



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 2<sup>ND</sup> DAY OF JUNE, 2010 AT 9:30 A.M.

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

Commissioner Leonard arrived at 9:35 a.m.

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

Item No. 802 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

		<b>Disposition:</b>
<b>COMMUNICATIONS</b>		
<b>781</b>	Request of Randy Toole to address Council regarding activism and social justice (Communication)	<b>PLACED ON FILE</b>
<b>782</b>	Request of John Blair to address Council regarding activism and social justice (Communication)	<b>PLACED ON FILE</b>
<b>783</b>	Request of Nate Looney to address Council regarding activism and social justice (Communication)	<b>PLACED ON FILE</b>
<b>784</b>	Request of Lew Church to address Council regarding activism and social justice (Communication)	<b>PLACED ON FILE</b>
<b>785</b>	Request of Chris Carlile to address Council regarding billboards (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>786</b>	<b>TIME CERTAIN: 9:30 AM</b> – Community Gardens Initiative (Presentation introduced by Commissioner Fish) 20 minutes requested	<b>PLACED ON FILE</b>

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<p><b>787</b> <b>TIME CERTAIN: 10:00 AM</b> – Disparate Treatment Complaints - A Complaint Handling and Case File Review Conducted by the Bias-based Policing Workgroup of the Citizen Review Committee (Report introduced by Auditor Griffin-Valade) 30 minutes requested</p> <p><b>Motion to accept report:</b> Moved by Commissioner Saltzman and seconded by Commissioner Fritz.</p> <p>(Y-5)</p>	<p align="center"><b>ACCEPTED</b></p>	
<p align="center"><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p align="center"><b>Mayor Sam Adams</b></p> <p align="center"><b>Bureau of Transportation</b></p> <p><b>*788</b> Grant revocable permit to PCPA to close SW Main St between SW Broadway and SW Park Ave from 3:00 p.m. to 9:00 p.m. on Wednesdays starting June 30, 2010 through September 1, 2010 (Ordinance)</p> <p>(Y-5)</p>		<p align="center"><b>183839</b></p>
<p><b>789</b> Designate a parcel of City owned property located at SE Lafayette St east of SE 74th Ave as public right-of-way and assign it to the Bureau of Transportation (Previous Agenda 675)</p>	<p align="center"><b>PASSED TO SECOND READING JUNE 9, 2010 AT 9:30 AM</b></p>	
<p><b>790</b> Grant revocable permit to Scandals Lounge &amp; Restaurant to close SW Stark St between SW 11th Ave and SW 12th Ave from 7:00 a.m. on July 4, 2010 until 1:00 a.m. on July 5, 2010 (Second Reading Agenda 741)</p> <p>(Y-5)</p>	<p align="center"><b>183840</b></p>	
<p align="center"><b>Office of Management and Finance – Human Resources</b></p> <p><b>791</b> Create a new Nonrepresented classification of FPDR Financial Manager and establish a compensation rate for this classification (Ordinance)</p>		<p align="center"><b>PASSED TO SECOND READING JUNE 9, 2010 AT 9:30 AM</b></p>
<p align="center"><b>Office of Management and Finance – Internal Business Services</b></p> <p><b>*792</b> Amend contract with S. Brooks and Associates for temporary recreation services for \$1,600,000 for the period of July 1, 2010 through June 30, 2011 (Ordinance; amend Contract No. 40828)</p> <p>(Y-5)</p>		<p align="center"><b>183841</b></p>
<p align="center"><b>Commissioner Nick Fish</b> <b>Position No. 2</b></p> <p align="center"><b>Portland Housing Bureau</b></p> <p><b>*793</b> Authorize a loan agreement with Villa de Suenos, LP in the amount of \$1,125,000 for the rehabilitation of 28 affordable housing units (Ordinance; Contract No. 32000331)</p> <p>(Y-5)</p>		<p align="center"><b>183842</b></p>

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<b>Commissioner Dan Saltzman</b> <b>Position No. 3</b>		
<b>Bureau of Environmental Services</b>		
<b>794</b>	Authorize a contract and provide for payment for the construction of the Oak A Basin Phase 1 Sewer Project No. E08387 (Ordinance)	<b>PASSED TO SECOND READING JUNE 9, 2010 AT 9:30 AM</b>
<b>795</b>	Authorize on-call contract with TestAmerica Laboratories, Inc. for laboratory services (Ordinance)	<b>PASSED TO SECOND READING JUNE 9, 2010 AT 9:30 AM</b>
<b>796</b>	Authorize contract and provide for payment for the construction of the SW Yamhill Street from SW 10th Ave to SW 11th Ave Sewer Replacement Project No. E10024 (Second Reading Agenda 757)  (Y-5)	<b>183843</b>
<b>797</b>	Amend Ordinance to correct concurrence requirement for change order for the Portsmouth Force Main Segment 2 construction contract Project No. E09039 (Second Reading Agenda 758; amend Ordinance No. 183705)  (Y-5)	<b>183844</b>
<b>798</b>	Amend contract with CH2M Hill for additional work and compensation for the Fanno Basin pump station pressure main–Garden Home Section Project No. E08293 (Second Reading Agenda 759; amend Contract No. 37100)  (Y-5)	<b>183845</b>
<b>Commissioner Randy Leonard</b> <b>Position No. 4</b>		
<b>Bureau of Water</b>		
<b>799</b>	Authorize Intergovernmental Agreement with NOAA National Marine Fisheries Service and Oregon State Historic Preservation Office for managing historic properties affected by an Incidental Take Permit issued to City of Portland (Ordinance)	<b>PASSED TO SECOND READING JUNE 9, 2010 AT 9:30 AM</b>
<b>Portland Fire &amp; Rescue</b>		
<b>800</b>	Amend fee schedule associated with Fire regulations (Ordinance; amend Portland Policy Document FIR-12.01)	<b>PASSED TO SECOND READING JUNE 9, 2010 AT 9:30 AM</b>
<b>Commissioner Amanda Fritz</b> <b>Position No. 1</b>		
<b>Office of Neighborhood Involvement</b>		

