment to manage. We've got to stop playing politics through the courts and through the jails and through ordinances like the anti-camping ordinance and the sit/lie ordinance. They're not fairly imposed at all, not fairly adjudicated at all, and I just wanted to give you all an opportunity to see an honest person that's been under the gun. And I would like the \$1000 the city of Portland oars me from the 19 -- owes me from the 1999 case.

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

**Joe Rowe:** My name is joe rowe -- rowe. No law should be passed that restrains any inhabitant of the state from peacefully assembling. Not my opinion. Not the opinion of anyone here. I'm going to say positively thank you very much. I should have come when the sit/lie was passed two years

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ago, but I was ignorant and inactive. But i'm here today to people against it. Sandra, I appreciate you being here. I know there are a lot of fears around homeless people. During the next 30 days, I would like to know why you and people go so far on their fears. Mr. Fish says, just like me, I would not be compelled to violate a criminal statute. There's a lot of feelings here. And i'm going to go to three reasons why I think the sit/lie should not be extended for a day, two days or for 10 years. That is out of the costs, financially a bad decision. If you're a business, I think strategically we could use the money. The time we're spending right now is a waste. The second reason, it's inhumane to extend this. I don't know how to reach into your hearts, because I kind of feel like your vote today is decided. I hope I can change it in the one minute that I have left. And the third reason is because it's unconstitutional. No law shall be passed to restage the inhabitants -- to restrain the inhabitants. This is a restraint. All the terms of unacceptable behavior are covered under statute. The campers on the sidewalk, there's a statute for that. 99 other things that might be found illegal, there's statutes. I was arrested four years ago under two legal statutes, and three judges -- it took me three years and a lot of money to fight it, but three judges wrote that there is no statute authority. You can google it. It's in my case under rowe, under joseph. There is no statute authority for police to tell anyone to move along on a sidewalk. I never thought I could win it, but I tried. We are a country of the rule of law. Money-wise, this shouldn't be extended. For humanity, it should not be extended. That's all I have to say.

**Adams:** Thank you for your testimony. And you have a very cute baby.

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

**Adams:** Good morning. Welcome to the city council.

**Leo Rhodes:** I'd just like to thank council for giving me this opportunity to doctor for giving me this opportunity to speak to you. I'm homeless. My name is leo rhodes. When they had the response shelter open, I tried to get in there. For two weeks, I could not get in there, so I found myself on the streets, trying to find someplace to go. I was told I can't sit, stand here, so I ended up walking around all night. One time I fell asleep on the max. I was awakened by three pers. I have a tendency to put my arm inside my shirt to keep my warmth in, and so they thought I had a gun. They said, put your arms out of your sleeve. I'm like, whoa: I thought I was dreaming. They said, he has a gun. He has a gun. They started drawing their guns, and I said, hey, hey. I'm just sleeping. That's all. They asked me to go off the max. They did a run on me. I had now warrants, mig like that. One police officer said, what drugs did you do? I said, i'm don't do drugs. I'm going on clean and sober for nine years. They said, no. You've been doing drugs. One officer told me, well, your eyes are really bloodshot. I said yeah. And he said -- then the officer next asked me when was the last time you slept? I said two days ago. He said you don't have a camping place, somewhere to go? I said no. I'm looking for somewhere to go. It was really an eye opener to see the police officers right there. One of my vendors yesterday or my regular customer asked me -- you know -- how is it going? I said, well, I got a cold. I just got over a real bad cold. She said, oh, I guess you didn't sell for a while. I said, no. I had to keep on selling. She says why? I said because they have a sit/lie rule downtown. I can't just sit anywhere. I have to suffer through this whole thing. She says really? I said yeah. I know you guys all think about numbers. The \$150 million is really great. The 10-year plan is another great thing. Programs also. But you've got to remember also the other number, which is 11% increase on homelessness. Then you talk about a new thing called investing in human relations. That's one of the things about the government. I see all these signs out here and wish the people would hold them up. When I came in here, I just knew you guys voted for this. These people, most of them are homeless. There's a lot of people that are nonhomeless. And now that's encouraging to me to know that there are people out there that do care about me. Yes, you do care about it, but still you've got to remember home people are always kicked around and told you can't stay here. You have to go. You have to leave. That's really hard



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for us to try to get out of homelessness. We're told you can't be here. You have to go out into the elements. You talk about mentally ill -- mentally ill. That encourages mental illness right there.

**Adams:** Can you wrap up?

**Rhodes:** Really, if you want to extend this thing -- if you really want to extend this thing -- what I encourage you to do tonight and every night this happens. I want you to set your alarm 20 minutes.

When that alarm goes off, fill a bag, a backpack, go around a two-block radius in your house.

When you get back in your house, go to a different room, set your alarm for 20 more minutes. And then you'll know what it's like for us homeless people.

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

**Adams:** Thank you for your testimony. Very compelling.

**Devin DiBernardo:** Devin DiBernardo. I work at sisters of the road. We are here this morning to ask that you do not extend the sit/lie ordinance. We bring me 'tis -- petitions asking you to not extend this. Sit/lie is unfairly enforced against people who are homeless, violating Portlanders civil rights. Similar laws exist around the country where people are pushed out of public places.

Portland has the opportunity right now to be a national leader and stand up for the rights of all in our community.

Portland should not trade civil rights for direct services. Sisters of the road

supports -- sisters of the road, support services, and affordable housing for all. Even though a

resource access center, public restrooms and benches are services that are necessary in our

community, we cannot be a city that trades rights for services. Please continue to fund these

services but do not tie them to allow that violates our rights. Sit/lie doesn't solve the issues facing

homeless youths, adults, and families, doesn't deal with the loss of housing that has occurred over

the next 30 years and has never been restored. Sit/lie just of moves individuals experiencing

homelessness and poverty from public sidewalks. Please be a city that ands up for the rights of all

in our city and get rid of sit/lie.

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

**Adams:** How many more on the list?

**Moore-Love:** Eight more.

**Adams:** Good morning. Welcome to the city council. We're glad you're here.

**Mindy Stone:** Thank you. My name is mindy stone, and i'm new to Portland. I moved here in november from florida where we are facing the most devastating homelessness crisis and economic

-- economic crisis i've ever seen. After two years of owning a retail store and seeing that the

economy was going to tank, I felt like I needed to get out of my retail business and move

somewhere where I could survive the economic -- impending economic situation. So I chose

Portland because i've been out here in 2003 and saw how compassionate people in Portland and in

Oregon are, and I wanted to be a part of a community that is creating solutions to our problems and

not waiting for government to do the job that we can do together. So I am alarmed when I learned

about the sit/lie law. I just found it very contrary to why I chose to live here. And it was very

upsetting to learn that this existed. Being on the verge of homelessness myself because I came out

here hoping to find a job and not having one and going through my meager savings, I have been

homeless, lived in my van after going through my resources and losing my housing. Then to find a

job and i'm living in my van, and then finding an apartment I could afford and then losing my job.

So I can't seem to get the combination correct. I wish that the commissioners would vote today no

on extending the sit/lie law. I think that it's very disconcerting that this law would be implemented

when the services are not available for people to protect themselves with the day shelters and the

adequate housing shelters that are needed. I think it's punishing people without coming through on

your end of the bargain. To not have facilities for the homeless. You're going to throw them in

jail? I don't know how that is financially good for the community. I don't want as a taxpayer,

hopefully or anyone who is employed -- why should you have to pay for the jail. Our economy is

tanked because of very bad, greedy decisions in the business community. As a former retailer, I

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find it hard to believe that the homeless people are that vicious to customers. When I owned my shop in florida, I never had anyone complain on my historic street where my shop was that they had a problem with a homeless or street person. Never once anyone complained. And we have homelessness and poverty, too. I would like you to consider waiting -- I don't know what you're waiting for. Statistics show it's not healthy. I think it's wrong.

**Adams:** Thank you for your testimony. Really appreciate it.

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

**Clare Simms:** Good morning. My name is clare simms. I've been a resident of Portland for nine years. And when I speak to my friends on other coasts, I always describe Portland as being a civil city. And I would ask that you continue my good word of mouth. Revoke the sit/lie law. It seems to me that the Portland business alliance has this caddywampus. Requiring cleaning your sidewalks is not a viable solution. I would suggest an urge the Portland 58lyance -- alliance to help serve a meal. No documentation required. You need a meal, you it. -- you need it. During off hours, what if you need a bathroom? What if you offered them some food out of your kitchen. Would that decriminalize, demystify those folks. Commissioner Fritz, thank you for your scholarship on the commission. What's worked in los angeles and san francisco can work here, too. I appreciate all the restaurants and entertainment the city provides. No business wants james chasse, a schizophrenic man, killed in front of their sidewalk. This is about not in my neighborhood. If not in your neighborhood, then where? Thank you.

**Adams:** Thank you for your testimony.

\*\*\*\*\*: [cheering and applause]

\*\*\*\*\*: Today, today, today.

**Olivia Johnson:** My name is olivia johnson. I'm wondering if I can use your last 40 minutes to have everybody in the room shake it out and get reinvested in this conversation.

**Adams:** Sure.

**Johnson:** All right. So first of all i'd like to consider the basic name of the ordinance, which is actually the sidewalk obstruction ordinance, not the sit/lie which, when I think of an obstruction, I visualize a large object in my way, per se a sandwich board, not a human being. This ordinance is being used to cite human beings, 78% of us homeless, which I believe to be a low estimate actually. This is a huge human and civil rights issue to be considered. Commissioner Fritz and commissioner Fish, you've both expressed concerns around this ordinance and the possible violation of these rights. I support you and your desire to gain more community awareness and engagement. Yet I feel like, to gain these voices from folks most directly affected while simultaneously criminalizing them through the temporary extension is a harsh contradiction. This is a violation of human and civil rights. I hear story after story of frustration and anger from people being treated as less than human, never being able to rest, in turn increasing levels of distress and embitterment -- embitterment toward the city. Please do not extend this sit/lie ordinance. If you are unready to decide on the ordinance, then please consider putting a temporary hold on this ordinance as this would open community involvement. If you do pass this extension, community engagement must start immediately. I would request that you collect unfiltered input, real voices from those affected, not those who come into the city once a month or something or downtown. And listen. Really listen and then act. Please do not make this another disempowering community forum as I have attended in the past. For example, in north and northeast right now, community forms around racial profiling are going nowhere because "operation cooldown" is still in effect. Please, I ask you, as others have, to use your heart. Vote no on the extension of the sidewalk obstruction ordinance.

**Adams:** Thank you for your testimony. Thank you all.

\*\*\*\*\*: [cheering and applause]

**Adams:** Good afternoon. Thanks for waiting, and welcome to the city council. Go ahead, sir.

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**David Regan:** My name is david regan. I've lived in Portland since 2002. And the only thing keeping me from becoming homeless is the love of a couple friends of mine who let me stay with them regularly while I try to collect myself in the midst of this economic downturn. My heart goes out to everybody here who's asking you to vote no, because I have a feeling, as many do, it's in the wind you're going to vote for this extension. I ask that you vote no for all the reasons stated, and I want to add something. I have a request. I've put in for a little time with y'all again on may 17th, and i'm hoping others will come and talk about the camping ordinance. They're linked in that, if you vote to extend this, it begs the question where do we have, if we don't have a home or lease or lands or adequate social support -- where do we have a right to go? And so far the silence of this chamber on these issues is deafening. It's a pink elephant in the room, people sleeping in their cars for blocks and blocks around the dining halls and the places of service. Where do we have a right to go is a question that's been answered in places like california with something called the homeless gardening project, answered in seattle by allowing tent cities. There's a number of things you could do right away to alleviate -- alleviate human suffering. Do as the gentleman asked you and move every 20 minutes at night. So I ask you to consider where are we allowed to go? And please consider a copy of the petition i've passed out to each of you and a little information about something similar to the homeless starting project in santa cruz, california. The idea is that it's not enough to just give someone who's experiencing homelessness some food, not even enough to give them the day center if we can get all the haar dels passed. I appreciate mr. Fish wanting to decriminalize and an either for the upon services for people with chronic depression, mental illness. I'm not yet mentally ill, but give me a few more months on my friends' couch and I probably will be. There are many people in my boat, and we ask that you consider that many of them are women and children, and they've been moved on and moved on. A woman was forced to seek protection from other homeless people, sometimes even going to prostituting. I sometimes feel like i'm prostitueing by using the couch of my friends. Where do we have a right to go? Please consider establishing some camps thing sites.

**Lauren Bovick:** I currently have a place to live but haven't always. Not this past winter but the winter before, I use to work at fedex, kinko office, which i'm sure all of you are familiar with. Having our 800 some corporate audits, there was someone sleeping outside on the bench, and typically occupants there are homeless. Someone asked him to get up and move, but he couldn't because he was dead. Your apathy and your red tape and things like that and your extensions are costing people their lives. That's all I wanted to say.

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

**Linda Wenning:** I'd like to see the hands of people here on this extension that are citizens of the united states. The city of Portland has been able to spend money for a day work center for people that are not citizens. We can at least do --

**Adams:** So, again, this is a chamber.

\*\*\*\*\*: The city of Portland.

**Adams:** This is a chamber for debating and discussion. The fact that she might see things differently than others, you need to respect that. Go ahead.

**Wenning:** Ok. It's my understanding that there is a day work center that the city funded so that people that are not citizens would have a safe place to seek work. Let's do at least as much for our citizens, please. And if we haven't solved all the issues of providing day centers or whatever, we need to leave this law aside until we do have those items. Let's not make these people suffer because we don't have our act together. Thank you.

**Adams:** Thank you for your testimony.

**Adams:** Good afternoon. Welcome to city council -- city council. We're glad you're here.

**Wes Carville:** We need to address this now. I remember when a friend of mine was on the ground reading on cardboard with a sharpie. A cop on a pony comes up. He's obstructing people from

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crossing. He gives me friend a no sit/lie ticket with an obstruction of traffic. \$500 ticket. How is he supposed to come up with this? I'm an artist. I create things. I don't ask people for money. If they give me money, that's different. I can't sell my stuff legally on the street without a \$200 vending license. To get the vending license, I need a million dollars insurance policy for a year, which costs \$800 a year. That's \$950 that I have to come up with to legally sell a crocheted hat that i'm asking maybe \$20 for. I think it's kind of baloney when police officers obstruct traffic. My friend gets the ticket for kneeling on the ground. That's pretty much all I wanted to say. But I think we're done waiting. The city of Portland has spoken. We're done. I think you should vote no.

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

**Adams:** Thank you for your testimony.

**Terry Prather:** I'm terry prather. I've heard a lot of good stuff here today. I want to talk a little bit about the access centers. There are two of them that I know of that are open during the week. One is closed on saturday. One is closed on sunday. They have limited hours sisters years ago when I was more involved came up with the idea of the access center, and we did a lot of discussion on this. A nurse, a phone, a washer and dryer for people that want to go look for a job. All of a sudden I hear, well, we need a soccer team now. Tired with baseball. Where are the city's priorities? Where are they really? Somebody says there's probably 4000 people that are homeless now. Why? New buildings go up, there's supposed to be a percentage of that with affordable low income. And I mean 30% housing homeless projects. What's happened to it. The access centers are on one side to the other. I've stood in day watch with those waiting in line for an open seat. That's how busy they get. St. Francis isn't too bad. You don't have to wait in line to get into st. Francis. I read articles and stuff in the paper. Nothing's happened. Why? You have your data. Let it go.

**Adams:** Thank you for your testimony.

**Al Bradbury:** I'm al brad bury. It's an easy juxtaposition -- juxtaposition. I just wanted to note that artists are not only a special creative class, that you've heard from a number of people this morning who are artists. I was just talking to someone in the audience who is homeless and has a four-year degree. Making sure we have a city that supports artists is not just a matter of funding agencies and funding people who are able to make a professional living as an artist. Everyone has the safety and security in their lives to be able to encourage creative work. The other thing I wanted to note -- and I think other people have made this point, but to be very clear -- there isn't a reason to have a longer dialogue on this issue by extending the ordinance. You can vote now to retire the ordinance and then have your discussions in the future. Commissioner Fritz, I heard you list a lot of compelling reasons that you have heard why people want an urgent end to this ordinance, and I haven't heard anything of comparable urgency from the business committee about why the ordinance needs to immediately be extended. Commissioner Fritz, you talked about wanting some breathing room to make the decision, but I think a lot of people in this room want some breathing room while you make this decision. When you're proposing to extend the ordinance for four more months while you discussion, you're asking people to endure four more months of harassment and difficulty and pain. I'd urge you to please not do this.

**Adams:** Thank you very much.

**Chris Knudtsen:** I came here today to sit in the back and listen to my friends and comrades speak and haven't been able to stop myself from shaking since the opening comments that you were pretty much already coming here with your minds made up that you're to extend this, which seems outray tuesday to say we want more time for discussion. People have been sleeping on the steps of this building, signed applications that we've got time and time again, and I feel like this is passing the buck. This all that we can keep the streets looking nice for the rose festival and push this problem off until the winter. It's been deemed unconstitutional and just seems outrageous that a law, a legal body, could push something that has been deemed unconstitutional and just pass the buck like that. You've heard people speak today. You've seen the statistics. Everything has come against this

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ordinance to continue. Please listen to what people have been saying for months now and please vote this down today.