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<p><b>*801</b> Authorize grant agreements with Jerry D. Ryan and the Disability Resource Center at Portland State University, Port City Development Center and OMNI media networks for disability specific emergency self-preparedness trainings (Ordinance)  (Y-5)</p>	<p align="center"><b>183846</b></p>
<p><b>*802</b> Authorize grant agreements totaling \$42,000 to the Neighborhood District Coalitions to administer grant funds for the Graffiti Abatement Community Grant Program (Ordinance)  (Y-5)</p>	<p align="center"><b>183847</b></p>
<p><b>REGULAR AGENDA</b></p> <p><b>Mayor Sam Adams</b></p>	
<p><b>803</b> Authorize a grant agreement with Choose Local for \$4,995 to publicize the benefits of the Portland Rewards Credit Card Program to Portland residents, public schools and businesses (Second Reading Agenda 780)  (Y-5)</p>	<p align="center"><b>183848</b></p>
<p><b>Bureau of Planning &amp; Sustainability</b></p>	
<p><b>*804</b> Accept a \$20,000,000 grant from the Energy Efficiency and Conservation Block Grant competitive funding program administered by the U.S. Department of Energy as part of the American Recovery and Reinvestment Act (Ordinance) 15 minutes requested</p>	<p align="center"><b>RESCHEDULED TO JUNE 9, 2010 AT 9:30 AM</b></p>
<p><b>Bureau of Transportation</b></p>	
<p><b>805</b> Create a local improvement district to construct street, sidewalk and stormwater improvements from Glisan St to 74 feet north of Davis St in the NE 97th Avenue Green Street Local Improvement District (Second Reading Agenda 765; C-10035)  (Y-5)</p>	<p align="center"><b>183849</b></p>
<p><b>Office of Management and Finance – Financial Services</b></p>	
<p><b>806</b> Authorize additional revenue bonds for Central Eastside Urban Renewal Area (Second Reading Agenda 770)  (Y-5)</p>	<p align="center"><b>183850</b></p>
<p><b>Office of Management and Finance – Internal Business Services</b></p>	
<p><b>*807</b> Authorize continuation of the Chief Procurement Officer's signature authority for certain construction projects up to \$5,000,000 through June 30, 2011 (Ordinance) 15 minutes requested</p>	<p align="center"><b>RESCHEDULED TO JUNE 9, 2010 AT 9:30 AM</b></p>
<p><b>Commissioner Dan Saltzman</b> <b>Position No. 3</b></p> <p><b>Bureau of Environmental Services</b></p>	

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<p><b>*808</b> Authorize grant agreements and Intergovernmental Agreements with fifteen non-profit and public entities related to the Community Watershed Stewardship Program (Ordinance) 20 minutes requested (Y-5)</p>	<p><b>183851</b></p>
<p><b>Commissioner Randy Leonard</b> <b>Position No. 4</b></p> <p><b>Bureau of Water</b></p>	
<p><b>*809</b> Authorize Collection Agreement with the Mt. Hood National Forest to fund administrative steps in the Bull Run land exchange process (Ordinance) 10 minutes requested (Y-5)</p>	<p><b>183852</b></p>
<p><b>Commissioner Amanda Fritz</b> <b>Position No. 1</b></p> <p><b>Office of Cable Communications and Franchise Management</b></p>	
<p><b>810</b> Authorize City Attorney to commence legal proceedings for franchise enforcement (Resolution) 10 minutes requested (Y-5)</p>	<p><b>36790</b></p>
<p><b>Office of Neighborhood Involvement</b></p>	
<p><b>811</b> Authorize \$373,550 for grant agreements with Center for Intercultural Organizing, Immigrant Refugee Community Organization, Latino Network, Native American Youth and Family Center and Urban League of Portland for the Diversity and Civic Leadership Organizing Project for the period July 1, 2010 through June 30, 2012 (Second Reading Agenda 776) (Y-5)</p>	<p><b>183853</b></p>
<p><b>812</b> Authorize \$1,462,068 for grant agreements divided between five neighborhood District Coalitions to support civic participation services for neighborhood associations and individuals within their target areas from July 1, 2010 through June 30, 2015 (Second Reading Agenda 777) (Y-5)</p>	<p><b>183854</b></p>

At 11:52 a.m., Council adjourned.

**LAVONNE GRIFFIN-VALADE**  
Auditor of the City of Portland

By Karla Moore-Love  
Clerk of the Council

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

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**WEDNESDAY, 2:00 PM, JUNE 2, 2010**

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

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

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

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

**JUNE 2, 2010            9:30 AM**

**Adams:** We have a few very special presentations this morning. If mr. Martinez, chair of the Portland latino gay pride. Please come forward. Oh, i'm sorry, mr. Mada, I apologize. I am very pleased to declare the following: Whereas, the city of Portland is committed to diversity, social justice, equality, mutual respect as a fundamental aspect of a healthy and vibrant community and Portland is enriched by the contributions of the latino, latina, and lbgq, and civic participation and whereas, celebrating families and history, builds understanding and strengthens all communities and whereas, five years ago, the Portland latino gay pride held the first official gay pride celebration in the city of Portland, one day evening representation -- reception. And gay pride is holding a five-day celebration, june 2nd, through the 6th. And whereas, Portland latino gay pride events, and latino gay pride festivals have become traditions and has become the official kickoff of pride celebrations in Oregon. Now, therefore, i, sam Adams, mayor of the city of Portland, the city of roses, do hereby proclaim june 2nd through 6th, 2010, to be latino-latina gay pride days in Portland and declare our commitment to diversity and mutual respect in our community. Congratulations. [applause]

**David Martinez:** Thank you very much. Again, my name is david martinez and i'm proud to be here and in front of you. There's significance and value in taking a moment and taking five days to recognize and celebrate a group of people. Portland latino gay pride and you have the posters in front of you, started five years ago with the idea of -- of taking a moment and it was one evening reception to do just that. Five short years later, we have five days of events and activities. For all of us, this is a -- this is a moment that we're going to remember. And this is a celebration that we are proud to bring to our city of Portland. We were contacted from michigan during our process, when they heard what we were doing and wanted to find out how we were able to organize this celebration. One of our events, we're bringing two authors from new york city, and both of them have commented on how this is the largest event of its kind in the nation. So I think we're very proud to be able to bring this to the city of Portland and proud to invite all of you to participate in our event. And I want it take a moment to thank our committee members and sponsors and volunteers who made this happen. Because this was truly a community effort and we look forward to five days of celebrating of educating and inspiring.

**\*\*\*\*\*:** Well, again, mr. Mada here. I first want to apologize, I was at a volleyball tournament, and if I sound like mickey mouse, it's been a loud weekend. I would like to thank you all for recognizing this. This great thing that's happening in Portland, i'm ashamed to say what i'm about to say, this is my first latino pride here in Portland and i've lived here for four years and I wouldn't be - - couldn't be more excited because i've become a part of it. And not only has latino pride given me more pride as a gay male and a latino, it's gotten me involved in the community and I feel like it's cultivating leaders within the Portland city limits and I appreciate you guys recognizing that. Thank you.

**Adams:** Thank both of you and the entire committee and sponsors for putting this all together. It makes Portland a better, stronger, more interesting place. Thank you. And I will give you the official --

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**Fritz:** David, I want to thank you for your work on the Chávez committee and your work with the human rights committee. You're taking leadership to another level.