**Adams:** Thank you.

**Shaggy Simpson:** My name is shaggy simpson. I am one of year examples. I am an "operation iraqi freedom" veteran, and I did 18 months in baghdad, and I come back and find all the freedoms I had before I left, all the freedoms I was fighting for while I was over there -- not all of them, but the few that affect me were gone, and that did not please me very much at all. I've been studying law and stuff since I was a little kid in school. They teach all that stuff now. They teach every single law known to the united states of america, every single constitutional amendment. And I have basically learned all of them, and I know, when someone is trying to tell me to do something that's against what i've than taught. And the current sit/lie laws, I believe, are way against my freedom, so against my freedom that it angers me. I keep my anger under wraps, but just the other day I was sleeping on a sidewalk in front of a pole. This sidewalk was 20 feet across. I was in front of a pole that was also obstructing the sidewalk.

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

**Simpson:** And i'm the one that got a ticket, a citation for sleeping. Just for sleeping. I got nowhere else to go. I was underneath the bridge. It was raining. And then the cops come by. And I told them, look. I'm not in front of the sidewalk. I'm in front of this pole. I'm not even in anyone's way.

Whatsoever. And I still have all these trumped-up charges against me. One of your clean and safe offs ripped me up out of my blanket. When I started talking crap to them, they started threatening me with physical violence, and I told them to take me to jail. That's how angry I was. If they did not restrain me, I was not going to be able to restrain myself. And these are some of the points that I have to bring up. I've been on these streets off and on for two and a half years. When I first got here, I absolutely loved this city. I loved the city so much I said -- you know -- i'm staying here. In the two and a half years that i've been here, it has changed so much. All my friends I had when I originally got here are nowhere to be seen. They've made laws against street people. I don't want to say homeless people. I want to say street people, because they take away the smocking from pioneer square. I see -- I see the higher class messing with the lower class or -- [applause]

**Simpson:** But I don't -- I don't see the lower class doing anything towards the higher class out of fear.

**Adams:** I need to have you wrap up. Any final thoughts you want to share with us?

**Simpson:** You guys all understand what i'm trying to say. This law is garbage. That's it. It needs to be thrown away.

**Adams:** Thanks for your testimony and thanks for your service. Really appreciate it.

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

**Fritz:** I just have one question that I want clarification on right now. Has this law been found I know the unconstitutional?

**David Woboril, Sr. Deputy City Attorney:** We've had two decisions on the current version of the code having to do with sidewalk obstruction. The impact on the city's practices, in the first decision, the city was informed about the upcoming case. The issues were briefed. Evidence was adduced, and there was a verbal decision saying that the judge found that the sidewalk obstruction law was not unconstitutional and rejected the challenge. It was in Multnomah county. That matters in the sense that there's no appellate decision on the current version of the sidewalk obstruction code. A public version would bind all of the circuit courts. In our system -- in our judicial system, the various departments, there are judges in each of the circuit courts independent and disagree. They cannot bind each other is what it amounts to. So we have one department that found, after hearing the evidence and arguments in the briefing -- found it was constitutional. The second case, the issue was raised. There was no evidence adduced. There was argument of course at the time and again a verbal decision. We don't have a written opinion from either of these judges. The one

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decision was very narrow having to do with the leaving objects unattended at a distance. It's one of the things that the code addresses. And the judge found that it was unconstitutional in that regard and that is prohibited leaving objects at a distance because a person of ordinary intelligence wouldn't understand it could be prohibited. A very respected judge. We take his decision very seriously.

**Fritz:** What was that decision?

**Woboril:** It's been a few months ago where first that was in the fall.

**Fritz:** Has the city done anything in response to that decision? The city is not a party of that type of litigation typically. Sometimes the city is informed about policy, and we bring evidence to court. We help organize the presentation if the d.a. Asks for that. That wasn't the case in the second case where the judge found it unconstitutional. We have no right to appeal that decision and the district attorney's office did not repeal that situation.

**Fritz:** Thank you.

**Leonard:** So that the provision that remains in the ordinance?

**Woboril:** Yes.

**Leonard:** So if a judge in Multnomah county found it unconstitutional --

**Woboril:** We were concerned that the issue wasn't fully explored with this judge. And we, again the city had, didn't put on or help put on any evidence for your reasons in passing the code in the first place. Didn't put into evidence the findings and the support that the council saw in the facts it faced for passing the code. Fundamental things like that, that are usually part of a complete briefing on an issue like this. We think that there might be a good chance that there may be a different result. We respect very much the judge who made the decision, the process didn't really fully flesh out the issues. We expect better success in the future on that very narrow issue if it comes up again. It does however cause us concern of course. And in the past, the city has in fact stopped enforcement on various code provisions or parts of code provisions, if it's compelled by the logic of the presentation in court, and the thinking of the judge to reconsider its position. We don't feel at this point we're there. We certainly -- we don't feel at this point we're there.

**Leonard:** Thank you.

**Adams:** Any other discussion from council?

**Leonard:** Well, before we disband, i'd like to make a couple of points.

**Adams:** We're going to vote. Let's start with comments. Commissioner Leonard.

**Leonard:** I just -- I have to say i'm struggling to understand the reasoning of the two folks, the two colleagues of mine here at council who brought this forward that goes, I think, something like this: During their own campaigns they heard from various constituencies throughout the city that they had concerns about this ordinance and in order to address those concerns they're voting to extend the ordinance, to have conversations with communities who already expressed concern with the ordinance. So I guess i'm not understanding how one gets from that beginning to that conclusion. And I guess i'm not understanding why we would not agree with those who have testified those kinds of conversations, of course, are appropriate and if not productive, but why not let the ordinance expire and have those conversations -- [applause] so in the past, we've had this same kind of debate, only not specifically on this issue and I found myself in the same position I do now. While I don't always please everybody in positions I take, I think i'm very consistent and I have been very consistent on these kinds of issues since arriving on the council. I voted against each and every prostitution and drug free zone. And I was listening to the debates and one side would argue that it was unconstitutional and another side would argue it's a tool that helps us keep our neighborhood safe. And I didn't necessarily agree with either side and voted against them because they don't work. You tell somebody they can't be in this neighborhood anymore, does anybody think they actually quit doing drugs or being a prostitute? They go to another neighborhood. The same with this issue. If you tell somebody to move along that is sitting downtown and there's no

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place for them to go, do they just evaporate? Vanish? Of course, not. What happens is what happens in each of our offices when the police do a sweep. We start getting a call from the brooklyn neighborhood. Randy, what have you done recently to have all of the homeless in my neighborhood? It isn't difficult an issue to understand. Thus, when I arrived on the council, I spent time riding with police officers and interacting with people in the community that frankly most people find distasteful. Prostitutes, drug dealers and drug buyers and homeless people, so I could understand at a street cop level what they understood that I couldn't possibly understand working here where I do. And I quickly concluded it doesn't work to send people to jail with no alternative. Jail is important, don't get me wrong. Consequences, as I mentioned to commissioner Fish earlier, are very important for improper behavior. I believe strongly -- I mean, my strongest core belief is I respect individuals and those that don't respect individuals I think should be held accountable. If you spit on somebody or touch them or scare them, I have no sympathy for you. But having said that, we should give people choices so we created -- I brought forward to council, after working with service providers and central city concern, sisters of the road, police and the district attorney's office, a proposal known as what is known as the service coordination team and it marries up the police with the district attorney's office, the probation office and also most importantly, I wouldn't have brought this forward if we didn't also marry up mental health services and treatment and folks that provide housing. You have to give people choices and when you give people choice and sometimes it's an unpleasant choice because they're addicted to drugs or won't make the medication for the mental illness, but they know they're going to jail, they systematically improve their lives. The bottom line is that we have a reduced rate of alcoholism related crimes downtown. Drug related, drug dealing, because of this holistic approach. I disagree with commissioner Fish. This is precisely the same philosophical approach. You have to give places for people to be if you tell them to move along. You have to give them toilets and services and provide them places that they can address whatever it is the issue is that caused them to be homelessness and for us not to do that is ignoring our own dramatic successful history in dealing with what otherwise are intractable social issues. These are not issues that are impossible to solve, but it takes a faith and it takes working together. And i'm very disappointed that we're going to vote next week on an approach here that ignores our success and treats people as though they aren't important enough to listen to. I've listened, i'm willing to do things that people don't like if I think it's the right thing, but i've heard what these folks said here today. I agree with them. This is the wrong thing to do.

**Adams:** Other comments? [applause]

**Fish:** I have a few comments i'd like to make. People heard we'll be voting on this next week, not today, so --

**\*\*\*\*\*:** Can you use the mic, please?

**Fish:** Yes, sorry. First, I want to thank everybody who took time to testify today. I want to thank the people who came to the sisters of the road hearing I attended and the safe oversight meetings i've attended. I want to thank the safe oversight committee and I think we can agree has a thankless job. And because there's been no clear champion, I think, consistently, working with them. The issue is an issue that divides people and the solutions are hard. But I think regardless of what you think of the report or the views expressed, I think we owe a debt the gratitude to the safe committee for the hard work they put into it. And the committee is composed of activists, homeless activists, people at the Oregon law center, that frankly, when not serving on this committee, sometimes in the habit of suing us. Current on anticamping but also at the table trying to craft an ordinance that works. So I appreciate the time and energy people are putting into this and the process for me learning and becoming educated about it. And whenever randy Leonard says something, I -- randy says something, I tend to pay attention. Because I frequently agree with him and when I disagree, I work extra hard to make sure as to why. He's a passionate voice on this and i'm going to say on questions of how we treat the least among us and particularly people experiencing poverty and

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homelessness, drug addiction, Randy has been a champion and I appreciate his work. And I think, frankly, as he says, why do this now? Why not let it sunset, I guess I could say in response, anybody on this council could have brought a motion to repeal it prior to today. The reason we're here today is because it had a sunset and because the council chose to wait until this moment to have this conversation. I'm not aware of any prohibition on any member of this council having sought to repeal it earlier and having this discussion earlier. But I'll tell you why I'm moved by the approach of my colleague commissioner Fritz. Who I think has not just been a valued colleague on this council, but has given us a path through -- and it's a tough -- some tough issues. I'm increasingly frustrated with the fact that we have hearings on polarized issues in which people get up and have three minutes to give their point of view and there's precious little time and we're asked to make a decision that has enormous consequences. In my adult life I've not found that a compelling process to get to outcomes. Frankly, it might be a process of growing older and becoming more humble but when I hear a good idea, I want to engage someone. Our process doesn't allow that to happen on dynamic issues of our time. So the proposal that allows us to go out to the community and engage people and as commissioner Fritz said, have a conversation, to me is terribly important. I have changed my view on lots of issues when I've had a conversation with someone and I hope that while people often disagree with where I come out, I hope they give me the benefit of the fact that I actively engaged people and seek them out and give them the respect of a hearing and a chance to explain their point of view. I think commissioner Fritz has given us a path to a better outcome whatever that outcome is. And I have agreed to co-chair with her a community engagement process. The safe oversight committee had 17 different reservations about the current law which they couched as recommendations. I'm chagrined it's not a regularly available document. There needs to be multiple places where you can get electronic and hard copy. It's not acceptable that anyone has had difficulty finding this report particularly because I know how much time and energy went into the preparation. 17 specific recommendations for strengthening safe and I for one would like comment on all 17 recommendations. I would like to know more about the Oregon law center believes is necessary to have this continue to be constitutional. I would like to know more from a homeless advocate of what we need in the service side to maintain the essential balance on this ordinance. And I want to hear from the passionate critics of this, if there's a better way to do it. So I am committing to going through a honest process of public engagement, but I'd be remiss if I didn't use this opportunity to just put the other cluster of issues on the table. This is a very important issue and I thank you for being here today to testify. But there's a \$6.7 million hole in our budget, which is the entire homeless continuum for this city. Based on one-time only funding. Which, if this council can't craft a responsible budget that contains it, will put 2,000 people at risk. I'm grateful I have a mayor who has said that the social safety net at this time is a top priority of his and this city. At a time when the county and state are cutting back, across the board, this mayor has said it's a priority and I'm grateful my colleagues at various times individually said, first dollars go to housing our most vulnerable. But this doesn't happen just by accident. It happens because you continue to speak out and say this is where you want your tax dollars directed and there's no magic formula that says at a time when we're being asked to cut 5% of our budgets -- 5% of our budgets and we have a significant hole that this mayor can find a way to fill a \$6.7 million in housing.

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

**Fish:** So what I want to say to you -- I want to say let's also work together on that issue. The resource access center came up. It has been studied, debated, approved by this council, modified, strengthened. It's going to be the most wonderful resource access center ever and it's also going to be the greenest -- [dog barks] -- of its kind. That building won't be constructed unless we together make it happen and a number of people alluded to the roadblocks in the way. There's legal and political roadblocks but no lack of will on this council to make it happen. Just because door no. A



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and b closed to us, i'm convinced we can find door no. C and we need to work together. And finally, of all of the reforms, none is nearer or dearer to my heart than the effort to create a new housing bureau for the 21st century. And it was with some interest I picked up a major daily newspaper not long ago and saw my picture along with a story that essentially blasted the idea of creating a new powerhouse bureau for housing. Well, I happen to think that housing deserves the first seat at the cabinet of the table of this city and having multiple providers in government doing the same thing is inefficient and gets us working at cross purposes and i'm grateful for the leadership of this council and particularly the mayor in saying we're going to have a new housing bureau for the 21st century. So as we debate this issue and it's terribly important and again, I deeply appreciate the passionate testimony of people here and it will help inform what I do with commissioner Fritz going forward as we engage the community in the conversation, please -- please do not overlook the fact that we have a budget crisis which will put all of our gains at risk if we do not find the money. That if we do not build this resource access center --

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

**Adams:** Ok, we -- this is council's opportunity to comment. We listened quietly to everyone who wanted to testify. Again, this is a chamber of discussion and debate. So let him finish.

**Fish:** We need to build a resource access center which I like to think of as project homeless connect 24/7 which will house 220 people and give us a thousand people a day -- a thousand people a day will have a chance to get services and we need a new housing bureau. So help us accomplish those goals and give us the time to have a conversation with you and the broader community about safe. And I pledge to make it an honest and worthwhile conversation. Thank you.

**Adams:** Commissioner Fritz.

**Fritz:** Before I started work in the office over there, I worked for 22 years in psychiatry at ohsu so i've been helping people experiencing homelessness for the entire time living in the city of Portland and it matters passionately for me. And funding programs for people who are homeless and mentally ill has been a top priority although I don't have that assignment. I heard that we need the resource access center and need women's shelter downtown and help with animals and people experiencing foreclosure and that we need to use the information we have on this and other issues and all of us need to know what that is. That we need to engage families and address other sidewalk obstructions like hotels and sidewalk cafés and I call upon mayor Adams in charge of transportation and commissioner Leonard in charge of development services to work on those issues so that's part of the report we'll bring back in september too. I've learned some police are seen as excellent and compassionate and there have been some concerns with the clean and safe officers [inaudible] tri-met and I want to verify that information and we had the discussion on criminal versus civil law versus accountability and services and I heard unspoken request to include the commission on disabilities. And I heard that joe row is interested in talking with -- I was disturbed to hear the hissing from people they disagreed with. And as we move forward, we have to have a discussion with knowing that people cared enough to say their piece and we need to listen to one another and maybe disagree strongly. I learned the word cattywampus. And that we need to know what services are provided. And the concern about the anticamping ordinance and suggestions how to address that. Obstruction of traffic in comparison with obstruction of sidewalks, which is a new issue for me. The suggestion about street vending licenses and safe zone for artists selling stuff which I think is very interesting. I heard about the hours at the day access center and whether they're open on weekends and we need to look into that. And an implication that the churches could be involved. There's an appreciation for waht the faith community does in providing services. Other sidewalk obstructions including police on horses and the suggestion of self-policing and what could be done in the community of people experiencing homelessness. To help police and self-monitor some of the issues that others are concerned about. So why not let it just sunset? What then? I don't believe that there would be the same incentive for you to participate,

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for others to participate, for everybody to participate in our four months' extension. Maybe for you, but for the other folks involved in the conversation right now, with a deadline -- I very much appreciated the comment from the person who said he was the biggest procrastinator. When you have a deadline, things happen. And so by extending it with a new deadline and giving commissioner Fish and me who have not been engaged in this process, except as listening in the community, it gives us the opportunity to see if we can come up with better solutions, gives us the opportunity to look at the constitutionality issues that have been raised. But above all, I believe that democracy in Portland is about public participation, ongoing participation. It's about us making decisions collectively and I've heard enough strong advocacy on both sides of this issue. Today we had a few folks who came to talk in support of the ordinance. But I don't put my name as a cosponsor on an ordinance unless I believe in my heart and head that it's the right thing to do. And I agonized over this issue. It's saying no to many people who I consider to be my friends. It's actually changing my mind from what I thought I would do when I was campaigning last year. It was a very difficult decision. When we got to the notion that we could do a short extension so we could think about it, my heart said it was the right thing to do. And I realize your hearts passionately disagree. On this decision, which is so important to me, I don't make this decision feeling I'm rushed and like I don't have the information I need. And that's why I'm voting to support the extension.

**Adams:** Thank you for your testimony today. Council calendar 518 moves to second reading next week. [gavel pounded] could you please read the title for council calendar item 519.

**\*\*\*\*\*:** I hope you become homeless:

**Item 519.**

**Adams:** Andrew, go ahead.

**Andrew Aebi, Bureau of Transportation:** Good afternoon, council members. I'm from the local improvement district, the final assessment ordinance for southwest Nevada street. The final assessment rate proposed is approximately 5% below the amount established at I.I.D. formation. We received one objection to final assessment. Which is summarized on exhibit e. The recommendation is to pass the ordinance to a second reading next week without amendment. Happy to answer questions you might have.