**Adams:** And Mr. Sallinger, come up. Whereas, the city of Portland has recognized the great blue heron as the official symbol of the region's efforts to sustain liveability for wildlife and residents and June 2nd, 2010, the Portland city council will proclaim June 2nd through 13th, 2010, as the 24th annual great blue heron week extending the celebration to 12 days and whereas, the great blue heron, as the largest heron in North America, standing four feet tall with a wingspan of six feet, gray in color and tinged with blue markings is a resident of the intertwine, the region's networks of parks, trails, and natural areas and whereas, great blue heron week invites you to celebrate the great blue heron in the natural areas, many of which occur in Portland. Such as the Columbia Slough and Oaks Bottom Wildlife Refuge and worked to protect the existing and add new parks and trails to enjoy and explore. I, Sam Adams, in honor of the great blue heron, a fitting symbol of liveability for the region's residents, both people and wildlife proclaim the week of June 2nd, 2010, through June 13th, 2010, as the 24th annual great blue heron week in Portland and encourage all residents to observe this week. Congratulations. [applause]

**Bob Sallinger:** Thank you, and I'll be brief today. We've got bumped from tomorrow when there's not a meeting so other folks can attend. We have a number of great events over the next 10 days or so. I'll send you an email over email. I couldn't print it out because the computer blew up. This is a collaborative effort. Metro, city of Portland, Vancouver Parks, and Greenways and a lot of different folks are participating and we have -- tomorrow we'll be on the river looking at the north reach, a big accomplishment for the council over this last year and the greenway options and trails and natural areas that will be protected. We have a sternwheeler cruise on Saturday up and down the rivers that a benefit for Audubon and the big event is the Regatta, a week from Saturday. We'll have a lot of folks on the river going around Ross Island, which is a big accomplishment for the city over the last couple years, the protection and restoration that's going on and the no-wake channel that will hopefully be in the channel over the next year. There's a reason we only see the great blue herons in certain areas. Ross Island, Bybee Lakes and the Sauvie Island. They're an indicator of the habitat we have left and the importance for setting aside these things. It's our city's bird and it's amazing we have them in the city but it's fragile and we could lose them easily. And we need to be protective of those and the intertwine to create a system of parks and trails and natural areas for people and to support wildlife. And we tend to focus on the salmon in the city but we have amazing bird populations. Nearly 200 that pass through and that's a great thing to strive through because there's a lot of things we can do not just for herons but all of the biodiversity that passes through. To the bird-friendly building design and the initiatives like the intertwine to protect our natural areas. Thank you.

**Adams:** Thank you. And we don't often have the opportunity because we're so focused on substance to thank you, Bob, personally, and Audubon as a group, for the fact that the scope of your advocacy is also well beyond birds but -- and we appreciate it very much. Agree or disagree, I couldn't imagine Portland without your particular voice and without the Audubon Society. So thank you.

**Fish:** There's a sternwheeler, I think a week from Sunday trip?

**Sallinger:** This Saturday.

**Fish:** And who is the tour guide.

**Sallinger:** I'm the tour guide.

**Fish:** A highlight.

**Fritz:** Thank you.

**Adams:** We'll now move to communications. Karla, can you please read the title for item no. 781.  
**Item 781.**

**Moore-Love:** He's not able to make it.



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**Adams:** We'll got to read them all. Please move on.

**Item 782.**

**Item 783.**

**Item 784.**

**Adams:** And just to -- so that the rules of engagement are clear to the entire community, we can only have one person sign up for themselves. People need to sign up for themselves, and so that we prevent like today, we were all filled up but we actually have three openings. One person, one sign-up. Hi, Lew, welcome back.

**Lew Church:** Hi. I gave copies and I don't know if you've had a chance to distribute them yet. Document me to? I'm -- do you want me to? I'm Lew, from the tenants' rights project and I brought a copy of a thesis by Tom, he's a senior at Reed. This is on central city concern and housing. And basically, in three minutes, I want to try to touch on different areas in terms of social justice. And housing. The things I'm thinking about are bureaucracy, democracy, and poverty in particular. Those three things. It's good that Portland markets itself, I think, effectively in terms of pro-diversity and gay rights and ecology. In terms of social justice, of course, in politics, statements and aspirations will tend to be something that possibly off in the future rather than something being implemented at the moment. In terms of Tom's particular thesis, he talks a lot -- it's 100 pages -- I don't expect each person to read it. We hope that Nick in particular might have a staff person look through it. The last third is about central city concern, rhetoric and propaganda. We believe a number of problems and issues in Portland, whether there's tri-met, central city concerns, the recent killings by the Portland police, the killings of two women pedestrians by a tri-met driver. Deals with democracy. Which Randy probably doesn't remember. Central city concern, a bureaucracy, like others and that tri-met is not technically in the jurisdiction of city council. Obviously they're central players to the community. And in Tom's thesis at Reed and we were glad that Tom's come to our meetings for 20 weeks in a row for tenants' rights projects and talking to tenants. Tom stresses the idea that central city concern is not fulfilling its mission in terms of being a landlord and it's different than its marketing image of recovery and homelessness. When we did a program on KBOO on central city, that was one of the points we looked at. The rhetoric versus actual implementation. There was a tenant in the past week in the Butte, for example, because of the rampant and ongoing slumlord and persistent pest control practices, managed by central city concern, Ed Blackburn, the CEO, having a huge pest control problem and trying to get that addressed. We'll continue to work on organizing on these issues.

**Adams:** Thank you. Appreciate your testimony. Please read the title for communications item no. 785.

**Item 785.**

**Adams:** Mr. Carlile. Please come forward. Welcome. You just need to give us your first and last name and you'll have three minutes, count down with that clock.

**Chris Carlile:** The clock in front of me. It's driving me nuts. Chris Carlile. Sorry, what else did you need from me?

**Adams:** Just your name.

**Carlile:** Ok, first off, I'd like to thank you and the council for hearing this sensitive subject.

**Adams:** Can you move the mic closer to your mouth?

**Carlile:** Yes.

**Adams:** There you go.

**Carlile:** We've done research for years and years, almost four years, and information I'm going to provide, we've done our best to be accurate but there's no guarantee it's completely accurate because it's done by about 15 people so we've done our best to be accurate. A lot of things are accurate, but as a disclaimer, we wanted to say in the beginning. Let's see, over the last four years, we've done a monumental amount of work. You have information about billboards in the city of Portland.

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There's no way for me to cover all of the information in this extort time. About 1% of it. Let me say that i'm in the billboard business, for about 20 years and been to the Oregon court of appeals dealing with billboard issues. We have a section in the Oregon constitution which says you can't distinguish between on premise and off premise signs. I'm going to use the word "billboard" although the city doesn't look at them as such. They look at them as just signs. We spent years trying to make sense of the sign code. More than 50 public records over the years. Approximately four years to gather the information we have today. I know this has been a long and difficult, expensive road for the city of Portland and the most information we received did not come from the city of Portland. They -- it turned out that dealing with andrew and caroline and a few people who have been helpful. Most of these came from other entities, the city club and other entities similar to that. We were interested in building a few new structures in the city of Portland in exchange for user fees, franchise fees, whatever you want to call it and the purpose would be for the city to generate income for the city to get a better understanding of the situation the city is in as far as the locations in the city. The fees would help generate a tremendous amount of money. The -- our company is willing to do revenue sharing, between \$2.5 million and \$5.5 million. Not talking about a couple of dollars and that's over a period of 10 years, in the city of Portland, there are almost 600 some odd billboards. Of these sign, we've gone back as far as 1970 and some signs are 14-by-48 and some would be 12-by-24 and some are back to back and some single face. The -- i'm out of time.