**Adams:** Council have questions on 519? Anybody here to testify on council calendar item 519? [gavel pounded] moves for second reading next week.

**Moore-Love:** There might have been a Marie Conners on north Drummond. Did you want to testify on 519?

**Adams:** Marie? Ok. Please read the title for 520.

**Item 520.**

**Adams:** I want to thank the council for their consideration of this resolution today. That establishes a partnership between the U.S. Department of Clean Cities program, the Oregon Department of Energy for a system of electrical vehicle charging stations and other infrastructure. This -- if approved by city council, will go and be presented to the Oregon way governor's process, which reviews and evaluates proposals from around the Oregon, I should say, for potential approval and then passed on to the federal government with the federal stimulus program for their consideration. This resolution does not require us to spend any money, but simply, as other local governments around the region have joined in, establishes this partnership and allows us to move forward to the state for making a bid for competitive grant on electrical vehicle infrastructure system? Any discussion from council?

**Fish:** Mayor, is there any reason why we should oppose this ordinance.

**Adams:** I can't think of one.

**Fish:** Ready to vote.

**Adams:** Anyone wishing to testify on 520? Please call the roll.

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**Fish:** Aye.

**Saltzman:** Sounds great. Aye.

**Leonard:** Aye.

**Fritz:** Excellent work, mayor Adams. Aye.

**Adams:** Thanks to p.g.e. And pacificorp. [gavel pounded] please read the title for 521.

**Item 521.**

**Adams:** Good afternoon. Welcome to the city council. Can you give us a quick overview regarding this emergency ordinance?

**\*\*\*\*\*:** Yes, mayor and council members. A quick overview is this ordinance is to authorize a procurement and resulting contracts for acquiring the pay station parts that we needed to maintain the parking meters. The stelio parking meters.

**Adams:** This is sole source because they're the only ones who sell the parts?

**\*\*\*\*\*:** That's correct.

**Adams:** Council discussion.

**Fritz:** A quick question. When we're doing the sole source contracting in the first place, i'm assuming we do think about what further maintenance and ongoing parts contracts we're going to need to have?

**\*\*\*\*\*:** With this particular manufacturer, they -- it is all sole source because the parts are proprietary in nature so we can only get them from one place for this particular meter.

**Fritz:** Is that a factor when choosing the original sole source as to how much the ongoing parts and maintenance are going to be?

**\*\*\*\*\*:** Yes, as a matter of fact, it is and the other pay station site we have gives us more room that way.

**Fritz:** Thank you.

**Adams:** Anyone wishes to testify on council calendar item 521? Council -- Karla, please call the roll.

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye.

**Adams:** Aye. [gavel pounded] 521 is approved. Can you please read the title for regular agenda item 522. Thank you.

**Item 522.**

**Adams:** Is there anything controversial in this?

**\*\*\*\*\*:** I hope not. We were here a few weeks ago and commissioner Fritz pointed out a couple items we did fix. Outdated references and a section modified by the auditor that lost some of the original intent about vacations going to the planning commission. We have agreed with language with commissioner Fritz office and that is what you see today.

**Adams:** Any discussion from council?

**Leonard:** Is cattywumpus in there?

**Adams:** Anyone wish to testify --

**Fritz:** I wanted to note that staff looked into the issue of who gets the revenue from bench advertising and it's mostly tri-met, but as long as some government entity is getting the revenue, i'm more than satisfied.

**\*\*\*\*\*:** Yes.

**Fritz:** You did good work.

**Adams:** Council calendar item 522 moves to second reading next week. Karla, please read title for council calendar item 523.

**Item 523.**

**Adams:** Please call the roll.

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

**Fritz:** I happened to visit with them and they're very, very happy with this. Aye.

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**Adams:** Aye. [gavel pounded] 523 is approved. Can you please read the titles for emergency ordinances 524 to 529.

**Items 524, 525, 526, 527, 528, and 529.**

**Leonard:** Ok. Jennifer.

**Jennifer Sims, Office of Management and Finance:** Yes, good afternoon. Members of council, jennifer sims, chief financial officer and enterprise solution sponsor for the city. I'm pleased to report that the e.b.s. Project is going well and the go-live date is allowing time for additional testing and training needed for successful implementation of the payroll and human services modules for phase ii. The following four agenda items i'm going to speak to provide extensions of time and payment authorization for the consultants that are supporting the implementation. The total cost of the later go live date will be covered by the current project budget and no additional costs will be charged to the bureaus.

**Fish:** Can you say that again, please?

**Sims:** I know it's happy news. The extension of 11 weeks from april 1 to june 18 will be covered by the project's current budget with no additional cost to be charged to bureaus.

**Fish:** Thank you.

**Sims:** Agenda item 524 extending the s.a.p. Public services contract by \$1.25 million, this is the primary system implementation consultants and includes additional testing and deliverables. Want me to just keep going with them all? Ok. No. 525 extends the contract for pacific consulting group for \$53,000. This will provide quality assurance services during the go live period, three monthly reports and oversight. No. 526. The j.k.f. Consulting, and no. 527 extends the mouri tech contract for technology expertise in programming support during the extended period. So those are all related to the extension, those four. The next two items after that, no. 528 and 529 are related to software. No. 528 is clarifying software maintenance fees. The approving ordinance did not include the cost for maintenance, though it was clear that it was intended to be included in the contract. And fees have been budgeted and paid each year since then. Legal counsel has recommended that we bring this clarification for your consideration and here's an interesting point: The new system requires we have this oversight cleared up. So as a result of our new system, we happened on to this need. So it provides \$248,000 annually through 2013 and this is not a new or added cost but one we have already contracted and planned on. And the final action in this package, no. 529 amends the s.a.p. Software contract for additional software license for \$246,458 which includes the purchase and three years of maintenance for forms by adobe which provides efficient entry, avoiding duplicate data entry and funds are included in the project budget.

**Adams:** I had to step out. And I used the restroom. Did you talk about the establishment of an outside panel of experts?

**Sims:** I did not.

**Adams:** And we ran these issues by them? Can you give us a briefing?

**Sims:** I can step back and remind everyone that in november of 2008, the city did successfully go live with phase I of this project and the new system is already improving and supporting the city's financial management and business processes. For phase ii, which we've been going through these extended contracts, it includes payroll and other human resources and was scheduled to go live on april 1st of this year. On march 12th, which we had set at our go-live decision date, the executive steering committee which provides oversight to the project determined it was necessary to delay the go live by 11 weeks, to june 18th. We also formed an independent citizen review panel that confirmed that decision made sense and convened and discussed this. With the conclusions of these two bodied.

**Adams:** Commissioner Saltzman.

**Saltzman:** I have one question about the pacific consulting group. Our independent quality assurance consultants. I seem to recall reading in last month's report that we were no longer going

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to ask them, I guess, for budgetary reasons to do a lessons learned report after this was all over with?

**Sims:** Yes, we --

**Saltzman:** Seems penny wise, pound foolish.

**Sims:** Could be. We -- we --

**Saltzman:** And they monitored this process for us.

**Sims:** We discussed this with them and we do -- I shouldn't say we know, but we would expect the auditor's office will probably do an audit of this contract and effort, and part of the result of that will be the lessons learned. So we thought as part of trying to keep the costs contained and anticipating we will get the benefit of a review of the project at some point, that we could forego that expense.

**Saltzman:** With all due respect to the auditor's office, they haven't been living and breathing this project like the independent quality assurance consultant has the last couple of years and I just -- if we're back here extending contracts again, I would want to revisit that. And frankly, I think we should and take advantage of the expertise and insights they've provided and have a lessons learned report.

**Adams:** The only pause, I think the lessons learned is vitally important, i'm a little concerned with having the quality consulting firm that we've relied on do the lessons learned. I think they should be a participant, but I think totally outside of project, review of lessons learned is something i'd be more interested in. The pacific consulting group has been with this project how long?

**Sims:** Five years.

**Adams:** Part of the reason we were delayed is they were part of a team. That's not to say -- that's not a judgment -- the delay is important. We don't within the to push this like the water bureau and have the thing crash and cost tens and tens of millions of dollars. We want to avoid that. That's why we did the outside review. I want to come back to commissioner Saltzman's comment and make sure it from the group that has not had involvement in this project until they do the review.

**Saltzman:** Fair enough.

**Adams:** Thank you. Any other discussion on council? Anyone signed up to testify on these ordinances?

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

**Adams:** Ok. Karla, please start calling the roll.

**Moore-Love:** 524.

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 524 is approved.

**Moore-Love:** 525.

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 525 is approved.

**Moore-Love:** 526.

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 526 is approved.

**Moore-Love:** 527.

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 527 is approved.

**Moore-Love:** 528.

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 528 is approved.

**Moore-Love:** 529.

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 529 is approved. Can you please read the title for council calendar item purchasing report 530.

**Item 530.**

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**Adams:** Hi.

**\*\*\*\*\*:** Hi.

**Adams:** Tell us what we have in front of us.

**Christine Moody, Bureau of Purchases:** Christine from the bureau of purchases. For the northwest irving street and i-405 sewer replacement project. The nutter corporation in the amount of \$505,000. Identified 10 divisions of work for potential minority women and emerging small business. The result is 5.5% subcontractor participation. And I will pause if you have questions about the solicitation process.

**Adams:** Questions from council?

**Saltzman:** Very good on the minority women, e.s.b. contracting.

**Adams:** I need a motion. Anyone signed up to testify?

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

**Adams:** Is there a motion?

**Fish:** Motion.

**Adams:** Second?

**Saltzman:** Second.

**Adams:** Moved and seconded. Karla, call the roll.

**Fish:** Aye. **Saltzman:** Aye. **Fritz:** Aye.

**Adams:** Aye. [gavel pounded] 3530 is approved. Can you please read the title for second reading 531?

**Item 531.**

**Adams:** Please call the roll.

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye.

**Adams:** Aye. [gavel pounded] I want to take the pulse of council. I have to be across the street at 1:30. Could we do 536 and 537, commissioner Fritz says it will take about five minutes. And then go and do the resolution on the police precincts and hold the others to the 2:00 session?

**Saltzman:** So do the [inaudible] before?

**Adams:** Correct.

**Saltzman:** 2:00.

**Adams:** Karla, please read the title for 536 and 537 together.

**Items 536 and 537.**

**Adams:** Commissioner Fritz.

**Fritz:** Thank you very much. And i'd like -- staff is coming up. I'm pleased to bring the council up to date on the healthy working rivers. My office has been in discussion with community organizations, stakeholders and various city bureaus currently involved in columbia river and willamette river projects and functions. We have a rich history and a lot of work has been done and there's more to do. We believe we have an understanding of the ingredients necessary to make it a successful office. I've been working with dean marriott and we've decided the most efficient and logical location for the office is within the bureau of environmental services. This is a new way of doing business for the city of Portland that we've looked at the different options and have decided that we can collaborate with another commissioner in another bureau and do it in a new and creative way. Our report is short and to the point. It's not a work plan. And we'll have more later. I'd like to ask my chief of staff to give us a quick overview.

**Tom Bizeau, Commissioner Fritz's Office:** Commissioners, tom bizeau, chief of staff. And on my right is rich, who's been involved in the program and will be the first employee of that office. We're going to keep this brief. You're pretty familiar with the river renaissance program that's been in place for some time now. And that river renaissance program forms the basis for the office of the healthy working rivers in terms of the things defined by that program. So it defined the what of the river. What was important in that river. In terms of economic prosperity and terms of partnerships

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and terms of awareness of the river, in terms of the health of the river and in terms of the waterfront itself. And so what this office is going to do is basically put forward the how. How are we going to actually get into the projects that are important for this river. So it's going to try to get to the tangible physical reality of what needs to occur on the river and that's the primary function of this office. So we're going to springboard off the river renaissance that we got, all the information we got out of that, we're going to use that, continue the awareness piece of that, because that's -- that's a function that has to continue in terms of our communication with the city, with city bureaus and agencies and with everyone involved. The report itself is real short and brief and basically provides background on a lot of the history. It on just basically grazes the surface of that history. And then it gets into some of the city-related programs on the river itself. You know, it talks about some of the investments we've done in terms of ecological functions and restoration projects and some investments in terms of urban development alongside the river. The report also emphasizes how we're going to -- how the office is going to act on the opportunities that are inherent in the river. That are inherent in the programs that have been already established to actually create jobs, to restore the river, to look at the recreational aspects of the river and to continue those aspects of development that need to occur along the river in an ecological and also job-creation fashion. So one thing we're going to take a look at is the connections that need to occur between the different programs and that's something that we've -- we found to be very important in terms of what exists now and what needs to continue to exist in the future. And there's a lot of different agency, a lot of different players in this and the office need to act as a hub in that whole connection of information and then putting together the projects that actually do something on the ground. The report also emphasizes the need to basically work with the restoration of the river in conjunction with jobs. And we don't think those are mutually exclusive goals and we believe they can be -- work with together and we can actually make them actually enhance each other. Some other points I'd like to make is this office has been created to have a commissioner in charge. And part of that reason is to basically have a direct link to you, so that we can have a conversation about the things that matter. And make sure that things get done in, you know, an effective manner and we're going to try to convene all of those bureaus that are involved in river-related projects, through your help, and have that discussion about what's going to work on these projects and make sure that that communication continues. The office has planned to have six staff, right now, that's the plan. And it's budget-dependent but physically housed in the bureau of environmental services and we felt that was going to be a very good location. We had discussion with commissioner Saltzman and the director, dean marriott, in that regard and we're excited to work with the bureau of environmental services staff who obviously have a lot of experience in river-related projects.

**Fritz:** Thanks, tom. In the interests of time, I want to move to rick, who has done a good job in the bureau of planning, previously and now working in our office. So a brief summary of the river report for 2008. Thank you.

**Rick Bastasch, Bureau of Environmental Services:** Thank you, commissioner Fritz. Commissioners, I'm here to present to you the 2007-2008 state of the river report. Many of you may recall by ordinance, we're required to submit a yearly report to council and to have developed that report in collaboration with what is seven bureaus, environmental services, parks and transportation development services, the Portland development commission and water, we're very thankful to the staff of those bureaus for contributing to the report and making it what we hope it is, which is a good snapshot of what's going on along the river in Portland. This is the fourth since 2005. This report describes over 30 accomplishments and key actions, measures impacts using over 20 progress indicators, sets forth a future agenda of 17 actions and provides a number of river efforts by upstream communities and I'd encourage everyone to take a look at it, to understand what I'm going to say now is but a sampling which includes initiation of the greater green program and Portland's water's management and key to approving the water -- improving the water quality of the

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willamette and the natural area grew by a portion of ross island, the river -- design for centennial mills and important riverfront redevelopment was completed and the city held its first riverfest which drew 4,000 of people to the river.

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

**Adams:** And a triathlon. In downtown Portland.

**Bastach:** Happy to partner with it. Progress measures. Again, a sampling. Water quality trends show significant improvements especially in the willamette after columbia slough watersheds. Salmon are returning. Miller creek and johnson creek. A mile along the willamette and the tributaries were restored during the reporting period and the number of Portlanders living in close proximity to the river continues to grow.

**Adams:** We have to move you along, I apologize. Any questions from council?

**Fish:** Just a comment. Tom, this is your official debut presenting to council on behalf of our newest commissioner?

**Bizeau:** Yes.

**Fish:** Great job. We have a number of dogs in this facility. As parks commissioner, i'm working on ross island and we look forward to partnering with you on everything from the no-wake zone to restoring habitats. We have parks that abut rivers. Two rivers, in fact. We look forward to working out important issues on habitat restoration and our piece of the solution, so -- and thank you for your good work.

**Adams:** Anyone signed up to testify?

**Moore-Love:** I did not -- sorry. Pat wagner.

**Adams:** Please come forward. Welcome to the city council. Glad you're here.

**Pat Wagner:** Pat wagner. Northwest newberry road. The river is close to the heart of everyone in Portland. I -- it pretty much supplies the lifeblood of jobs, you know, recreation and hopefully some day transportation. Taking responsibility for this river is -- could be an overwhelming task. And linnton, the live-work -- linnton, the live-work area of linnton is -- we look down on the river every day. Commissioner Fritz is up to the challenge and we're confident she'll do a great job. And we hope that some day when we get up, we'll be able to go down and touch the river. Thank you.

**Adams:** Thank you for your great advocacy for linnton. All right, Karla, please call the roll.

**Fish:** So this is 536? Accepting the report?

**Adams:** Correct.

**Fish:** Thank you. I want to say that our newest commissioner is off to an auspicious start. I say no, i'm the fourth most senior. Amanda is the newest but i'm delighted to support your good work and your success depends on cooperation with other bureaus if we're going to get this right. And what i've learned as we looked at a number of reorgs in the last months, even when we merge entities or do fundamental restructuring, the fact remains the succession of that new entity depends on unprecedented levels of cooperation and I like to call that the "Portland way." different bureaus working together for a common goal and ultimately with the sense that we're serving people and people have interests in these issues. So it's a good report and i'm pleased to support it. Aye.

**Saltzman:** Well, I want to thank mayor Adams, I think, for conceiving of the office of healthy working rivers and commissioner Fritz for taking the clay and molding it into a tangible office here and having a commissioner in charge. I think mayor Adams' whole intent is to elevate concerns about the river through a commissioner in charge and I think he's picked a good commissioner in charge in commissioner Fritz and as commissioner in charge of environmental services I pledge the bureau's full support in making this a successful office that will elevate issues of preserving our rivers and adjacent waterfront environment. Pleased to support it. Aye.

**Fritz:** Thank you so much. And thank you to mayor Adams who has been support I and commissioner Fish who will be one of our key partners with the parks bureau and my staff, tom, and chief of staff, patty, who has been working on it tirelessly and rick, who has been working on



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this and helpful in teaching us. And thanks to the folks from linnton who sat through this long morning and afternoon of testimony and I didn't ask you to come. It was that you were willing to come and give support and we have so many people who are concerned about the healthy working rivers and i'm excited about this project. Aye.

**Adams:** Well, this takes a special kind of leadership style to make work. Because this is simultaneously hand-holding, charming, cajoling, and a heck of a lot of integration. Our problem is not that we lack efforts on the river. It's that we lack integration, coordination and direction and getting stuff done. And I conceived of this office with commissioner Fritz in mind. Because I think she brings all of those leadership qualities and many more to the effort. So i'm really pleased with your efforts to get this launched and to the team you've selected and to all of the partnerships you've created. Thank you very much. Aye. [gavel pounded] [applause] 536 is approved. 537.

**Fish:** Aye.

**Saltzman:** Aye.

**Fritz:** And again, thank you for all of the people in planning who worked on river issues for many years. Aye.

**Adams:** Aye. [gavel pounded] 533 is returned to commissioner Saltzman's office unless there's objection. 532, 534 will be read and considered as first items on the 2:00 session this afternoon. And that leaves us with 535. Resolution.

**Item 535.**

**Adams:** Commissioner Saltzman.

**Saltzman:** Thank you, mr. Mayor and members of council. This resolution is being brought forward to give the Portland police bureau the authority of beginning the restructuring process moving from five to three precincts. Since it will not happen overnight, it's necessary for the restructuring process to start soon to ensure that the transition is complete by july 1st of this year and realize cost savings for the entire 2009-2010 fiscal year. So to provide greater detail, I want to have chief sizer, assistant chief, and lieutenant, you're here also, if there's really tough questions. Turn it over to the chief.

**Rosie Sizer, Chief, Portland Police Bureau:** Good afternoon, and thank you for doing this today.

We are pleased to be given a nod in terms of our restructuring in advance of the city council's vote on the budget in the end of may. In order to realize the total savings that we need for the next fiscal year, we need to begin the move process in june. In order to begin the move process in june, we have to also integrate with the s.a.p. program go live. And so it's a matter of quite careful timing and this resolution is very welcomed by my organization. And also allows us to kind of move forward and not prolong the uncertainty of the budget process. I'll be very brief because you've heard it more than once. We'll be returning to this structure, a three-precinct structure that we've had most of the history of the Portland police bureau. At the justice center, m.l.k. And 106th and stark. And we'll be using the other two current precincts, the southwest at 47th and burnside at the site of our traffic division. And we'll be using the north precinct facility as the site of our combined training facility. We will maintain contact offices in those buildings, we are unswerving in our dedication to working with the community on problems throughout the city, without influence of a restructuring, so we're very committed to that. And we're committed to saving money for the city in a cut environment and do it in a way that has the least amount of impact on direct service delivery to the city.

**Adams:** Questions or conversation? Brian.

**Fish:** I have a question about the service delivery. The comment we get most often -- or the question I get asked is how will reorganization affect response time? Let's take a typical person who lives in north Portland and makes a 9-1-1 call and hopes to have a police officer respond. There's no longer a precinct in north Portland. How will that person's public safety be impacted?

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**Sizer:** We believe the restructuring will have no negative impact on response time. Unlike the fire bureau that responds from station houses, we respond from officers who work in the field, in patrol cars in what are called districts. So the precinct is mainly a shell where they change in and out of their uniforms and attend roll call. They sometimes write reports but the vast majority of their work time is spent in the field, in districts that serve a smaller geographical area and the calls for service in that area. I think there's some chance this restructuring actually may improve response times because as we add and hire additional officer, they'll be working the street as opposed to staffing off-street administrative assignments.

**Adams:** I apologize, personal privilege. I've got a 1:30 across the street I have to get to. I want to make sure on the record i'm supportive of this move. Because it helps us reach the nearly \$9 million in ongoing budget reductions that we have to -- we have to take because of reduced revenues due to the global economic recession and this is a very, very creative way of maintaining street services and direct services to the public while cutting administrative costs and I want to thank you for that.

**Fish:** Chief, two other questions I want -- chief, I want to give you a chance to address two other questions. The second is are there any neighborhoods -- i'm talking about the particular 95 neighborhoods that will be negatively affected in terms of service by the new boundaries that have been drawn?

**Sizer:** I think five of the over 90 neighborhoods in the city of Portland that will be split between more than one precinct. Some of those are in the outer northeast area and some of them in the inner northeast area. We're working closely with crime prevention to make sure that problems that are identified in these neighborhoods are resolved through the combined efforts of in some cases two precincts. In the case of emergency and non-emergency response on the street, officers go to where the work is. They're dispatched by the bureau of emergency communications. And that happens now for example, 82nd avenue is currently a boundary between southeast and east precinct and the precincts work in great cooperation with each other to ensure communication and to get the resources to the place that is need to be in a swift amount of time whenever it's needed.

**Fish:** The final question I get, and it's actually not a global question. It's a specific personnel issue. And that is, assuming we give you the support for this reorganization today, will commander krebs continue responsibilities in east precinct?

**Sizer:** We have forecasted the personnel assignments for the whole patrol branch in anticipation of a vote on this resolution, and so now I can say that commander krebs will remain as east precinct commander.

**Fish:** That will come as relief to those particularly east of 82nd and i'm not just speaking about extended members of his family. [laughter] i'm talking about community leaders that have worked with him. I hear the same thing, for example, about mike reece and others. It speaks to the quality of those in your command structure.

**Sizer:** Thank you.

**Saltzman:** I invited one other guest. That's t.j. Browning, who heads our budget advisory committee. If there's anybody else who wants to testify, call the one other person.

**Moore-Love:** Come on up.

**Saltzman:** Given that it's close to our 2:00 session --

**\*\*\*\*\*:** And i'm starving. I've been here before 11:00.

**Saltzman:** Thank you for your patience.

**TJ Browning:** Thank you so much. I'm pleased with this and thanks for the question about the neighborhoods. Just so that you totally understand, i'm here as a chair of the bureau advisory committee and we totally support this. We think it's a great way to keep officers on the street and use those buildings so we're not losing the police presence and i'm very, very pleased, our one objection was the nerd officers. Thank you so much because we still have those. That was what I

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heard. They were concerned about the nerd officers and now that we've got six more. We're ecstatic. For the record, my precinct is closing and my neighborhood is cut in half and I have no qualms about my personal security or the coverage i'm going to receive. So this is not a nimby situation. I'm personally being affected by this and I still support it. It's a great way to keep officers on the street and try to keep the costs down. And then all morning I was trying to think of how I would get this into the record since I just got the letter last week. But my son is a national merit honor scholar candidate -- yea: -- has signed up for -- is going to participate in the plunge. So i'm hoping his sit-lie experience is better than his best friend's last year. I don't understand how you go from such a topic to the other. You have nothing but my admiration. Thank you very much. Please accept this new configuration. It's going to help all of us in the community feel very, very secure.

**Saltzman:** Thank you.

**Fritz:** Thank you t.j. And all of you who worked so hard.

**Browning:** Thank you for reading the report.

**Saltzman:** April.

**April Burris:** Hi, i'm april burris and involved both with my neighborhood association and the southeast uplift neighborhood coalition and my neighborhood is north tabor and I have to say I definitely do not support this. There are a couple of concerns, the first one is that citizens were not given the full scope. I don't think -- I mean, what we've heard today is you're still not giving us the full scope. I heard about this at my neighborhood associations several times and what it would actually do is increase the oversight -- I mean, because we'd have the three precincts left. The three commanders and three captains. Right now we have, I believe, five commanders. So it would be less street officers and another administrative position. We do not need that. And I would also be concerned about it because the structure we have now, the community policing structure which we fought hard for, which is finally showing progress, you need cops, street cops, who know your neighborhood, who can work in partnership with the neighbors. And, you know, if we're losing street cops and getting more administration, that's not going to be anywhere near as effective. The redistricting issue has really been downplayed and what we've heard sounds great. It really does. But what we haven't heard are the things that wouldn't be as good. Like we wouldn't have as many cops on the streets in the neighborhoods. And what happens if, like my neighborhood is also split between two precincts. Now, one of them is downtown. What happens if there's an emergency and if one of the bridges is closed and, you know, the officers can't get across the bridge? Another thing i've heard of is that the precincts are largely just where they check in, but they're doing this redistricting without taking a good hard look at the communications. So, you know, i'm not sure what that would look like, but that really concerns me because that's something that would impact these response times and the fact that it has not been addressed, that no one is really talking about that, really concerns me. I mean, what kind of public process is that? So I would really, really, really encourage you to take more time to look into this issue. And have, you know, public process where you're actually honest with people and give them the full scope of this. Before you do this.

**Saltzman:** Thank you.

**Fritz:** May I respond? I'm the commissioner in charge of the bureau of emergency communications and so we have been working hard with the police bureau to make sure the radio coverage issue is taken care of and part of this proposal includes hiring four new dispatchers, so we're aware that that's an issue of concern. Since i'm also in charge of neighborhood involvement, I started looking into the issues myself and I realized the technical aspects were well beyond my ability to give meaningful input.

**Burris:** I do understand that, but I really would hate to see the progress that was made on community policing go away.

**Fritz:** I hope the chief will come back and address that issue. Thank you.

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**Burlingham:** My name is Gail Burlingham, I sit on the boards, I'm speaking just for myself. As you heard, I go down to the CPAC meetings and gotten to know the various officers, including the ones who come to our neighborhood meeting. And I went to the meeting with the chief -- Chief Sizer, and my new friend, Commissioner Saltzman, and I understand, as I said, I wouldn't be in your shoes for a million dollars. Which used to be money in my day. Now I should say \$100 million. I understand the intractable problem of budgets and I really understand Chief Sizer -- by the way, I'll never forget the look on the officers' faces when they heard she was going to be the chief leading from the southeast precinct. Boy, they love her. But I know the men in our precinct who I've gotten to know, they said morale was down. In that case, I'll fight for you. But I want to speak up and say, they feel everybody knows the southeast precinct is the best precinct. It's always been the best, so I hear. And they feel like a group of shall we say, military who work together and they know each other and can respond quickly to each other and they have high morale there. And Chief Sizer told me that once they know their schedules and things, it will calm down. But I did have to say that if we lose -- and I don't mention names -- but if Buckman neighborhood loses a certain officer who rides a bike and whose initial is P, there will be a riot. As you know, where I'm from, I cannot tell you how fabulous the police are. I know there's one or two bad apples, but honestly, this is the most incredible police force I'm aware of. Thank you very much.

**Saltzman:** Thank you all. Did you want the chief to come back up?

**Fritz:** Briefly.

**Fish:** Before you get started, we have an imminent riot in Buckman.

**Sizer:** Officer Robert Peckit will remain a nerd officer in the lower southeast area and he's happy to do it and the community is happy to have him stay.

**Fritz:** It's heartwarming to hear them advocate for those they know.

**Sizer:** Absolutely.

**Fritz:** Will you address, are there going to be more or fewer officers on the street?

**Sizer:** I think this plan allows for us to have more officers on the street and actually, the cuts that are occurring are not direct service delivery providers. They're administrative staff, clerical, sergeants and lieutenants and commanders. We have attempted to beef up command a little bit in the precincts, realizing their scale is going to be broader. That there is a desire on the part of the community to speak to command staff that have real decision making authority and additionally, there's a desire on our part to do succession planning because of the importance of the precincts to get command staff really up to speed so they can take over.

**Fritz:** We'll have just as many officers on the street?

**Sizer:** We will.

**Fritz:** And what about the question of getting across the bridges if there's a problem? How will change in emergency situations happen?

**Sizer:** We are a bureau that -- emergencies happen. We respond to emergencies on the street and if for some reason, all of the requirement river bridges are up at the same time, and when it happens it happens infrequently, we can shift staffing from the outer east to take calls for service in the lower east side or shift them from the northeast area. This is something that our partners at the Bureau of Emergency Communication does fluidly and on an ongoing basis. As different neighborhoods experience different emergencies over --

**Fritz:** And the closer car responds or something like that?

**Sizer:** Exactly.

**Fritz:** Thank you very much.

**Saltzman:** Get it on the record about bike patrols. That was also an issue.

**Sizer:** To the degree we can staff bike patrols especially in those areas where they've been very effective in the Hawthorne and Belmont areas, for example, we're committed to continuing to staff those. The only limitation that we would have in doing that is if we begin to significantly over-

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expend on overtime, we'll have to trim back some. But it's our intention to continue the direct service delivery that we have now even in a budget cutting environment.

**Saltzman:** Further questions? Ok, Karla, please call the roll.

**Moore-Love:** I have two more people who signed up.

**Saltzman:** Sorry.

**\*\*\*\*\*:** Sorry.

**Saltzman:** Who was the other person?

**Moore-Love:** Walters nichols.

**Walter Nichols:** Hello, i'm walt nichols from the mount scott neighborhood. On the board. I'm deeply concerned that this process really from -- the way it's gone, a lot of people I deal with on a regular basis feel it's dirty because it's not been completely open to the general population. There's a lot of issues that haven't been addressed. There's a lot of cost issues, question and I don't want to see us go back to 1994 where the Portland police were feared. There was neighborhoods in the southeast that did help that with community policing and pulling officers out of the town they don't live in any way, they don't have ownership as well as if they're working in the neighborhoods and dispersed. The issue of response times concerns me when you look at the natural dividers. I don't buy it that we're going to have the same response time with the river and highway, with 84, if we have something happen. Because as it is now, there's times in my neighborhood where i've called in the past with issues that it took them an hour to get to us. Yes, it was a low-level call, but that's how backed up they were. It want a priority, but what if it had been? There needs to be more transparency. It feels like the decisions have been made from the top down and not the general population that's affected and I don't think Portlanders understand what's about to happen to their precincts.

**Saltzman:** Ok. No further public testimony, please call the roll.

**Fish:** I -- first, this issue was on my radar through the budget process and I guess I found it at that time challenge to go understanding it in the context of our conversations about the budget. So it's really a major restructure with significant policy considerations, so I asked chief sizer and her team to give us a briefing and help me better understand the why and what the impact would be and address concerns of citizens who shared with me about this. I appreciate the time you spent doing that. I think the context that we sometimes need to add to these conversations is we're living in unusual times. And we're facing an unbelievable budget crisis which has the earmarks of only getting worse. We may actually be seeing lagging indicators in terms of business license fees falling off a cliff, homelessness going on the rise. Unemployment. We're getting to -- close to being in a number of dubious categories of first in the nation of categories you don't want to be. Unemployment, hunger, homelessness and others. So this is an unusual budget process and I think those who say on some of these things a better process could have unfolded and we could have gone a different way, I take that to heart but I feel we're in the middle of a crisis and requires us to act and the city is trying to do substantial reorganization and maintain savings to main core program programs and maintain faithful to what the community has told us, which is that public safety is different. Even when cutting, we have to hold public safety harmless to the extent possible because after all, lives are at stake. In my book, public safety, plus our homeless safety net have to be at the top of the list and I hope that's reflected -- on the top of the list. I came at this with not much information to evaluate it, and i've been listening to a lot of concerns from the community. I'm satisfied based on what i've heard that the concerns have been addressed in a responsible way and i'm satisfied in voting yes today, we are meeting objectives and saving money, but not in any way, degrading the services that the public has a right to expect. And in the -- in regard to community policing, I would say that while that issue is on the context of other matter, I think the council has a continuing appetite learning how we can enhance community policing. I would hate we reach a day where we've reached the ultimate place we want to be. I think it's a continuing process and moving

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toward a horizon, but we're pioneers in community policing and we can continue to improve. On the merits before us, I think commissioner Saltzman has made the case. I think the command unit and chief sizer have also filled in the details for council and as someone who lives in the neighborhood, this is not an incidental matter for me, i'm satisfied that i, like other citizens, will be safe as a result of this action. I vote aye.

**Fritz:** I very much appreciate everybody sitting through a long morning and the first hours of the afternoon. I thank you, t.j. And crystal and billy joe and others who stayed to be engaged in this important series of conversations. I had many of the same concerns that I had heard and had lots of email input and I appreciate the chief and others giving me the information I asked for in terms of helping me understand what's being proposed and not being proposed. I actually have a slightly different take. I think it sounds like a better way of providing services and something we might want to do anyway, even if we didn't have the budget crisis and I appreciated hearing the advice of the bureau of advisory committee on those lines and we're dedicating more resources to make sure we have radio coverage and way want to commend those who worked tirelessly on this issue and all of those at 9-1-1 who are important in our public safety and note in the budget, we're prioritizing public safety and making sure that citizens are looked at properly and delighted to know that crime rates are at the least for 30 years, I think. And we're doing a good job, despite the challenges and we need to continue to work together. I want to commend commissioner Saltzman for bringing the resolution to council so we're making a firm solution, because it's the right thing to do and we had a hearing to that citizens could comment and this is a good way to do business. I appreciate it very much, commissioner Saltzman. I'm looking forward to working with you in your capacity of head of the police bureau and excited about us working together. This is a good thing to do. Aye.