**Adams:** Go ahead and summarize.

**Carlile:** Ok --

**Adams:** What's the key point you want to leave us with?

**Carlile:** We've done a database where we've gone out and found a longitude and latitude on every single sign in the city of Portland. Took two years, and identified 400 and plus signs that have never been permit permitted. Nothing on it. We have provided that -- or we have that and would like to provide that to the city so that the city might be able to deal with that. There's over 120 letters written to the city about signs that are illegal and those signs, even though they've been told to be taken down, they have not. They're all still up and we have all of that information. You know, this is -- the inventory has been -- has always been a issue for the city. I know you've been told by the billboard industries that you've been given inventories which I know you never have. The one we have today is very accurate. You can go on google, it's on our computer system, you look at it from the air and the street and every single way. I apologize for --

**Adams:** Sounds like you've done a lot of work and I will give you a card so you can follow up with my office.

**Carlile:** Thank you. I apologize for going over.

**Adams:** That's ok. I appreciate all the work and I look forward to following up with you. That's all right. Karla, next -- don't go anywhere, though. Next -- i'll give you this -- it's ok -- next is the consent agenda. Thank you, sir. Anyone wish to call any items?

**Fritz:** 802.

**Adams:** 802, just pulled.

**Fritz:** Yes, I want to talk about it briefly.

**Adams:** Any others? Karla, please call the vote on the consent agenda.

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

**Adams:** Aye. [gavel pounded] consent agenda is approved. We have two time certain. The first one is scheduled for about 20 minutes. Can you please read item no. 786.

**Item 786.**

**Adams:** Commissioner nick Fish.

**Fish:** Thank you, mayor. I'd like to invite steve and emily to come forward and I have a brief opening statement. Mayor and colleagues, last fall, the mayor and an launched an Oregon solutions

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project to address the growing demand for community gardens in Portland. The parks bureau sponsored over 35 gardens and that's over a thousand plots in our community. But the reality, we have almost a thousand Portlanders on our waiting list for a plot in one of our community gardens and the list is growing. And under the climate action plan adopted by the city and county, we've committed to adding at least 1,000 more plots by the year 2012. Over the course of the last seven months, over 30 partners and community leaders came together to figure out how to expand opportunities for growing food. Here in Portland. And through an Oregon solutions framework, we identified several needs and actions that we can take collectively there both the short and long term.

Some of the outcomes include the development of a new community garden toolkit where Portlanders can find out about resources and opportunities available in the region. Updating or maps of community gardens to include the latest within the city's program and other sites like schools and churches. And formed a new annual phone base to improve communication with those on the wait list and provide resources and update our program database and received general financial and in-kind contributions including \$50,000 from the east Multnomah water and soil conservation business and the city has made a commitment of at least \$1 million in a future bond measure to invest in community gardens citywide. And we have some distinguished guests this morning. First, Jean is here from the east Multnomah soil and water conservation district and Weston Miller from the Oregon state university extension program. Both were valuable team members of the Oregon solutions project and here to share a little bit about this project. Before they speak, I'd like to introduce our Oregon solutions project manager, Stephanie. She's set agendas and provided the structure for moving the process forward. Welcome.

**Stephanie Hallock:** Thank you, commissioner, mayor Adams, and members of the council. I'm Stephanie Hallock, based at Portland state university in the urban center and we do collaborative community-based problem solving and I've been the project manager for the community gardens project which has been a whole lot of fun, I must say. Last year, the -- in responsibility to a request from the city, and interest in the public and opportunity to grow food in the Portland metro area the city requested that the governor designate Portland community gardens as an Oregon solutions project. The governor did that and named commissioner Fish as the convener. The commissioner pulled together a team of about 30 nonprofit business and public entities to meet as a team. We started meeting last October. And finished up early in year. And what I have -- I hope provided to you this morning, is a declaration of cooperation which we will have a signing ceremony for later this afternoon at the east Multnomah soil and water conservation district office. And this is one of the products, as the commissioner mentioned, there were several things that the team did. This is one of the products of the team's efforts and it -- it spells out specifically the commitments that the team has made to each other. To the governor and to the citizens of Portland and what they intend to do to continue to support growing food and gardening in the Portland metro area. On the second page of the declaration, you'll see there are a list of key findings that came out of this process that proceed the various places where people will be signing and the findings illustrate clearly why there are still challenges to be met and this that this declaration is a pledge of a beginning, not an ending of a process. And some of those challenges so you're aware, is, of course, the future funding and capacity of the city's community gardens program and the capacity of the friends of community gardens as a nonprofit fundraising entity and providing more gardens to underserved parts of the city. Maintains a good database of the gardens and the people who participate and the continuing need for collaboration and cooperation among the city bureaus to reduce barriers and improve access and maintain a regional network delivering local and healthy food. The city did support this project financially and also thank commissioner Fish in particular. We have now put through this process a collaboration in place, with a set of specific commitments to be fulfilled. And your continued leadership is going to be crucial to meeting those commitments. I'd be happy to answer any questions before my colleagues speak, but Jean is here to talk about their contributions and

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she'll be hosting the signing ceremony later today and weston is here to talk about how it fits in the big picture and one the activities that's spun off, a --

**Fish:** Let's have everybody speak first and then we'll take questions. Jean, welcome.

**Jean Fike:** Good morning. I'm Jean with the Multnomah soil and water conservation district. I'd like to thank Nick Fish in particular for convening the Oregon solutions process and including us in it.

**Fish:** We're not only grateful that you participated, but grateful that you put \$50,000 in it to help us meet our goals. You set a standard. Thank you.

**Fike:** Thank you. Portland community gardens program is a great jewel. It's unusual to see so many different types of benefits from community education, environmental education, healthy soil, children introduced to the joys of truly fresh produce and people having an opportunity to have a better appreciation for fresh high-quality local food. Nothing like growing your own food to help you appreciate a farmer's job. At this particular time in history, food raised in the community gardens can be an important supplement to a family's diet. And over those requiring emergency food are children. Providing the public with a place to grow healthy food has never been so important. It's timely. Soil and water conservation districts have our origins in the dust bowl years. At that time, drought and poor farming practices created a human health crisis. The likes of which we have not seen since. A nation with some of the world's best agricultural soils stood unable to feed its own people and without stretching the analogy too far, if you consider in the northern willamette valley we have some of the very best agricultural soils in the world. Under our feet right now and under a whole lot of pavement all around us and despite this fabulous natural wealth too many people here are hungry. So the community gardens program can help use at least some of this gorgeous soil to grow food. For this reason, we're pleased to contribute soil testing for prospective new gardens on the east side and \$50,000 for development of additional community gardens, again, within our district. We look forward to working with the friends of the gardens and the city to put more gardeners on the land as soon as possible.