**Saltzman:** Well, i'm -- there's no surprise, i'm pleased to support this. I do think that while driven by budget considerations as commissioner Fritz said, I do think it's a forward-thinking efficiency improvement too and I believe will be done in a way that will not diminish the public's safety. It's a new thing. Actually going back to the past, but a new thing, so takes adjustment within the bureau and by the public. At the same time, we'll find a home for our traffic division, which I think was assured they would only have to stay in the structure for a year, and will do it without have to build or lease new space and as the others have said, I think the response times will continue to be the same and if they're not, we'll hear about it, and we'll adjust. The bureau is very good about adjusting to citizen feedback and if there needs to be adjustments, they'll be made. I want to thank t.j. Browning and the bureau advisory committee for all of their work and the chief and the command staff for their work on the proposal and I want to thank also the -- rachel from my office and brendan from my office and all of the people who did participate in the many public sessions we did have on this. The business associations we visited with and neighborhood associations too. I think you helped us produce a better product. Pleased to vote aye. Resolution passes. And we're -- so we're going to take a 15-minute recess. We'll reconvene at 2:15.

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

At 1:57 p.m., Council recessed.

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**Closed Caption File of Portland City Council Meeting**

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

Key: \*\*\*\*\* means unidentified speaker.

**APRIL 29, 2009      2:00 PM**

**Item 538.**

**Adams:** We did sit-lie this morning, sorry, sidewalk obstruction ordinance this morning. And you were there. --

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

**Fritz:** I thought you said they were polite.

**Adams:** We're just waiting for -- commissioner Saltzman did not get a picture. How many people are planning to testify? We're going to hear the council calendar time certain item 538. Karla, please read the calendar title.

**Moore-Love:** Can we do a roll call?

[roll call]

**Adams:** Please read the title for the report, item 538.

**Item 538.**

**Adams:** Auditor blackmer.

**Gary Blackmer, City Auditor:** Good afternoon. Gary blackmer, Portland city auditor. In may of 2005 the city council approved an ordinance 179258 creating an innovative campaign finance reform system known as the campaign finance fund. With that it created the citizen campaign commission, and they have been watching the process over the last two elections, and preparing reports. And before you today is leslie hill gillette, the chair of our Citizen Campaign Commission and andrew carlstrom, our elections officer for the city of Portland. Also attending is dylan, another of our citizen campaign commission members. I'd like to turn it over to leslie to begin, and move -- we'll be presenting the summary of the report and i'll jump in a little later as well.

**Leslie Hidula:** Thanks. My name is leslie, chair of the commission. And first of all I wanted to thank you. I am completing the end of my four-year term on the dismition and as chair, and it's been a great learning experience and a lot of fun. I serve with andy and lynn, the three of us are all coming to the end of our term. I'm quite proud of what we've done. I think we did what was expected of us in that we paid attention to the 2006 and the 2008 election cycle. We have written a report on both of those and have submitted them -- and are summiting the second one to you today. We also I think met the challenges of the unexpected. It was quite dramatic. I had the pleasure, or -- of being interviewed by Oregon public radio, which was very exciting for me, and I found myself an avid reader of the mercury, as scott moore did excellent political reporting in the 2006 election. I think I can summarize the commission analysis of the program in that the city has successfully implemented an alternative to privately funded elections. Commissioner sten used the publicly funded approach in '06, and commissioner Fritz in '8 against another publicly funded candidate, charles lewis. The program sets a high bar for those candidates, who seek to use public funds, and which is good, and we also showed it's not an impassable bar. People can successfully use the system well. We've continued, by we I mean the city council, city staff, the commission has continued to improve the program. The '08 election went better than the '06 election, and I think other -- I think 2010 elections like others have told us, such as arizona, will be even better. Things get smoother over time as a city gets used to their programs and also as we continue to tweak the code and the policies that guide the program. So in that spirit of continuous improvement, we're going to offer this report to you today for your consideration. Before we dive into the details, I

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want to thank gary blackmer, and I am not going to heap lots of deserved praise on his head, because I know he don't like that. I'll just tell you I appreciate his teas of pizza and his teas in neckties with their Fishing theme. We also very much appreciate andrew carlstrom and andrew bryant, the city election staff. They were incredibly helpful. I think the city is in very good hands with our elections officer, andrew has been full of initiative, he's been thorough, he has taken the ball and run Witness. Sometimes when I didn't even know I had dropped it. And I can't tell you how much I appreciate his good work. So diving into the details, you have a summary I think in front of you of our recommendations. I'm not really going to dive into the details. I just want to briefly mention that we continue to want to improve the training for the candidates and their staff. It's very important that candidates, the campaign manager, and the campaign treasurer really know what this program is all about. The campaign consultants are coming up to speed on the program, but they have a lot on the line, and they need to be well train and they need to pay attention. We also are recommending that we delay the beginning date of the qualifying period by one month to shorten the qualifying period, and also we're setting a january 15th deadline for filing the declarations of intent to participate. We looked hard again at the number of qualifying contributions and again we heard in our interviews and if any of you ran, we interviewed you. And we decided that people are doing a great job of getting the qualifying contributions that we need. So we're recommending that we raise them by 10% for the 2010 election cycle. We also noticed some people in their excitement submitted way more qualifying contributions than were necessary, which burdens the staff. So we put a recommendation that we should know more than four times the number of forms needed to qualify to help remind them we need to be careful of staff time as well. And we again looked at the design of the form, and I think it is already been redesigned. Andrew was on the spot getting ready for a hotly contested auditor's race. He's ready for the next election already. Things going down to financial issues. Reflecting on the experience doing the 2008 mayoral race -- during the exploratory or qualifying period by candidate must be done within the limits of the seed money or in-kind contribution limits. So we're making that very specific so there's no question about how polls are going to be handled. Then we also took the opportunity of writing the report to make to you a recommendation about how the city should handle special elections. There was limited provisions before in the code about special elections. We've had to, since our last report, there was the 2008 one for commissioner sten's position, and in that case we did have a candidate who qualified for special funds for public funds. And then we had the 2009 auditor's race which like I said, we were ready forks even though it turned out we didn't need to use special elections for that. Each time we were sort of Scrambling a little bit to say, how can we set it up so a candidate can use public funds? What we're proposing to you is, here is the way the code should read, here's what the policy should be so that in the future, they're ready to apply as needed, and so people can look ahead and know what they can expect. Future candidates can know what they can expect. But to talk to you a little bit about that, because I suspect it's of interest to you, i'll turn it over to gary.

**Blackmer:** Special elections has been a real challenge, but also I see a couple special elections I think have helped the citizen campaign commission come to some good conclusions about some key elements like the qualifying threshold. That was the issue that was most challenging to them because until this most recent election in january, it was taking three, four, five months for people to qualify, and the primary period for a special election is 90 days. So how they would fit a qualifying process into a much shorter period was the most difficult thing. When we saw several candidates get more than they needed for qualifying in a matter of three weeks, it made it easier I think for the commission to say that anyone running for a special office needs to get the same number of qualifying signatures as if it were a regular race. The commission is recommending 1100 signatures for a commissioner raise for a special commissioner's race it would Also be 1100. In terms of the money, there were several elections where they did a lot of research where council



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weighed in, and what they tried to do was take what council had recommended, and there were some areas where there was some differences between one race and another race, and put it together into a recommendation. Given the time frame also, because what they recommended was that the candidates get the regular amount for the primary in a special election, we need a commissioner would get \$150,000, but they would only get I believe it's 115,000 for the runoff. So it's about 55% of that runoff amount that they would get -- run-off for a regular election they would get in a special election.

**Fish:** 110.

**Blackmer:** I'm sorry. In a regular election the primary is may and the runoff is november. There's a long time period they need to reengage the voters in september, whereas in a special election, there's only about a 45-day gap between the primary and the runoff, and that reintroduction is not so necessary and the voters will have been a little more tuned in to that special election race. So less money would be needed in the general. So that was our thinking on that recommendation. In terms of privately funded candidates and special elections, there was an issue around a privately funded candidate who maybe felt like he Or she had enough money they'd raised during the primary, they knew they would go into a general and in order to be able to start raising money for a general election, under the code right now would trigger matching funds, even if they had no intention of spending it until there was a runoff. So the commission recommended that privately funded candidates be able to ear mark the money, so they would say i'm not using money for my primary, I don't intend to spend more than this amount, and anything I raise beyond this will be spent just in a runoff. That would allow them to raise money for that shorter period, but it wouldn't trigger matching funds in the primary election.

**Fish:** That struck me as a very interesting concept in the -- in the context of a special election. So have a sense of how an ear mark would work? What mechanically you'd have to do to demonstrate that the metropolitan was secretary gaited somehow and documented in order not to trigger the matching dollars?

**Blackmer:** I think andrew and I will have to -- he and Lavonne will have to sit down to work through that issue. I think it's very doable in the sense that if the candidate says, i've raised this much money to date, I have this much, I expect to get in accounts receivable, I intend to spend this much between now and may -- whenever the primary date would be, and no more, and everything I raise from this point on above those amount Assist going to be spent on the runoff. So that's as far as we've gotten in thinking about it. Conceptually it's a fair and appropriate thing to do, then it's a matter of thinking about it from the different perspectives of what if a candidate said that, and then spent more, what would happen? So we'd have to work through some of that as well.

**Fish:** Thank you.

**Blackmer:** The only other issue that was -- of significance that was raised around special elections was a real concern about the short time frame for filling special elections. And it said in the -- it's set in the charter, but in terms of letting the public have more time to understand who the candidates are, to give the candidates more time to reach out to the public, the commission expressed some support for reconsidering the tight time lines for special elections on the city charter, and they recognize in this form of government that's requiring other commissioners to handle a greater burden of more bureaus to manage. But from the standpoint of just public awareness and involvement in the election process, more time they thought would be better. And there were several citizens that came in and testified to that point. The next steps, if I can just give you a broad overview, is is that my office will begin drifting code, and just with the idea that will bring that to city council, but we'd like to Get your interests and priorities and disagreements and so forth. We'd like to hear those so we can figure out what might be the alternatives in terms of alternative code language and so the more we have, the sooner we can get the code back to you for your consideration.

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**Adams:** Do you want discussion now, then?

**Blackmer:** That would be great.

**Saltzman:** I guess I have a question over one of your recommendations. Number 15. To closely watch the results of future races to determine if repeat qualifying candidates gain an advantage for their subsequent efforts and consider if that's shown to be true, increasing their threshold for repeating -- I guess -- .

**Fritz:** Contributions that they would need to submit.

**Saltzman:** What's the intent it? Sounds punitive.

**Hidula:** There was multiple concerns about it on the commission. We didn't have unanimity, but it was raised, so we thought we would reflect that in the report. So it --

**Saltzman:** It would be for just that candidate.

**Blackmer:** There's been some public unhappiness or not even -- some expression of that issue, and so the commission considered it. There were some potential legal issues. If this is rah voluntary program with equal access to all, then that should be something that we just basically set the same rules for everybody regardless. And they do in the report it does also indicate that privately financed candidates come back repeatedly, and run, and it's not unusual for that to happen for a city council race. So it was something that was talked b. But nothing really came from it except that the commission felt like it could be at least looked at in the future from the standpoint of is this really a concern.

**Saltzman:** You're not going to be drafting code --

**Blackmer:** No. Nothing on that.

**Hidula:** That's partly what led to the suggestion that we increase by 10% the number of signatures needed, because people have shown it was a very doable amount to earn. So that's why we came up with that recommendation. I think there was a concern that looking ahead, hypothetical, that there could be a candidate who was very good at getting that offline contribution amount and would run over and over and we'd see them running 10 times in a row, having a great time on public funds. And there was just a concern about the public view of that.

**Blackmer:** The public will stop giving \$5 to candidates like that as they learn more about the system. It may be self-correcting in itself.

**Fish:** Something that isn't addressed in the report, the question of if we were to refer this to the voters in 2010, do you have a recommendation of the timing of that referral?

**Blackmer:** There would be a november runoff. So it would be best to have the vote in november, because you wouldn't want to cut off candidates halfway through their campaign if they had been counting on publicly funded money, if it were a may vote, for example.

**Fish:** Does the commission have a recommendation on that?

**Hidula:** We were just focus order analyzing the last round of elections that we had. I think that would be a great thing for this next year for the commission to look at that, if you like us to make -- if you'd like to give us direction to do, that we'd be happy to take that on as a task.

**Saltzman:** As to the timing of an election.

**\*\*\*\*\*:** Yeah.

**Fish:** It might be helpful to get your thoughts on that.

**Hidula:** One of the things we did note is that even though a lot more people in the city of Portland know about the program and know how it works, there's still a lot of people who don't. And we might want to consider a modest public education campaign about a service that the city does provide. Arizona has a very extensive one, but also it's a statewide program. So it would make sense theirs would be much more extensive. So we have a modest -- we have training set up for candidates and their staff, but we don't have anything that says to the citizens of Portland, this is your program. This is how it works. And so we had some thoughts about that in the report. We'd

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love to talk to you about That in the future that. Would be a good thing for us to look at in the upcoming year.

**Adams:** What is our definition of a candidate under this program versus a state's definition of a candidate?

**Blackmer:** It actually -- we went back, the exploratory period was the key element that the hearings officer identified that. We had this thing called an exploratory period, but it wasn't set up consistently throughout the code. So we had places where we had an exploratory period where candidates could raise money, but we said you can't use that money for your campaign, which didn't make a lot of sense because in arizona, for example, anything raised in the exploratory period counts against your threshold and limits. So our intend is -- intent is to go in and make that consistent. That was one of the oversights, along with the poll, the other big issue. Under state law, a poll taken before november has no value. Even though it could be a poll that helps a candidate put together their campaign strategy for a may primary. What the commission decided was it would -- we would value all the polls at their full vaciation regardless of when they were taken, if they were provided to a candidate in a scriewtion of some sort. So that deals with the poll issue as well, which mayor Adams was involved in in terms of his campaign. I think those two things clarify, and we're also going to Be providing a lot more training on exploratory period and also in terms of the complaint process.

**Adams:** I think there was also an issue of the state definition of what is a candidate.

**Blackmer:** We're much more in align with them now. And it really -- from our standpoint it's when you're spending money. That's essentially when the state actually may have even a loser -- there's a gray area when if you're thinking about being a candidate and you take someone to lunch to ask what your chances are of running, and you're paying for their lunch, would that be a campaign expense if you were in your quote exploratory period, even though you hadn't declared that you were rung or what office you were running for? So those are the kinds of things we're hoping that the really small things will just take care of themselves. But if you actually get something like a poll, and it's over any kind of a thrish hold, you would be disqualified at that point. And that language is much clearer now.

**Adams:** Thank you.

**Blackmer:** Ironically if it had been lawn signs, they could have been given back. But a poll is information that can't be given back, and that was the real dilemma in this one.

**Fish:** The recommendation on a special is that for commissioner auditor race to be a reduction in the amounts you get for the runoff portion. Either you or gary articulated an argument for that. Is there an argument also for reducing the amount you'd receive in the primary?

**Blackmer:** I could -- they talked -- .

**Fish:** I say that as someone who actually -- I -- one of the things I enjoyed reading in the report that I was outspent by my publicly financed opponent, I was so incompetent at fund-raising I stalled at \$139,000. But i'm curious, what is the right number in your judgment?

**Blackmer:** They went back and forth was it can really depend upon when that special election happens. If the election is in september, for example, and everyone is on vacation, it's hard for them to get volunteers, and people are really not tuned in to a campaign, you may need to spend a little more. On the other hand, if you're campaigning like you were commissioner Fish with a major democratic primary, and all of the noise and all the attention was dracted at that, and very little -- .

**Fish:** You noticed.

**Blackmer:** You may need more money to raise the noyes level for your campaign to get attention. And there may be others where there's a november runoff in which there's really nothing -- no big -- a gubernatorial race is pretty much decided, a senatorial race -- are not no-shows in terms of opposition. And maybe the city council race is the most important and interesting race and not that much money would be needed. They saw a lot of scenarios, but Ultimately they really did say that

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there needs to be a fixed amount of money, and it may that be once in a while you're spending too much and once in a while it's not enough for a candidate to effectively operate. But having at least a fixed amount takes the politics out of making the decisions because if they just said council needs to develop some amount that's appropriate for political climate they foresee in the future, that could be a difficult decision for you folks to meet.

**Hidula:** Also when we were working on the amounts for special elections, we looked at campaign spending over time, and how much candidates needed to get the message out to Portlanders. And it takes a fair amount of money, through a mailing campaign or t.v. Campaign, and campaigns have mailings, or have you on t.v., either way it takes serious money to do that. Whether you're doing it in a short amount of time or not to reach those potential voters, it takes some serious money.

**Fish:** Recommendation 14, that deals with collecting data on whether a candidate personally solicits or does so on the basis of surrogates or others. And I remember some discussion that we had previously about that. Does it matter in your judgment for purposes of this system to work effectively, whether candidate x goes out, knocks on doors, and gets signatures, or candidate x is a member of a megachurch and some sunday gets 1200 formed signs?

**Hidula:** It's interesting, and it's something we talk about. The different strategies that candidates use to be successful. I think part of what we think is important is that a candidate knows how to reach out to the community and knows how to gather spoirts around them and how to make things happen. And there's different strategies for doing that, and so it's not the commission's or the city's role to tell a candidate what the strategies should be. Because then you get into telling people how they should run a cam paib. So we have to be careful about that.

**Blackmer:** I think they saw a value in having that contact between candidates and voters, but it was difficult to come up with a system that would ensure that, but was also verifiable. It is really the intent of freeing the candidates up from Fritz niland raising to meet with voters. And so that's the philosophy behind -- one of the philosophies behind all this. So I think that's one of the reasons why it comes up. And jon one of the candidates had gone and done door-to-dar and got a large number of \$5 contributions, individually by himself. And he advocate for that as a good thing to do.

**Adams:** One way it can play off, we don't allow it to happen online, but we allow it to happen with surrogates.

**Hidula:** That's one of the lines in the sand we drew, because you have to at some point, and we just chose to draw it there. In the future, other commissions might make other recommendations. We had a lot of conversation about, that but we chose to say surrogates, yes, online, no. We wanted to keep that personal interaction in play.

**Blackmer:** One of the issues they raised was that these are kind of hurdles that candidates meet to get over, and that someone who is a good candidate is able to put together or already has a large network of people who know them and are willing to give them \$5. And that is one indicator that this person has some connection with the community, leadership, or am good knowledge of the community. Beyond that is the administrative issue of staying within budget, within the rules, and those are all things that are good for a publicly financed campaign system to emphasize in its qualifying process.

**Adams:** Commissioner Fritz?

**Fritz:** Thank you all for all of your work. I feel very blessed to be the first candidate elected to the council who had not run in a previous system. And so I wanted to put out for public sction in your testimony the things that I noticed in the report. First that we need to set a qualifying period in the code for special elections. My suggestion is the same as we did for the auditor's race, that it would be the same as the filing period, which is the day after the council's passage of the resolution until the filing deadline. So we would have a standard that we wouldn't have to decide on the fly what the time frame for collecting qualifying contributions should be. I want to hear about the special

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elections, ear marking of the general elections, and we'll be interested to hear how we can make sure that's irrevocable. The discussion we just had on personal contributions, i'm still concerned about mailing contributions, the potential for forward and there's no personal interaction, no two people are -- whrits the candidates or for a surrogate, with mail-in contributions we're taking the advice -- we're taking people at their word they sent in the money, and it was their money when they signed the form. And that's something that's of concern to me. For special elections for the general amount, I question whether \$110,000 is enough money, regardless of the time frame. Knowing how much it costs to mail, you can't mail citywide with the amount of funding, even with \$200,000 in the runoff I was not able to mail citywide, I had to target particular groups and doing a cable partnership buy rather than a t.v. Buy. So regardless of the time frame, I think we might want to look at whether that's the right number in this time and that as time goes by and inflation continues, that we might want to consider having something in the code that doesn't need to be constantly adjusted. The recommendation 21, you have deficit spending should be allowed up until the point of Qualifying. I think that's much too lenient, that it should be -- the deficit spending should not be allowed except within the first 30 days. After, that you shouldn't be spending money you don't have. Because then what happens at the end when you still don't have it? The assets after the election. I strongly believe we should not require candidates who lost to buy stuff at 100% of the value if they might think they might run again. I think that's not in the ethics of Portland recycling and sustainability, that candidates, I know from personal experience, the day after you have been unsuccessful you're not wanting to plunk down a lot of money in case you might run again. And so I would suggest that a better rule would be that for things that have no other value, particularly things that are imprinted with the candidates' name, that that should be allowed to be kept by the candidate, but then the candidate, if he or she ran again, would declare it with the 00% of the previous value as an in-kind donation. That seems fairer and more sustainable to me. Because privately funded candidates have not only no personal expenditure requirements, they also have no requirement of any kind contribution listing. So that would make it fairer. For the qualifying contributions, I understand the rationale for the increase to take it to 1100, however, there was six candidates who qualified Last year and all but me got more than 1100. Signatures. And I stopped with a month to go because we knew we were over at the thousand. So it wouldn't have made any difference, and I think it adds work for city staff to add the extra hundred donations and -- unless we're going to make it a significant increase, I would suggest it's a nice ring to the 1,000. And we shouldn't do, that because it creates more work for everybody. For the certification process, number 26, we should stop counting qualifying once the -- then we need to figure out what to do with the remaining donations. And my suggestion would be all access \$5 contributions go into the campaign finance fund. Which the only reason that would be a bad thing, is the candidate got decertified and would have to start privately fund-raising. Once you've got to the amount, the rest of the \$5 goes into the campaign fund. I'd like to see clearer administrative rules on what can happen in the -- for qualifying contributions, in particular not receiving anything of value in return for the contribution. And I would like to see the vote next year be in november, because there are more voters voting in november, and I think it's really important for the reasons that you stated, but so we can truly again to call it voter-owned elections.

**Adams:** Other comments?

**Fritz:** I'm question why we should limit the number of \$5 Contributions any particular citizen can contribute to a particular race. I'm concerned that -- I know there weren't all that many candidates - - citizen who's gave more than \$5 to more than one or two candidates, but I can see in the future there might be, so i'm wondering about the value of having contributors limit choices to one, two, or three candidates, rather than saying i'm going to give -- I think that's a profit and also we should tr whether we should allow candidates to switch races with the permission of their donors. That was an issue that came up a year or so ago as to whether with the permission of the \$5 donors, if things

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change, a candidate should be allowed to say, i'm no longer interested in this contested secrets i'm going for this open seat or something like that.

**Fish:** I have another question, if I could. Forgive us, we're in our fifth hour of being under the hot lights, and my brain is going mushy. I -- many years ago I worked for barney frank, and he had a famous line once about captain pain contributions. He said that when someone gives him a thousand dollars, he said he is likely to take their phone call. But he never guarantees them any outcome. So if a college friend becomes a supporter and gives them a thousand bucks, he'll take the phone call, but I think he's demonstrated a famous independent streak in terms of How he conducts himself. I've been on this body almost a year. I know it seems hard to believe. I've kept my carbon footprint limited because i'm concerned about sustainability. But I have come to appreciate the fact that my colleagues are very independent people. And i'm constantly surprised by how independent, knowing as I do, learning about where their bases of support r. Constituencies they feel strongly for, I regularly see my colleagues cast votes which seem to go against people that elected them, supported them, and in which your nurture them. Which I take as a sign of high-level integrity and independence. I say that -- almost without exception, that's what i've observed. So I wanted to ask you, I have come to the conclusion that some of the benefits of this system, like reducing overall spending, is an qual unqualified good. I stay that as someone who is privately financed, set a goal of -- set a limit and didn't have to spend the same amount of time. But the one premise that's in the report that I still frankly don't fully understand, and I think it's important for the public to understand, is the notion that large contributions render public servants beholden to the contributor. It's stated as a perception, and I -- presumably there's a citation. There's a perception among many voters, large contributions Render someone beholden. I think that's an interesting point. It's just something I haven't experienced, and I wonder if you could elaborate on that.

**Blackmer:** I guess as an auditor i'm sensitive to appearances. And potential conflicts of interest. And we have a whole chapter and a whole booklet about auditor independence. And all those things that can basically undermine your credibility through your organizational placement, through personal connections, through not doing professional work to get all of the information that's necessary to make the right decisions. So for me it's -- i've been trained in the fact that appearance is a critical element for a public body or public official, and we haven't -- I don't think anywhere we said that we felt -- the commission felt that the city council was compromised with its decision making. But it was more that the public through polling has shown repeatedly that they think that money influences decision-making. And we were thinking about putting an editorial in from "the Oregonian," which is not a supporter of public campaign financing, but it was about the bottle bill and how, again, the lobbyists in salem, through their contributions to legislators were influencing policy. To me there's a lot of stories like that out there, and I think it's important. And i've said this repeatedly. As an auditory see risks in terms of a lot of money and historically we're getting more and more rain into campaign races, and that to me is a risk on a couple levels. One is that money could buy influence, but number two is, it also does I think diminish the integrity that you can carry forward to the public because they always see that money as a suspicious linkage that you have with some special interest. And even if you are voting that way, they don't necessarily grasp what you commissioner Fish see on this council. They see collectively what council does, and unfortunately I think they categorize this council with the Oregon legislature and with congress. Which has not had a good history of being honest with its integrity with public -- with dollars that it gets to the public service. So there's always bad stories regardless of the financing system, but this is really an attempt to build a system that is outside of that paradigm.

**Fish:** I guess i'm reacting to the statement in a public report that maybe is written a little more sharply than it was intended. And use the word beholden, not influence. I wonder, for example, and i've talked to amanda about this, does a publicly financed candidate that receives \$5 from an activist, feel beholden? Well, I would think they feel a connection. Anybody that contributes is

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someone who is supporting you, Using -- it's a statement. It's a kind of an expression. Do you feel beholden? I think you're grateful. That person occupies an important place in your life. I'm just quarreling with the beholden word. Beholden, when we recycle words like that, and then we say that we cite to generic public opinion, it hasn't been actually my experience as a candidate and a public official that that issue has reached the critical mass that the statement in the report suggests. As a candidate what I have found is that people generally are not particularly concerned about lots of things you and I might think are important. Including contributions. And how much you spend and where it comes from. And the press doesn't cover that very aggressively either. As an elected official, that issue doesn't come up much. I think there's a question about trust with government, but that pervades every parties of our society. I used to be here and now i'm part of the problem. I'm elected. And for some people -- my radar has gotten pretty good. When i'm at fred meyer and someone starts coming and i'm part of the problem, typically I am good at screening some people who I think view government as just the problem, and it's hard to rehabilitate yourself. But I want to push back gently on the notion of a broad perception of people who are privately financed are beholden. Because I frankly don't have a Lot of personal experience with that.

**Hidula:** I find that very reassuring when you say that. And I also think that we're building an alternative way to run here, because it is voluntary, that has to be good for a long period of time. Because if you look back at the history much Portland politics, it has always not been I guess as clean as you experience it today. So how great that we're not responding to some scandal like I believe they did in arizona, when they did there. We have a good system. We're trying to create another alternative, perhaps that makes it better in the future. So we're here for the long run, and it's an experiment. And i'm glad to hear that you think things are running so well.

**Fish:** I hope I share that view. I'm not trying to market something novel here, I am just not aware of this general perception of the problem locally that is identified in this report.

**Fritz:** And I completely concur. And i'll just note that you commissioner Fish tbrent being a lawyer to a politician. I tbrent being a nurse to a politician, and it's amazing how people think I have changed in just four short months.

**Leonard:** I liken being a firefighter to being a politician, and most -- I always get my feathers ruffled a little when someone asks the correct question and the answers. But there's a perception that, and fill in the blank, because to me that's not really answering the question. And if people perceive something, that doesn't necessarily mean it's true. People perceive that i'm heavily influenced by unions, particularly fire unions. Reality is, amanda Fritz was endorsed by the Portland firefighters union last time, I was not. But that don't make the argument well -- i'm sure it won't show up in the educational materials you provide to Portland citizens on the benefits of a publicly financed system. It just feels as though you're taking perceptions and trying to persuade people about perceptions and ignoring the reality of what really happens in this building. I agree with commissioner Fish, we make decisions every day that make some of our supporters so angry they call us traitors and won't endorse us again, even if it's a place I worked 25 years. And i'm ok with that. But that's the reality.

**Blackmer:** I guess we could have a long discussion about perception and reality, and politics and reality, but I think everyone recognizes politics has a lot of intermingling of perception in reality. And what --

**Leonard:** I'm stuck in reality. You have the luxury of talking about perceptions. I'm stuck leaving and breathing the reality of doing my job, and it just sometimes feels a little disingenuous to hear some what of what I hear, particularly When it's characterized in a document like this. I was going to say nothing until mr. Fish raised the point. But I don't have the luxury of saying, well, you may be right, people perceive differently. I have to do what I do based upon my own code of ethics. Without taking the time to what we really confront when we make decisions, and what we really

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end up sticking to in terms of our principles. And it's not who contributes and -- or who does that, for that matter.

**Adams:** Thaip has been a good airing out of some issues. Are there others from the city council? We have three people signed up to testify. Sue, would you please call the names. Good afternoon, welcome to the Portland city council. We're glad you're here. I think each of you knows the standard operating procedure. Welcome. Go ahead.

**Carol Cushman:** I'm carol cushman, representing the league of women voters of Portland. The league strongly supports voter-owned elections, the city's established campaign finance fund, and the work of the citizen campaign commission. We urge enactment of the commission's recommended improvements to the system that these were developed with thorough analysis and discussion. As we campaign -- as the campaign finance fund becomes more widely accepted and Understood, more candidates will consider using the system and potential candidates need to have easy access to early information as addressed in the exploratory period recommendations of the report. We have seen that some candidates qualified with relative ease under the current dpliens, and therefore it seems to make sense to raise the bar on qualifying contributions as recommended by the commission. The league is concerned, however, about two items in the qualification section. Specifically recommendations 15 and 16. It is vitally important that the program not discriminate by placing artificial barriers on some candidates. And voters we feel can be trust about decisions how often to support the same candidates with their signatures and contributions. The league is pleased to see that there was cooperation between the city and the secretary of state in the use of orstar for the campaign finance fund, and the renewed commitment to community education bite citizens campaign commission. Since each special election has unique circumstances, rules are necessary to maintain integrity of the basic program. Two points of particular note, it's appropriate to have a larger amount of funds allocated to the primary, and there needs to be a mechanism that allows nonparticipating candidates to raise funds for a potential runoff without triggering matching funds. Another issue, which is addressed in the special election section of the report but might affect a regular election cycle, is campaign funding for the position of auditor. The leek would like to remind you the auditor fills an important role, because he or she needs to maintain neutrality, the campaign finance fund is an essential option for their race. The position may be less visible than the office of the commissioners, but it is elected citywide and of equal importance. The league urges your support of the city's campaign finance fund and the work of the citizens campaign commission know that I see some of you are look out the handed-out testimony, it's more extensive than what i'm able to present here today in the three minutes, and thank you for your tie.

**Jake Oken:** Jake, Portland resident, board member of the Oregon bus project, and i'm speaking on behalf of the bus project today thanks fore your interest in this issue. The Oregon bus project has engaged thousands of citizens in Portland and across the state over the last several years. Public financing for campaigns has been and continues to be a key issue for the bus project. Narveghts at our biennial rebooting democracy conference, dozens of issues were field before the event, dozens were debated over the weekend, and the issue of public financing received one of the highest levels of votes and continues to be a top priority for our members. And we want to make sure you're aware of that. Our members, including many young voters, believe that public financing has several virtues consistent with our vision for a progressive democracy. The program is good for candidates and voters in that it's a shining example of Portland leading the nation as a progressive city. Wert first city to do this. There's a bone news that, of course. As a vehicle for hands-on democracy, public finance elections is particularly encouraging because of the premium it puts on face-to-face voter time, and the time that candidates get with -- during their campaigns to spend with the voters. It encourages through the system structure, the use of cost effective person-to-person contact. We found that's one of the valuable things you can do as a candidate. And it's also incredibly insightful. And it frees up the candidates from dialing for dollars. We've seen there's



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been a bonus to that as well, in terms of capping the overall amount it's put in play. We've reviewed the citizens' campaign commission report and we commend them for their work and recommendations. Particularly items highlighting the roles on in-kind donations, exploratory and qualifying periods, and large payments for professional services. Significant issues that came up in the last election cycle. Although the youth heavy organization, we can see virtues of allowing qualifying online donation joss line. That's been used by folks in many campaigns we've been involved with. We agree with recommendation 13 to continue to disallow internet financial transactions for qualifying contributions. The grass-roots hands-on organization, we see one of the great virtues of the contribution requirements is that it forces campaigns to put a premium on person-to-person contact. In early stages of the campaign that would ideally be sustained throughout the campaign. I wanted to thank you for your continued support and work to strengthen this law. We are happy to answer any question and help along the way strengthening this important code.

**Adams:** Thank you very much.

**Janice Thompson:** Janice thompson, democracy reform Oregon. I have detailed comments that you can read. I'm supportive, though I do have suggestions regarding essentially short yeping the qualifying periods, providing a great level of resources in the event of a special election runoff, and one way to deal with this ear marking issue and some of the security concerns raised by commissioner Fritz is focusing on pledges in that contests ear marks. I do also take time into put the program into a national context. Particularly since just earlier this month with bipartisan support, the fair elections now act was introduced in the u.s. House and senate. Represent blumenauer is a cosponsor of the house bill. President obama was a sponsor of the senate's legislation in the past. He's also made some commitments to fix a very broken presidential public funding system. But back to the fair elections now act, there's a very broad coalition just as there was in Portland, with all liedz ranging from afscme, sierra club, league of conservation voters. So the other angle is that the use of the reform program in other jurisdictions is kind of moving forward a pace, growing, growing, growing. This fall albuquerque is poised to elect the nation's first mayor as a participating candidate. The connecticut citizens act -- election act which was like Portland, enacted as legislation set records for initial use of a reform option. It was a slower growth curve. This means many incumbents ran using the program in connecticut and really liked it. The result is that 80% of the members of the connecticut general assembly after one shot were elected using the option. So I think in general the reform trend is in this direction, and I think it should be a credit to Portland being ahead of the curve. I also want to recognize the hard work of the volunteers on the commission. The need for such a group is actually really ill freighted by the broken presidential public funding program and there's been some comments like the fact that president obama opted out, public funding is dead. And in fact I would say he did not use it because it did not work anymore, and Portland program is one of its pluses is that the design included a mechanism like the commission to just continually bring recommendations to -- for your consideration.

**Adams:** Thank you. Thank you all. Appreciate your testimony. Anyone else who wishes to testify on this matter? Any other council discussion? This is a report. Do I hear a motion to approve the report?