**Wes Miller:** Good morning, my name is Weston Miller. I work with the OSU extension service. I help individuals and organizations to be successful in gardening endeavors and support stable and resilient food systems and ecological landscapes. I'd like to thank Nick Fish and Emily Hicks for including me in this process. During our meetings, I chaired the organizational structure subcommittee and what we found was that in addition to providing recommendations for the city municipal community gardens program, there's an awful lot of interest in growing food in Portland and in lots of different settings and in a regional food network. In terms of increasing opportunities for growing food in Portland, I hope the interbureau taskforce established through the Oregon solutions declaration of interdependence or of cooperation will help to push the envelope in this regard. We hope the city can work with school districts and churches and other large tract landowners to put lawn in food production to garner many benefits. Portland has an opportunity to be a leader in this regard. Lots of other cities and states and counties are moving into urban agriculture and Portland is ahead of the curve and I hope we can continue to be so. There's a desire to form a regional food group to address the opportunities and challenges that we face. Really thinking on a large scale, a regional level. Commissioner Fish suggested such a group might function like the regional arts and culture council supporting a common goal. We've met with various groups, subsequent for the Oregon solutions process and in May, we ended a meeting early because we finally all agreed that a regional food network was appropriate. Our goal is to connect, convene, catalyze and facilitate clear communication and collaboration among local groups and individuals concerned with food, from soil, backyard production to big box retail and everything in between, including education, equal access, emergency preparedness. We hope to keep an eye on the big picture. We're starting with the tricity metro area and hope to think about a hundred to a 200-mile radius of the city. And to create a responsive network to enhance communication,

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collaboration among all interested parties this topic. We have representatives from east Multnomah soil and water conservation district. Clackamas county, Multnomah county, osu extension, Oregon sustainable agricultural land trust. Friends of community gardens and ron paul with the james beard public market. We hope the city will consider participating in this network. It would be great to have you at the table. Thank you for your consideration.

**Fish:** Thank you.

**Adams:** Thank you all very much. Anyone signed up to testify?

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

**Adams:** All right. This is a presentation. Is there a vote?

**Fish:** I think -- that's a good question. Emily, is it just a presentation? If I could make closing comments. Of course, if there's questions from my colleagues.

**Fritz:** I wanted to comment, first, this is a wonderful project. Congratulations, commissioner Fish for bringing together these partners and commissioner Saltzman, for your assessment earlier of the ground available.

**Saltzman:** Diggable cities.

**Fritz:** Right, this is something worked on for a long time. I want to recognize leslie paul in the parks bureau who has been working on -- there you are. Thank you for being here. And others who have recognized for decades that we need to I don't our ground carefully and we have this wonderful rich soil in the willamette valley and we need to feed hungry people and recognize the mayor for the victory garden -- what did you call that?

**Adams:** The better together.

**Fritz:** I'm struggling this morning. We need to use our ground wisely and our time wisely and people wisely, our resources, it's fantastic that governor kulongoski recognized this as a Oregon solutions project and really show that is even in these tough times if everybody does a little bit, we can do magnificent projects like this. I do want to thank all of those community gardens volunteers and passionate gardeners who have kept it going and provide water to the lots and volunteers to put kiosks and raised beds together. It's a magnificent project. Thank you for being here today.

**Adams:** I want to commend commissioner Fish for his leadership, commissioner Saltzman for his earlier diggable cities and thank all of you. Recognize amy ruiz on my staff. And look forward to the next steps, working with the food policy council for the city of Portland. And others, to help move forward the vision of a regional network makes sense. Thank you.

**Saltzman:** Well --

**Adams:** Go ahead.

**Saltzman:** I wanted to thank Oregon solutions and commissioner Fish. This is a very important issue. As people increasingly -- i'm increasingly appreciative of where food comes from and aware of that and certainly to the extent that people can get food from community gardens is a good thing for our community. I like what you said, how it makes people appreciate the work of farmers. Very much so. I think under-appreciated segment. And it's incredible when you think of how much food is produced in this country for -- by so few for so many. But not enough and we need to make sure that our gardens are going toward ending hunger and a big part of the community gardens program is to make sure that surplus food does find its way to the Oregon food bank. Thank you all.

**Fish:** If I can wrap up, mayor. I want to say that community gardens are relatively small in scale but represent a big idea and what i've learned over the last seven months working with an extraordinarily talented group of people. 30 groups working across the city and state, is that some of the most important values we hold dear are incubated and strengthened through community gardens. It's a place where people come together to grow things and get dirty. It's a place where community is strengthened. It's a place where hungry people get to grow food and i'm proud of the various collaborations. Like the shall sun school programs can have a plot and grow food for the

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kids. There are places we learn about our environment and soil and our ecology. They're treasures of communities throughout our city. That's why we have over 1,000 people on a wait list asking for one. They are an opportunity to do public-private partnerships on a scale never really imagined around here, because while we can do our parts or parks and surplus land, the fact is that schools and churches want to be full participants in this, among other organizations. So community gardens, if you unpack this -- this concept, what you find is some of the values that make this community so special. And this program was designed to take a look at one part of our portfolio and find out how we can put it on steroids, sort of, greatly expand it and bring the benefits of gardens to people throughout our city. This would not have happen fire department we didn't have a champion here. And we have a champion in mayor Adams and joined with me in asking the governor it make the designation of a Oregon solutions project but packed it up by putting a appropriation in the budget so that city could fund its participation and this is part of the whole cluster of healthy Portland issues that the mayor and council are working on. I want to thank you for your strong support and thank amy ruiz for her work on the committee. But in addition, I want to acknowledge the role and commitment that each of my colleagues has made to make this a success and in the declaration of cooperation, many of the bureaus of this city have committed to be part of an intergovernmental taskforce to remove barriers and specific bureaus have made commitment to donate resources to make gardens happen. From the water bureau to pbot, the bureau of environmental services and planning and sustainability, among others, I want to thank my colleagues and those in the bureaus for being part of the solution going forward. Attachment a in the document each. You has is the community gardens Oregon solutions team and it's a honor role of people who participated. I won't read all of the names but I want to thank everybody who participated and particularly our committee chairs who really did great work. People like weston, who in addition to coming to the meetings chaired committees that met separately and did some of the heavy lifting and helped us be successful. So thank you. It's not often that at a time like this, you get to acknowledge the person who but for their vision and their energy, there would never have been a program. But I want to join with commissioner Fritz in acknowledging leslie. She's the mother of our city's community gardens program and birthed it and brought it to this point. Raise your hand so we can acknowledge you. [applause] leslie has been very busy in the past six months, we've opened new gardens at bethel elementary school and madison high school and an extension at brentwood and the beauty of the these is in addition to being community gardens while located, they're adjacent to schools and embraced by the school communities. And so we got the additional dividend of having the gardens integrated into the schools and their curriculum and making them accessible it kids. I'd also like to acknowledge the work of emily hicks from my team who has been guiding this effort from the beginning and looking not only -- and by the way, she has a degree in public health from Portland state university. So well suited to this work. But she's broadened our focus to include a whole range of healthy Portland initiatives and that will include working with the mayor to strengthen our partnership with farmers market and include a healthy snacks program which will get the junk food out of our rec centers and boosting the growth and expansion of our community garden program but also new partnerships with people in our community attacking hunger and that includes programs that this council has supported which provide new programs for children to get a healthy meal at one of our facilities and want to acknowledge, thanks to the mayor and this council's support, we've restored all of our playground programs this summer, which are sites for -- half of which are sites for kids to have a healthy meal. This is a happy day. To emily and amy and steve and all of the folks here at the city who worked so hard, a heart-felt thank you. It's a pleasure to work with you and the final work project speaks for itself. Leslie and michelle, I want to acknowledge the leadership you've given over the years. And in closing, I want to acknowledge that this is about strengthening partnerships between government, schools, businesses, and nonprofits. We believe that by bidding coalitions, empowering new

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leaders and coordinating initiatives and communicating a collective vision we can find a way to meet the need here in the city to grow food. This is a first step of a larger agenda and thanks to everyone who is here for sharing their story and we look forward to putting this into action and building from here. Thank you, mayor.