**Fritz:** So moved.

**Saltzman:** Second.

**Adams:** It's been moved and seconded to approve the item. Please call the roll.

**Fish:** I want to thank the commission for their hard work, and I had a chance to read it and reread it and frankly, there was a fair amount of material that was new to me. So -- and I appreciate the fact that you've given us a range of recommendations, some of which may not have been -- have achieved the same level of consensus as others. I think particularly you've heard that 15 and 16 give us a little heartburn, but some others seem more straightforward. I would very much

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appreciate a formal recommendation on the referral date, and a rationale for that. And I also just want to say that I have, in the last several months, had a chance to have a number of conversations with commissioner Fritz, who has really taken a leadership role on this body around these issues, and I appreciate her work. And I think I was able to follow about half of the suggestions you put in the record during your testimony, but we'll go back and make sure iv extend the other half. But my inclination is to follow her lead on the -- in terms of those areas which she believes warrant council focus in terms of potential code language. I don't agree with everything in the report, and i've stated my own -- the resistance I have to recycling perception issues, because I think perception issues when state over and over again somehow work their way into conventional wisdom. And I think it actually short changes all the people i've had a chance to work with in public service. And I understand that -- the value of a headline, but I think looking at it slightly differently, whatever qualms and concerns I have about this system, I certainly don't base them on the fact that there's been a couple of rotten apples that have gone true this system, and the headlines -- on the people that tried to qualify and that stumbled. Just as I think that would be unfair to tarnish the whole system on the misdeeds of a few, I think there's a risk overgeneralizing about the risk about the money and behavior. And I -- it's try once lived in new york, and two ways to dislodge someone in new york poll to my recollection beat them or have them arrested. But I think our system is a little different. And we're not the state legislature, we're not the congress or the senate, we're the city council. And there's I think an unprecedented level of transparency in terms of our proceedings. When you get into this job you have to disappoint people. The hardest thing is to disappoint people who are your allies and friends. Whether or not they contribute. It's just -- but we am ran with the notion that we're going to make the best judgment we could. And I spent a lot of my first year angering people who contributed and knocked themselves out for me. It's not deliberate, it's just that i've tried to do what is best. That's the pushback on that particular section of the report. Thank you for your service. Aye.

**Saltzman:** I want to thank the campaign commissioner auditor blackmer, for your diligence. I have to remind -- maybe my colleague nick Fish doesn't know this, but first thing -- incarnation of voter-owned elections was clean money campaign. I objected to that connotation, and I think it helped reincarnate itself as voter-owned elections. I think you've done great work, and the system has improved, and it seems like more candidates are available -- avail themselves of it. Aye.

**Leonard:** Aye.

**Fritz:** I will thank the commission for their service. It's a lot of work, and a good report, and I really appreciate everything that you have done. And also auditor blackmer for your leadership on this issue. I'd like to thank the league of women voters and democracy to perform Oregon for your tireless work as advocates on the community, and a lot of volunteer experts have contributed both to the report and to the success of the program here in Portland. I feel honored and challenged by having been elected with my campaign finance by every tax payer and ratepayer in Portland. And I remember that when i'm sitting up late at night answering emails from people who have are berating me for my decision or lack thereof, and remember this was a campaign contributor, and that's another reason for know answer respectfully. I have learned a lot from my four new colleagues, a great respect for the integrity of the system that we have in Portland. It's something really special in and of itself with or without public campaign financing. I still call it public financing campaign. We will refer it, I hope next november. And at that point we -- I think we can all embrace it. I would note that the city of Portland was mentioned in a newspaper by the city of montreal just this last week referencing some problems that they are having in their city government with allegations of paybacks and such. And they pointed to the 60 of Portland -- city of Portland where a nurse got elected to the city council and were saying, maybe we could do something like that. So it's a wonderful thing that we all have done, and I recognize those on the council who voted to support this program when it took a lot of courage to do that and not to refer to it voters right away. I it this

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decision to not refer it was entirely the right one. We're looking to support a really good system on the ballot in november of 2010. And I will work with the auditor's office, we're hoping to bring code language to council sometime in may, I believe, and I will work with my colleagues to make the rounds to look into the issues I mentioned. I'm interested in democracy reform suggestion about the timing of exploratory period, coinciding with the filing period, the concept of needing more money in a runoff even if it's a shorter time frame, but the same number of citizens that need to be reached and the cost is still the same. And also the could be september of ear marking -- the concept of ear marking special -- so we get pledges rather than donations, and I think that is another thing. There's a lot of details still To be cleaned up, and I will work very hard so we can get that done, and I thank everybody for your participation in this effort that we're all doing together. Aye.

**Adams:** I want to thank leslie, are you continuing or are you termed out? You don't know yet? I want to thank you for your service and everyone's service on the commission. I want to thank auditor blackmer and the andrews as well for your work through election and specifically on the voter-owned elections piece. I campaigned to be a member of the city council supporting voter-owned election and have been a coparticipant in the process. And I remain a supporter of voter-owned election and committed to continuing to refine it and improve upon it with our experience. I'm pleased to vote aye. [gavel pounded] it's approved. We've got m catch-up items. I have an absence at 3:30. Let's see if we can -- we've got these really quick ones. Can you read the title for 532?

**Item 532.**

**Adams:** This is a nonemergency ordinance. It's a very good thing. Unless anyone wants to testify on council item 532, if there's any council discussion on it, 532 moves to a second reading next week. Can you please read the title for second reading of council calendar item 534.

**Item 534.**

**Adams:** Second reading, call the roll.

**Fish:** Aye. **Fritz:** Aye.

**Adams:** Aye. [gavel pounded] 534 is approved. Please read the title for time certain 230 time certain. We're running an hour behind schedule for council calendar item 539.

**Item 539.**

**Adams:** I have absence, i'm going to turn it over to the president of the council.

**Gary Blackmer, Portland City Auditor:** Gary blacker in, Portland city auditor. I'm going to cede my seat to chief rosie sizer, but before I do that I did want to quickly say that what we have is pretty remarkable, police oversight system. It really is the interdependency of three representative groups.

We have michael bigham the chair of the citizen review committee, which is made up of nine citizens who have a variety of duties related to police oversight. Next to me is mary beth baptista, who is the director of independent police review and answers to me as an independently elected official, overseeing police systems. And rosie sizer, who will be taking my seat, who is a key partner in all this as well. Because it's really the goal of this system is to help the police bureau be better. It's not necessarily an outside force to make it better, it's an outside force to show it the way to be better. And what we've gotten is a great reception from the leadership and the line staff of the Portland police bureau in their striving to continue to improve their police services. So let me turn my seat over to rosie sizer, and i'll let those three talk to you about this annual report.

**Mary Beth Baptista, Director, Independent Police Review:** Good afternoon. I am mary beth baptista, the director of i.p.r., and i'm pleased to present the 2008 annual report to you. This report shows that oversight works. We have great confidence in the data of the 2008 report. It reflects a positive trend at the Portland police bureau. They're getting ahead of the complaint process through better training and better supervision and better policies. Some noteworthy trends within the p.b.b. includes shooting and complaints are down. For the second year in a row there were only two

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police shooting and no in-custody deaths in 2008. The number of force complaints are down to 50 from 74 in the previous year. The bureau implemented a new use of force policy that has been called breaking news ground nationally. It defines bureau expectation regarding officers' use of force and officers are expected to develop skills to resolve confrontations without resorting to higher levels of force. Officers receiving multiple force complaints are also significantly down. Only two officers received multiple complaints last year compared to previous years where 16 multiple officers -- 16 officers received multiple force complaints.

**Fritz:** What's multiple, just two?

**Baptista:** Last year one received two complaints, and the other received three complaints. Further officers receiving non-force complaints is significantly down. Just eight officers received five or more complaints last year, compared to more than 20 officers who received that many in previous years. This shows -- these trends reflect that there is proactive management and the officers are committed to service. It takes leadership and teamwork to prevent misconduct and the Portland police is a progressive organization that is supportive and responsive to i.p.r.'s oversight. Highlights for i.p.r. also include that satisfaction levels of our work is up. We received overall satisfaction levels at an all-time high of 20 percentage points difference since 2005. We've also finally released our new community outreach plan after significant public input and we've filled that position. I'm so pleased to finally stop talking about i.p.r.'s need to do outreach and actually get started doing it. We have hired a fabulous new member of our team, her name is Irene Konev, she's here with us today. She has a long track record of building coalition with diverse communities, she's bilingual and I'm confident in her ability to listen to community concerns. The mission of i.p.r. is not only police accountability, but it is public trust and we're committed to building that public trust for the citizens of Portland. The positive trends in this report reflect dedication and leadership for many fronts. I'm joined by Michael Bigham, The chair of the citizen review committee. I've said it here before, I'll say it again, I have never worked with more dedicated group of volunteers and I am consistently surprised and pleased with the amount of hours that they give to i.p.r. And to police oversight.

**Michael Bigham, Chair, Citizen Review Committee:** Members of the council, I'm Michael Bigham, the chair of the citizen review committee. 2008 was a year of challenges for the committee. But the C.R.C. members and myself are resolved to continually improve citizen oversight of the police bureau. We have worked hard this year to engage members of the council and I would like to urge any of you that haven't appointed a member to the C.R.C. representative, the next time the -- the nominations are open, to please do so. We also have participated in national training opportunities and work on several issues of community concern. One example is one of our work groups conducted an in-depth analysis of citizen complaints about biased enforcement practices of police officers. Its interim report was rereleased in February of 2009. Portland police bureau is also released a plan to address racial profiling the same week. C.R.C. members are looking forward to working with the bureau on this important issue.

**Baptista:** I know chair Bigham and Chief Sizer join me in thanking outgoing city auditor Gary Blackmer. I.p.r. is a leader in police oversight because of his leadership and his wisdom. He understood that improvement in police services and public confidence in police accountability would require transparent and persistent analysis of police conduct and policies. The data in this annual report validates his foresight. We're fortunate to have had him, and we wish him well in Salem.

**Chief Rosie Sizer, Portland Police Bureau:** And I'm Rosie Sizer, Chief of the Portland police bureau. Before I remark on the annual report of the independent police review division, I'd also like to give a nod to auditor Gary Blackmer, who has worked for years on issues of both police performance and police accountability. He has provided a structure that has allowed us to make tremendous progress and in addition to a structure, he recruits great volunteers and hires great staff.

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I'm very pleased in the changes contained in ipr's annual report for 2008. I think it contains lots of good news about the performance of our officers who work hard every day to provide for the public safety of this community. Citizen complaints are down 42% since 2004. Last year, we received only 453 citizen complaints from a high in 2004 of over 770. Force complaints are down, shootings are down. I think one signal statistic is that 479 officers avoided complaints altogether but received at least one commendation. This is 37% increase since 2006. City confidence in our efforts to control police misconduct and i.p.r.'s efforts continue to improve and we're making improvements in our timeliness of investigations and the thoroughness of investigations as well. I've been very happy to collaborate closely with the c.r.c. And i.p.r. In my three years as chief of police and pledge to continue to do so and I think the partnership is really paying fruit in the statistics you see in this report.

**Leonard:** Great, thank you. Questions from council? Thank you all very much. Anybody signed up?

**Moore-Love** We have three people who signed up.

**Leonard:** Did you have another name? Robert butler. Pull up a chair and let's get everybody seated.

**Debbie Aiona, League of Women Voters:** All right. Ok. Thanks. Good afternoon. My name is debbie aiona, representing the league of women voters of Portland. The league commends ipr staff for completing the 2008 annual report in a timely fashion. As firebaugh review pointed out, accountability to the public and transparency are two important functions of a civilian review board. Under the leadership of director baptista, improvements to the system have been instituted including a greater emphasis on outreach, clear written communications to complainants and training for investigators working with the public. The annual report noted a significant drop in complaints noticed by i.p.r. This could be due to increased interaction between police and the public or it could be due to a lack of trust in the system. The report says it's difficult to draw firm conclusions from the survey responses. The citizen review committee biased based policing work group successfully collaborated with Portland state and we suggest working with them again to get a better idea of why people are not using the system and what those who do think of it. In 2008, there was only one appeal hearing held before the c.r.c. In addition to providing complainants an avenue for appeal, the hearings give c.r.c. the opportunity to hear firsthand about police-community interactions and this informs their critical policy work. In the continued absence of appeals, the outreach coordinator should facilitate opportunities the for c.r.c. members to hear from the public most affected by police attention. This could very possibly lead to the identification of police policies needing revision. African americans continue to file complaints at a rate much higher than their proportion of the population. This demonstrates the importance of continuing the work of the crc bias based policing workgroup. Service complaints continue to be the category where most complaints are assigned. These include allegations of rude or unprofessional behavior, profanity and racial profiling or discrimination and not fully investigated. For the most part we understand that complaints are resolved quickly and complainants are satisfied with the outcome. In light of the large number of cases in the category and the potential seriousness of the allegations, we think an avenue for appeal is warranted. The parc report on officer-involved shootings and in custody deaths was released recently. The report contains valuable recommendations of critical importance to Portland residents. We urge you to schedule a council presentation and hearing on the report soon. Thank you very much for your consideration.

**Dan Handleman:** Good afternoon, commissioners. Good to be back here so soon after this morning. I was wondering if I could ask for a few extra minutes since i've been studying this review board for a long time.

**Leonard:** On the condition you give your name.

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**Handleman:** I'm dan handleman with Portland cop watch. I want to echo the league's comments there's some good going on at the i.p.r. I think often we're mistaken for our criticism being the only thing we have to say. But when we're limited time, it's hard to put in the good things. But they are much more open to listening with the new director than in the past. They've been putting the appeals forms in with the disposition letters. And the citizen review committee took on the issue of tri-met police and brought it before you at the Council which was great and the bias based police report was a bold step forward for the c.r.c. In general, this report is the same as the last couple of reports that came out from the i.p.r. Where they're drawing broad conclusions in places where it suits them but reject similar analysis whether it makes them look bad. The fact that shootings are down, we can't make anything of those trends until we see a much longer term. They've cut of the number of shootings in the past, in the year 1997 because they say -- the parc report cited the reliability of that data before 1997. In fact parc said that Portland cop watch had better statistics than the Portland police bureau did. In 1995, there was only been one shooting and the past two years there have been two -- one could say they've gone up since 1995, if you twist the numbers a certain way. So it's important to look for the broader trends. One reason for this as we've said in the past could be that the Portland police are using tasers now. Which is true but the report doesn't contain any statistics about the number of times police use tasers or compare that to how often they used to use firearms before that. That's going to be in the second report—the use of force report. And we've been saying all of these things should be integrated. The use of force, use of deadly force, the general complaints, everything in one place so we can take a look at trends and make a holistic view simple instead of taking it piecemeal. We agree at Portland cop watch that the parc report is one of the most important things that this city does and should be made before the city council. We're not sure why that last report came out, but has not come before you. Another example of something where the i.p.r. Report is more of a public relations effort than anything, the statistic that the satisfaction level is up 20 percentage points since 2005. That's true on the surveys they put out themselves, but starting last year, they stopped sending out a survey to every person that comes to their door. They decided to only send it out a couple of times a year. There are only 35 people responded to their survey this past year and when they say 44% of the respondents had a favorable opinion, that's 15 people out of 34 that actually filled out that question. So we're talking about 15 people out of 530 some complaints that the ipr processed. It doesn't show you what -- you know, how much favorable opinion there might be or not. And they also say the city, they believe the city wide survey is a better reflection of how much the people trust the system and that's 42% of people who think we have a good system of accountability and it started five years ago at 35%. That's only up seven percentage points. The thing that's really bothersome, the people who return these forms are sort of written off in the report as a self-selected group that doesn't represent Portland in general and yet these are the people who use the i.p.r. System. They know better than anyone else who knows how it works. The -- there's also repeated statements about how the i.p.r. Has the ability to conduct joint or independent investigations if necessary. That's never been done and we're still waiting for the day when the i.p.r. will finally do its own investigation. There are other confusing statistics. They say 25% of the cases investigated had sustained findings, but there's only nine cases out of the 529 they screened. That's only 2% over all. This is one of the things I. Firebaugh discussed. How you divide that sustained rate makes it look different. They note that one force, one use of force case was sustained but don't say what the circumstances were. They say in a bureau-initiated complaint, one use of force with firearm was sustained but don't say what the circumstances were for that. I understand there's a need for personnel matters to be private but there are exceptions to the laws for public interest and I think the people need to know if an officer was held accountable for using a firearm incorrectly. Thank you very much.

**Fritz:** Have you sent your testimony to us?

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**Handleman:** I haven't had time -- again, this report only came out a week ago and when I have it typed up, I'll send it to you.

**Fritz:** I appreciate that. Thank you.

**Robert Butler:** I'm Robert Butler. 824 SW 18th Avenue. I'd like five minutes. I was here almost three months ago on December 10th and I was very critical of the process. The mayor was very upset that I was upset and assured me -- Mayor Tom Potter, and assured me if I continued to work with these people, I would get satisfaction. So rather than working with them, the next day, Baptista sent her first letter to me: Rejection: Ok. Well, guess that's how that plays out. So there's two things that are happening here. It looks like possibly in one area of this, there's some corruption going on. Possibly area of corruption going on. The corruption is going on if it exists with the issuance of citations. Now, as you know we issue in Multnomah County a hundred thousand citations a year. And you also know that you get a cut of that action. You get a cut of those fines, don't you? This report smells bad. One part that really smells bad is when the report says that 91% of all the citizens of Portland that go way out to the trouble of making an official complaint against the police department, they toss them out. Your police review board tosses them out. That smells, that's stench. That's so bad, that they could toss out 91% of them. So why would they toss them out? Well, I don't know why. The motivation is you get a cut of the action. So what I've proven is, one -- and I handed it to you -- that on the face of it, in the light of day, Officer Brawn illegally filled out a citation and you have the citation are, the Oregon revised statute in front of you, I believe and you have the ticket and it's black and white. The rejection letter from an attorney, Baptista is apparently oblivious to the light of day and the law. She refuses to think there's a violation. The other -- well, why would she cover that up? Why am I one of the 91% being tossed out? I didn't bring the other evidence, which is kind of interesting and I can't prove that they're linked, but you have to ask if you're a good citizen, are they linked? And that's the fact that the police department, Chief Sizer's office, the officer, the commander at North Precinct, the police review board, they did -- they would not cooperate in allowing me to find out why the citation was given. I was given a \$242 citation and could not find out why. I did get some advice from somebody. You might be able to find out why if you go to the court. Go down to the circuit and just ask for the affidavit signed by the officer. Good, I made three attempts to do that and I was rejected on three times. That's against the law. It's against the law. I have a letter from the attorney general who investigated the supervisor of the clerical department traffic citations admitted she turned down my written request to let me have a copy of it. Now, that's really helpful for someone that's pretty interested in nickel-diming this to get some extra money and have people going to court not knowing what they're charged of or not understanding or stop work and wondering what was wrong. This action requires investigation. And I'm particularly perturbed by the police review board for smelling so bad, and for declining something so obvious as this, which I feel is pretty much incontrovertible.

**Fish:** I have one question, if I could. Just one. When a citizen gets a traffic citation, you have the right to contest it and have a hearing in circuit court. Did you avail yourself of that opportunity?

**Butler:** Yes.

**Fish:** Did you have a hearing before a judge on the citation?

**Butler:** Yes.

**Fish:** What was the outcome of that hearing?

**Butler:** I think it's irrelevant. I'm not going to answer that question. I'll tell you why. You're insulting me. I'm talking about whether or not I'm guilty or not --

**Leonard:** You've answered the question and [inaudible]

**Butler:** I'm talking about a violation of state law.

**Leonard:** Thank you.

**Leonard:** Thank you. Anyone else signed up to testify?

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

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**Leonard:** Go ahead.

**Crystal Elinski:** Hello, commissioners again. I'm crystal elinski. Thank you for letting me speak again. This is my day. I didn't realize this topic was here, but I feel like alice in wonderland. My experience is not matching what's been said here regarding the police review board and the c.r.c. And police conduct in general over time. And i'm going to speak as an average citizen that what I see -- I don't know if there's all of these agreements going on in this reality that i'm supposed to accept, but my experience with the police is over the last few years has been very negative to the point where I have a lot of trauma around it, and now that i'm homeless, it's a double whammy, it's really bad. And I didn't know there were these options to go to independent police board. Initially, with the first incident of police brutality, I asked the circuit court directly what I should do and they said bring a case against them and I asked a lawyer and they said file a tort claim, which I did. And over many, many months, I got private businesses writing me and saying I didn't file it in time. It wasn't official and wasn't from the courts and since then i've not been able to pursue it. But a year later, with another incident, I found out there's such things as Portland cop watch and the c.r.c. And I attended those meetings with Eileen luna-firebaugh, and followed it closely. The last few months i've been too busy trying to survive to follow it. What I heard today, they had a 180-degree turn-around. How is this possible? From my other than personal perspective, it's difficult. I didn't know I had this process and when I listen to others speak about it and how it didn't work for them. I'm glad you're discussing this and I hope we can have it on the agenda later. To listen to people's experiences. I'll give you the example of ms. child whose case was overturned and went through the same system where she wasn't heard by the i.p.r., the c.r.c. They turned it down. She got an apology from the mayor. She sat in front of you all and got an apology from the mayor but her case was overturned. Police brutality, a person riding a bike without a light and the stuff is happening every day and especially to homeless people. Thank you very much for listening. Thank you.

**Elinski:** Oh, I wanted to say that I think it was irene coniff, she had the perfect quote. She said we're ahead of the complaint process. I wonder what that means.

**Leonard:** Anyone else wish to testify? Mary beth, would you come back up? Commissioner Fritz has a couple of questions.

**Fritz:** Why is there such a high rate of dismissed cases.

**Baptista:** It wasn't as high as mr. Butler pointed out. I think we're hovering around 70 dismissals, so we're at 62%. The most frequent reason was officers' actions described by the party didn't violate bureau policy or constitute misconduct. I'll give you examples of what those come from. Traffic stops are one of the things this usually comes from. People are upset they don't have a thorough explanation of why they were pulled over but at the end of the day, we ask them, was the officer courteous to you? And if the answer is yes and there's not a rudeness complaint there, there's no judicial review and officers don't have to explain why someone was pulled over as long as they fill out the citation accurately. One of the best examples of a dismissal I've had in a while is a person driving back home to vancouver, Washington, in the hov lane -- driving a s.u.v. With Washington plates was pulled over because he was by himself in the carpool lane. He said the officer was courteous and professional, but he felt that the reason he was pulled over because he had out of state plates and driving a s.u.v. in Oregon. The reality is a lot of complaints we get follow along those lines, they're really just non-complaints when they come in. They are not misconduct, not rudeness, not a policy violation. So we get a significant amount of those cases that come through our doors.

**Fritz:** What happens when there's a need to change the policy? How is that referred to the policy-making body?

**Baptista:** On -- excuse me?

**Fritz:** On anything. You find there is not violation of policy. Who gets to decide that maybe that policy isn't what we want?



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\*\*\*\*\*: The --

**Fritz:** There's a policy they don't have to explain what the violation was?

**Baptista:** There

**Fritz:** Suppose we want to change the policy, how does that happen?

**Baptista:** It happens in the vehicle code. The vehicle code says what the traffic citation needs to include.

**Fritz:** So could the city of Portland require our police to explain, would that be a policy we could have and how would citizens go about getting policies changed?

**Baptista:** Obviously, the purpose of the is to look and -- of the c.r.c. to see if there's policies within the Portland police bureau that are up to community satisfaction.

**Fritz:** And does the crc review all of the dismissed i.p.r. Complaints.

**Baptista:** We have a workgroup that's looking at our case handling decisions and looking at whether or not the service complaints came up here today, looking at determining whether the cases we have and their processing of service complaints, are those appropriate? Should these have been investigations or not? And so far, the news from that workgroup is good. They feel like our case handling decisions are appropriate. They started with service complaints and going to move into other things.

**Fritz:** And that report will be published and people be able it look at it.

**Baptista:** Uh-huh.

**Fritz:** And what happens if someone disagrees with a dismissed complaint? Is there an appeals process?

**Baptista:** They can protest that complaint. To i.p.r. That's more meaningful than it might have been perceived in previous years. Now we have a structure where it's myself as the director and the assistant director and we're both screening cases. So the issue in the past, the same person is going to look at my protest that looked at my original complaint. That's not the case anymore. My assistant director reviewed the case and they protest it, it would come to me as a fresh look. And the reverse would happen. If I made the decision and then he would look at it and a fresh set of eyes.

**Fritz:** There isn't any appeal to the citizen review committee or somebody outside of the city employment?

**Baptista:** No.

**Fritz:** And has that been considered?

**Baptista:** I know that the community has -- wants an appeal right of every decision we make but I think the work of the citizen review committee is to look at our case handling decisions and decide if there's a need and problem there and I don't think they have.

**Fritz:** I notice there's a low response rate when you send out the satisfaction survey. 19%. Is anything being done to try to improve that?

**Baptista:** My understanding is that mail surveys have low response rates and we're not unique to that. However, i've been listening to the community's concerns regarding how we're gauging community satisfaction. Now that we have the outreach coordinator and I know the outreach work group of the c.r.c. Is also going to be coming back alive, if you will, I do hear this concern that we're not -- that we don't have a really good understanding of satisfaction and that there isn't the best measure through surveys, so I am listening and going to work with my outreach coordinator and outreach work group, and as well as our systems analyst who can devise methods and surveys to use. I'm open to p.s.u. And open to multiple ideas to resolve this issue or at least move forward on the issue.

**Blackmer:** We've done research on response rates on police victimization surveys or oversight surveys and feedback and we have not found a single jurisdiction that got more than a 25% response rate. And, in fact, eileen luna Firebaugh sent out a mail survey and had graduate students

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do telephone follow-up and follow-up and follow-up and they got about a 20% response rate as well. It's notoriously difficult to get response rates on these type of citizen surveys.

**Fish:** We're finding it's difficult to get response rate to anything. The foreclosure problem in our country is exacerbated in part because even banks legally mandated to send letters to say we can restructure your loans, people are not opening those letters for the same reason they're not opening their 401(k) statements or some other things. And I would just say as a person who is solicited daily on the telephone, online or on mail -- I probably feel like a lot of people. I have a no-survey rule, and it's not related to -- it's not calibrated to the value of the survey, i'm just inundated with that and just say no thank you. And a lot of people say there's a privacy concern. They don't know who is going to use the information and somehow -- and that's partly a function of telling people they should not give out information because there's so many unscrupulous telemarketers and so on.

**Blackmer:** That's true. A citizen survey that we send out every year, started at 50% response rate and year by year, gradually eroded, it's about 32% or 33% and hasn't changed in terms of its length, but ultimately, I think people are getting surveyed out.

**Leonard:** Dan handleman said the survey was only sent to 34 people.

**Blackmer:** We try doing sampling in this one. Just because we felt we weren't getting a good response rate with the broadest groups so we --

**Leonard:** That's a different -- those were complaints.

**Blackmer:** Just the complainant.

**Fish:** That was the universe of 500 or so.

**Blackmer:** When I was talking about the citizen survey, that's the one that audit services does.

**Leonard:** The survey he was talking about was a different survey?

**Blackmer:** Yes.

**Leonard:** Could you answer that?

**Blackmer:** The small numbers?

**Leonard:** I looked in the table on page 2, it says -- I think, there were 453 complaints, and according to dan, we sent surveys to only 34 of those people.

**Blackmer:** We received from 34. Didn't send.

**Leonard:** You received. You didn't send -- ok.

**Blackmer:** It was a sample of the whole group but a randomly drawn.

**Baptista:** 200 mailed.

**\*\*\*\*\*:** [inaudible] 12 months.

**Leonard:** Ok. And why wouldn't we send it to everybody?

**Blackmer:** We were trying to catch up with annual reports and we were running without a director for a while and we were trying to keep up with the workload and that was one area where we could do a sample and reduce our workload a little bit.

**Leonard:** I want to clarify the issue that robert butler was alleging that it wasn't told what the traffic violation was. Even he didn't say that in his written comments. He said the officer wouldn't write down the specifics of the detail. I'd have to say in my own personal experience, it was earlier explained why I got my traffic ticket in Portland, so --

**Fish:** Could I piggyback on one issue? The league of women voters raised the issue of the significant drop in complaints. The data of shootings down dramatically and complaints down dramatically. So there may be some cause for celebration, but do we know because it's because of improved interaction or a lack of trust in the system? Do we have data to shed light on that.

**Baptista:** The data sheds light on where the bureau has focused their efforts and energy, we've seen a reduction in complaints. You look at the force policy, it's a perfect example. There's a significant amount of resources and energy placed on that new force policy and officers responded and we see a significant drop in complaints. There's also new training. Customer service training. We used to get -- would show a reduction in complaints with customer service issues. Traffic

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tickets and those types of things. Everyone goes through customer service training now. I think the data does show where the momentum is within the bureau and where the focus is within the bureau is where the complaints are dropping. With that said, we now have the outreach position. We have strategic plan to deal with outreach that I was very transparent about. Got public input posted on the web. Sent to media outlets. Wanted to make sure that the community was involved with how we get out into the community of we've heard what they've said and we're going to implement that strategy and my hope when I sit here next year, we're going to have information from the community, someone who's been out there and doing the work and have a better answer for you.

**Blackmer:** One of the messages we want the public to hear, when they file a complaint, something good will happen and that's what this report says. Is that filing complaints, having our office, the citizen review committee and the police bureau working those, will result in change not organization. It's not a hopeless task for them to fill out the form and initiate a complaint. We really do view those as an opportunity for improvement.

**Fritz:** I think with all due respect, the data doesn't necessarily back that up. Until we get more surveys coming back saying i'm satisfied. If we have 62% of the complaints dismissed and 62% of the people, the fairness of the complaint outcome was unfair. 50% saying they didn't feel like it was well processed, we have to get some actual data to say that others were satisfied before we can conclude that the process is working.

**Blackmer:** Well, and again, that same research, there's very few organizations that got more than the 30% satisfaction rate from complainants. Whether it was england or california or minneapolis or anyplace. It's just a population that doesn't respond to surveys, a low response rate. But also they've had -- it's difficult to make them whole again after they've had a bad interaction with the police officer and it's hard to imagine them satisfied with anything we could do.

**Baptista:** I want to point out a distinction between something you said and what commissioner Fish said. Commissioner Fish, if I was correct, talking about community trust, where you're talking about complainant satisfaction. Am I correct in hearing those differences?

**Fish:** Yes.

**Baptista:** I think we have to target our efforts toward the community and having the community trust to come forward and work with us and trust we're doing the right thing. That is one effort we need to go forward and when it comes to complainant satisfaction, I think there are things we can do that we can have more faith they're being satisfied. We're working on getting these cases done in a timely matter now that we're fully staffed here and hopefully remain fully staff and the possibility of losing investigators on the table with the budget coming and it will clearly affect our ability with our -- we're on target for what we are focusing on, which is getting these complaints resolved in a timely matter. What you can see is that when people get information quickly -- which is another thing we're doing. As soon as someone files a complaint or complains over the phone or online, within five works days, they get a letter back from us now and it summarizes and explains what's going to happen next. And the more information quicker you get it to them, the more likely they're to feel involved in the process and someone's taking care of their complaint. And on the other hand, we're also completely revised how we communicate with complainants. We are eliminating jargon and harsh language and explaining to them why the matter was resolved the way it was. And I'd also say that iad has also been a great partner in this and they've also revised the language they use in their letters. And so I don't want to be -- I hesitate to use the word "beholden," but I don't want to be beholden that the way we're going to gauge complainant satisfaction is through surveys when we know they're not a good method. But we can report back all these ways we're communicating all of these ways of being clear. Whether it's a protest, whether their service complaint was not handled satisfactorily, they need to call i.p.r. We'll meet with them. Investigators and I will meet with them and an assistant director. I with rather come back and say I think the people are satisfied. Yes, we got a low response rate. But look at what we're doing to

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help them understand what happened to their complaint and it was taken seriously and I think we have to put those things together to gauge success.

**Michael Bigham:** I'm going to disagree a little bit with the i.p.r. Director.

**Leonard:** You are?

**Bigham:** I'm mike of the c.r.c. There's concern that there's not an appeals process for service complaints or --

**Fritz:** I.a.d? Sorry?

**Bigham:** Internal affairs dismissals. And we've had conversations about is some appeals process needed for those kind of complaints and that's one of the things that the case handling workgroup is looking at. Do we need an appeals process? I personally feel that overall, probably i.p.r. Does handle most cases very well, but there might be that isolated case that might be overlooked and needs to be listened to.

**Fritz:** And even more than that, for the citizen review committee so look at it and say, here's what we as citizens saw what happens. And I think that would help you with the policy issue to hear more.

**Leonard:** I agree. Further questions? Thank you very much. We need a motion. [inaudible] it's been moved and seconded. Karla, call the roll.

**Fish:** Thank you for discussion on this. We're clearly making progress and mary beth, you're a breath of fresh air in this building. Pleased to vote aye.

**Saltzman:** Well, I think this is an outstanding report. You can look at the glass, whether it's half full or empty. And I see a lot of encouragement, the trends and firsthand knowledge of how the bureau operates with internal affairs and interacts with the i.p.r., the citizen review committee and the office of accountability and professional standards, I think there's been really good trusting relationships that have developed that are working on the public's behalf. I want to thank director baptista and chief sizer, gary blackmer and the citizen review committee for all making credible progress in responding to citizen's interactions with our police. Pleased to vote aye.

**Fritz:** Again, it's worth saying that the crime is down and the police are doing a magnificent job in many areas and so are the citizens and auditor's office who are doing these projects and looking at accountability and thanks to league of women voters and Portland cop watch for being citizen experts and advising us. I heard something interesting in the last four months, and that's that whenever there are three complaints, whether upheld or not, that triggers an automatic performance review. That was good for me to hear. That there are mechanisms within the police bureau to make sure that all complaints, whether upheld or not, do result from a review of the officer's complete performance and I think that's a good strategy. I am glad there's an outreach worker hired and I hope they interact with the folks at the office of neighborhood involvement and office of human relations and using our network to reach diverse groups and community newspapers and youth and young adults who seem to be -- haven't been responding to the surveys. There's other ways we can get information and I would like to offer my support to help that happen and to work with commissioner Saltzman with the police bureau and the police relations committee which is under the human rights commission in the office of human relations. This is a good report and a lot of great people working on these issues. Thank you. Aye.

**Leonard:** I, too, appreciate the good work, the excellent progress. Thank you. The report's adopted. [gavel pounded] we're adjourned.

**Saltzman:** We've had two items that we didn't get to and there's -- need our vote. 532 and 534.

**Ben Walters, Sr. Deputy City Attorney:** Those were actually voted on after the elections report.

**Saltzman:** Ok. I was out of the room. My apologies.

**Leonard:** So we're adjourned until next wednesday, may 6, is that correct?

**Moore-Love:** Yes.

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**Leonard:** At 9:30 a.m. Council is adjourned. [gavel pounded]

At 4:11 p.m., Council adjourned.