**Adams:** Good job. [applause] thanks for your work. Karla, please read the title for council report item no. 787.

**Item 787.**

**Adams:** Auditor griffin valade where did she go? All right. Well, we're glad to have you here and look forward to your presentation. Who would like to begin?

**Michael Bigham:** I'll begin. I'm michael, the chair of the citizen review committee. Mr. Mayor, members of council, it's my distinct pleasure to be before you again and help present this report on disparity treatment complaints. This work on disparate treatment complaint. This committee has done a lot of hard work. Three committee members were originally appointed to the bias working group in december of 2006. Cheryl owens was the chair, hank and marcelle redman thunder and mark and joanne jackson were open the original committee. Mark johnson and joanne jackson joined the workgroup and marcelle resigned in late 2007. Lorrie stewart, ipr senior management analyst staffed the majority of the meetings beginning in 2007. And current director mary beth baptista also attended meetings. I want to clear up a misconception that this workgroup found no bias within the Portland police. I think the author of that article missed the point of what this workgroup was tasked with. It was instead, the original charge was to evaluate the handling of disparity treatment complaints -- of disparity complaints. Portland is no exception, but the scope of this workgroup was narrower looking at pir and -- ipr handled the complaints. The workgroup held more than 20 meetings open to the community members in the interests of transparency and to facilitate public comment. Bias [inaudible] met twice in the Portland's chief of Portland.

**Hank Miggins:** I'm hank, I served on a committee. I would like to restate to be sure we understand what the mission of this workgroup was. The objective was to review the work of ipr to determine whether complaints by police activities were caught in the process of intake and once we made that determination, derek, laid out a plan for the methodology how we would go about it.

**Derek Reinke, Independent Police Review:** Good morning, mayor and commissioners. I'm derek, the analyst with the independent police review commission. My role was to staff the workgroups, so I maintain the database of complaints and do annual and quarterly reporting and special workgroup policy kind of studies like this. Mostly issue areas that the crc comes up with in terms of what they want it look in and i'll help staff that withdrawing saxes for them to audit through and help them reconcile or collect thoughts into one cohesive report or set of recommendations so that was basically my role with this group as well. Over the two-year period reviewed, there were just over 100 complaints of disparate treatments. I pull aid sample which include about a third of those. So one in three complaints were looked at. And one of the points that I stressed as the author here is that we have a pretty good general ability or confidence in saying things about this is probably what complaints look like or probably how the complaints were handled since we reviewed one in three of this type or a decent number of the complaints that came in the door. When we tried to extend beyond complaints and say this is generally how officers are interacting on the street with Portlanders, that gets more tenuous to make those conclusions based on a small sample of things that led to complaints. This only represents one in every 14,000 police-to-citizen interactions that happened in the community. Those generalizations are much harder to draw and we should be much more careful with those. My role once these -- the workgroup was finished reviewing the cases, was to go through their checklist and comments and try to derive that into some kind of qualitative analysis and I was able to get assistance with from a Portland state professor so this wasn't just my view of what the workgroup was seeing but two of us was looking at that and the workgroup was involved in reviewing each draft as this process was written up. And

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then we led into some interim findings and recommendations about a year ago. Floated those around through many community groups and sought feedback. The work group reconvened and reviewed feedback it received. Met a couple of times with the chief of police and then finalized this report and i'm going to hand it back over to Hank for the findings and recommendations.

**Miggins:** The time that this work group was in process, we met with the mayor's police profile -- racial profiling committee on two occasions and met with the chief of police and other members of the bureau to discuss what we were working on. Our observations found that although we found issues with the processing, that every one of those issues were immediately acted upon by the ipr we found it was only one in 12 allegations of disparate treatment missed by ipr and that was involving a young man on the Max train who was profiled and the ipr -- sorry -- missed that allegation because he was profiling as a gang member simply by the clothes he was wearing. We did not find any evidence of bias-based handling of any of the cases but we did find circumstances where the intake process involved the person making the intake backing somewhat impatient with the complaint. We felt that -- with the complainant and made for the complaint didn't get in. Those items were addressed and training provided to the officers who did intake and in one case we found that an intake officer somewhat criticized the complainant about his behavior rather than taking the complaint. Again, that issue was handled immediately by ipr. We ended up with a few recommendations that we are leaving. The workgroup was interested in having a potential research to follow up on the patterns and in the large sample of data that would bring a better understanding of what disparate treatment was about. The issue of pretense stops and minority and driver complaints, the recommendations for our ipr, we recommended -- we visited the tone of the investigators when they were doing the intake. And how you deal with the complainants. Typed up the officers' procedures to make sure that the file contained the complete complaint and the report as made by the complainant. We recommended they provide -- that the iad. Provide additional training for intake officers. And above all, recommended that the -- that the ipr make full use of the new outreach coordinator, which we believe was one of the weaker areas in our search. Recommendations for CRC, we recommended the CRC, we follow up on this area at some point to see that all of these recommendations are met. More attention to paid to officers and communications and trust which goes back to the communications outreach -- the outreach officer. And have more consist the presence when we're doing audits of the ipr and iad. Gem all of those items were put into place. And during the course of our work, we worked with the chief, and one of the things that was -- came out of that was the business cards for police officers on the streets. We did discuss the item of pretext stops which the chief's report did not include at the time. I believe it has now and -- been put in, is that right?

**Reinke:** I don't know if she's revised her profiling plan or what's happened to that since.

**Miggins:** We had self meetings with the chief on the issues in here, as well as discussion with the mayor's racial profiling committee. And we felt the work done by ipr and the intake process was very thorough. Documented very well with a few exceptions as i've mentioned before. And that was the basis for our report.

**Adams:** Is that the end of your presentation?

**\*\*\*\*\*:** That's it.

**Adams:** Commissioner Saltzman?

**Saltzman:** When you talk about intake -- some problems maybe with investigators not showing proper respect for the person making the complaint, are you talking about ipr intake investigators?

**Miggins:** Right. It was a matter of paying attention, giving deference to the persons making the complaint and paying respect.

**Saltzman:** I do have -- I think Mary Beth maybe has comments.

**Mary Beth Baptista, Director, Independent Police Review:** I'm Mary Beth Baptista. Of the independent police review. I came on as this report was in. Recommendations stages and first



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interim draft and we went to work immediately. One of the main things we did with the ipr initiate investigation, we met -- we met with each of the investigators and discussed that our visions with a bit different than it had been in the past and our focus for that initial investigation, I wanted them to shift away from trying to form allegations and shift toward listening to what the complainant had to say. We emphasized a word picture, so we could hear the what, when, how, where and how and let the conclusion with the director who is making the decision with what to do with the case. We shifted away with them having to do with the decisions, which was to explain officer behavior on explain what ipr may or may not do with the case. It was off-putting to people, especially those who were making these complaints to hear one person's word against the other's so we're going to recommend it be dismissed. That was problematic and we shifted that tone to more having the investigator focus on listening to what happened so we could make the best decision. We also, with the help of our outreach coordinator doctor, a 12-hour cultural competence class and all of ipr staff had this training. Where we learned about impression theory and how to interact with behaviors and how to listen and have those difficult discussions, I think the investigators needed those tools to learn how to have these conversations because they're difficult and we won't be missing those allegations because we'll be better able to deal with people and disparate treatment.

**Leonard:** One of the things I want to first just observe as I have read the report is a theme that's been reassure to go me since i've started working on some of these issues and that is that iad has been consistently referenced to me, either in my discussions with ipr or the auditor and now in this report, as always, doing a very outstanding independent investigation. And so that's reassuring. And should be to the community. However, you did note in here some of what I learned as well. That problems begin to occur after investigations leave iad and then go to the commanders and in your report, you found that of the seven cases that were reviewed, that iad was involved and went to a commander, only two of the seven, you agreed with the findings of the other five. The committee was split as to whether or not the commander acted appropriately. So i'm interested in -- and I understand the limitation of this report, was to talk about how complaints were handled. But I have a broader interest in that, and that is what generates the complaint in the first place. And the thing that you don't talk about here that I intuitively understand, if you have 90 people complaining or 100 complaining, how many in the community don't want to complain at all about the same thing. I have a feeling that's an exponentially larger number than those who take the time to complain. But given that the scope of this is rather limited, and given that some of this ties in with some of the ipr empowerment reforms we went through, what is it that we're learning about these reports after they leave iad and hit a commander's desk that not only sometimes ends up making decisions that you all don't agree with but oftentimes adds months and up to a year. Do you have any impressions what can be done better other than having these complaints that are by all accounts investigated fairly and thoroughly and properly, but then after they leave aid, they enter into the world that we can't get our arms around.

**Baptista:** That's not unique to these types of complaints.

**Leonard:** Right.

**Baptista:** These were the issues we were raising when it came to our ordinance changes. One of the changes are that we are to study timelines of the bureau -- as well as ipr. Ipr and the bureau. And study timelines and ways we can make -- shorten them and have the processes be more efficient and through the implementation process of the ordinance, that's one the areas we're studying and working with the bureau and city attorney's office to examine that issue per the ordinance.

**Leonard:** We're working on that and we'll at some point, hopefully have some recommendation to alter that existing process or at least have some objective standards as to how complaints are handled.

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**Baptista:** And the bureau of human resources is also involved and all of us are working together on the implementation of the ordinances.

**Miggins:** I'd like to point out one thing. I didn't discuss it much. Some of these complaints are the -- were the results of the manner in which the police officer on the street dealt with the client in the first place. And those could be misinterpretations but the manner that the police officer dealt with the client on the street is what caused some complaints to be made.

**Leonard:** As usual, you and i, hank, of the same mind. You noted in your report, on closer inspection, the officers' tone and style likely contributed to the complaint. So I want it make first, an observation, that's not an uncommon --

**Miggins:** Right.

**Leonard:** -- characteristics of -- characteristic of government. And i'll give you an example so it doesn't appear i'm picking on. I was assigned the bureau of development services eight years ago and one the common complaints was not the time involved it took to get a permit through the process. It was not the expense involved. But how people were treated by the employees. So we actually hired a company that came in and set up forum within which existing employees would interact with customers and there was a two-way mirror behind which sat the professionals that were going to help us correct the problem and managers. Managers who up to that time had completely denied there was a problem. So they actually got to observe for a whole day the interactions of their employees with customers and walked out completely appalled. So that didn't result in discipline, what resulted in a training regimen which lasted a year within we trained each employee for want of a better term, customer service. How you interact with people and treat people and it was important for us to say how you treat people really matters.

**Miggins:** Right.

**Leonard:** Whether they get the permit or not or upset with the price of the permit is one issue. How you talk to people, how you interact with people is important. So I noticed there's a theme in your report. Which you just alluded to, hank. That says basically that. That we might have a problem with how officers simply are interacting with people. Not necessarily that they're doing anything that's racially biased or cultural biased. But they're being fair. They treat everybody that way. [laughter] and -- and so -- again, understanding this is not within the scope of this report. Do you have any observations on how we get our arms around that basic customer service training. Is there ongoing training that police officers go through? If so, do we need to tweak that?

**Miggins:** There's been training going on with the police department. Cultural things and i'm sure there are other things that I don't know about.

**Leonard:** I want to be clear. I'm not talk being cultural training. I'm talking about how one interacts with anyone, whether they're a white, christian, all-american, quote/unquote, or an african american who immigrated here from nigeria. It's important how we treat both of those individuals and a flag should not go up and we treat them different than anyone else. We should treat everybody with dignity and respect and i'm wondering if you have any thoughts.

**Baptista:** One, I do know they do customer service training at the bureau and spend efforts on that. I know that my numbers -- sarah is -- derek is going to kill me for saying this. I'm assuming based on what i've seem, that the business card policy has helped. I don't have any data to prove it, and he gets upset when I say things without data. But I feel like by looking at the complaints that that's helped. I haven't seen that many, so I think that's helpful. I'm going to disagree slightly about what you said about the difference -- the way that we need to handle treating different people -- differences in our community. I do think there needs to be education based on working in an intercultural competence. I believe the training ipr had was eye-opening to all of us. And the way that we somewhat handled it in our limited way and through this report is, one, we really encourage these cases to go through mediation. I think mediation is the best way for both the community member as well as the officer to have a better education of how that interaction affected them and

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maybe where the source, the anger or frustration was. So I they we encourage mediation because you can have that one-on-one training, if you will. There's training you can have in a room on the 11th floor of the justice center or have that one-on-one training with a individual and both go back to their communities and talk about what they've learned. Mediation is a real tool to help bridge these gaps. And there's one other things I was going to say that was helpful and i've last my train of thought. But I do think that mediation is key for that.

**Leonard:** The only point I was trying to make was that when all else fails, i've found the one thing that bridges people throughout the world is dignity and respect, no matter who they are or where they're from. If you fall back on that, that will get you through a lot of interaction problems.

**Baptista:** I'm sorry.

**Leonard:** Go ahead he.

**Baptista:** I remembered what I was going to say, you sparked a memory. The other way we're trying to educate the bureau and community, our outreach coordinator works with members of the bureau to go into community groups. Community groups and you request a officer to come in because they want to be able to explain to the officer their commune's perspective and she's done a great job in finding officers who are great ambassadors to the bureau as well as educators when they go back to the bureau and explain to their colleagues some of the things they've heard from the community. And having ongoing dialogues and discussions and I do think that education is a good way to bridge these gaps.

**Leonard:** My final point would be the issue you just raised. The business cards. They have that -- that policy has been implemented and officers are handing them out without being requested to at each stop, within they don't feel they're in some type of jeopardy, which was the exclusion we gave.

We haven't done any official audit of it yet, but it appears that's happening.

**Saltzman:** That policy is in place.

**Baptista:** That's the policy.

**Leonard:** We've received no complaints that hasn't happened.

**Baptista:** We always receive -- I can't for sure we haven't received a complaint. Sometimes officers don't give the service we expect. That's why ipr exists so -- you know.

**Saltzman:** Actually, we received complaints that people were mystified as to the intent of an officer's -- [laughter] particularly when there was a male officer and a female subject.

**Baptista:** I'm not going to comment.

**Fritz:** Commissioner Saltzman, the business card handing out, it's happening?

**Saltzman:** Oh, yeah. Started in june --

**Leonard:** I appreciate the report, well done.

**Fritz:** If I may ask a couple of clarifying questions. It's important to be clear that this report, the disparate treatment, is from the citizen review committee. The other one we received last week was a bureau-sponsored report. The bureau, as in --

**Baptista:** Bureau as in police bureau.

**Fritz:** As in police review.

**Baptista:** Right.

**Fritz:** Could you refresh my memory the time frame when you looked at the data versus when you have started writing up the report. What does your report recover?

**Baptista:** I think we started reviewing the data back in --

**Miggins:** 2007.

**Baptista:** -- 2007.

**Fritz:** And finished reviewing the data and starting writing the report when?

**Miggins:** 2009. About midway through 2009, the same time that the mayor's racial profiling committee was going on.

**Fritz:** Ok. So that's important to know.

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**Miggins:** And we also delayed somewhat to catch up with the bureau's report they were working on.

**Fritz:** Right, so that's very helpful because some of the things you're recommending we discussed last summer.

**Miggins:** That's right, correct.

**Fritz:** Just so clarify from this the citizens' perspective after your independent review, you believe that as a whole, the independent police review function is working reasonably well given there's bias in all of our society?

**Miggins:** The -- the real effort here was the process. And we believe the process is working real well. Especially in light of the training that took place as a result of our findings.

**Fritz:** Thank you, that's very helpful. I did want to follow up on the issue of pretext stops and minority driver complaints. I'm looking at what's the appropriate city of Portland response to the law recently passed in arizona, my understanding is that the state of Oregon regarding stops of both pedestrians and drivers, while not explicitly allowing it like arizona, there are other states that have more protections for citizens than Oregon, is that correct?

**Miggins:** I can't give you a real authoritative --

**Baptista:** Pretext stop in Oregon are legal, as long as you have a violation that you can stop somebody on.

**Fritz:** I appreciate your input in the report and I think that's something that we're going to want to focus on moving forward and looking at the 2011 legislature, what is the appropriate state law to make sure our police are doing what we want them to do, and that state law matches that. So i'd appreciate your ongoing --

**Saltzman:** I believe current state law prohibits officers from inquiring about immigration status.

**Baptista:** It does.

**Fritz:** Skin color and other issues that are covered in the report are of concern, I think, and I share that concern. I greatly appreciate your report and also appreciate the auditor's annual report at the same time looking at the two together, I think is illustrative. The report on discipline, there's sometimes a -- an illusion there's no discipline regardless of whether complaints are founded -- sustained or not. And the report says five officers have been terminated over the last year, 26 resigned during the investigations, a total of 31 officers who resigned or dismissed over the last five years. Nine received between 150 and 600 hours of suspension without pay and 33 -- 149 hours of suspension without pay. So 77 officers over the last five years had significant minute over due to the process. It's important to note that. We don't want to shame particular people and we want the people to have the opportunity to do the discipline and do better. That's something that we value for our employees. At the same time, we want our citizens to know that, yes, in fact, there are consequences when complaints are found reasonable that those discipline -- that discipline is imposed.

**Baptista:** And we'll be back on june 30th at 2:00 to talk about the annual -- [laughter]

**Fritz:** That would be help. I want you to do that and include the specific recommendations from the committee's project I think -- and helping us all understand how the two mesh is helpful. I'm be particularly interested to know how the human rights commission and how we can help with those issues of trust. I think we're at a turning point. Thanks to many of the things that have happened and because of many of the tragic things that have happened. We have a general recognition in our society that we want to do things differently. Commissioner Saltzman and are working on a project with cascadia and multiple people in the community including the police bureau and Multnomah county and hospitals and others in a three-year process to look at how we take care of people in the community who need help rather than law enforcement and how we help the law enforcers given that they respond to emergencies no matter what the cause of the emergency and we want to be able

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to help as well as investigate when things go badly and impose that discipline. So thank you very much for your good work.

**Saltzman:** One point of clarification about timelines for investigations.

**\*\*\*\*\*:** Uh-huh?

**Saltzman:** I thought in the original, there was a 24-month timeline attached from when a complaint is received to when an investigation must be brought to the police review committee.

**Baptista:** I'm sure in one the versions you saw, there were specific time lines but not end, we ended up having timelines be an area we needed to further study and then come with recommendations to council.

**Adams:** Thank you for your work and your volunteer service on -- volunteer service and paid -- paid work on this very important aspect of accountability as it relates to the bureau of police. The number of cases you reviewed was relatively small. And I just want to be clear. Did this process contact the complaint. Or just a review of the write-ups?

**Miggins:** We just did write-ups, we did not contact complain.

**Adams:** Is there any place in the process for the over-- the overall process for individuals to propose specific improvements or solutions to sort of follow up on what commissioner Leonard's line of inquiry, I want to fortify the continuous improvement in the police bureau, so how do we give folks that interact, the opportunity, especially complaints to give us their best suggestions on improvement?

**Miggins:** There are a number of different places where a citizen can make recommendations to be involved in this. And it occurs at every of our regular meetings, of course, and now we're in the process of having at least, at this point, two community-based meetings held by the crc where citizens are invited to participate and i'm sure there are other place where is that can occur. Citizens are in -- included in the workgroups which are assigned from the crc. Where they can also participate and the outreach program is another place where that occurs. And occurs much more frequent than the crc.

**Baptista:** When it comes to complaints, we have a satisfaction survey we send out to all complain. S. The response rate is very low. But there has been occasions where people have written things up and i've had our outreach coordinator contact and have further conversation about it. It's for the started, been a year now, appeal forms and final disposition letters because we try and eliminate the barriers to appeal. The appeal is really where people are able to couldn't to the public meetings and be able it talk about their case and the crc themselves are able to learn with the process -- the complaint process through the appeal.

**Adams:** Sure, and that sounds good and I especially like that last note that you made. I just want to put out there again, though, asking folks for their ideas for improvement is -- I don't see that as robust as I would like to see it at a variety of different ways along the way. Including ipr and in the bureau. I think it's really important we have the opportunity to complain and appeal and those kind of customer service when things go wrong but want to make sure we capture these folks that are having the hands-on real-time face-to-face experience and ask them for their ideas on how to solve some of the complaints brought up. I think we could capture more of that.

**Baptista:** In our outreach coordinator that, position was vacant for over 19 months and we detail in that our annual report how much effort she's made to go into under-represented communities and the focus of her work, just like the focus of our investigators is to listen and return that information to us and work with the bureau.

**Adams:** But, again, because i'm not hearing this acknowledged yet, how can we improve? How can we solve that problem? What are your ideas? Those questions to folks that are -- that are interacting with the system, I think would be of great resource to us.

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**Bigham:** One discussion we had was partnering with Portland state university to do a customer service survey of complaints. And we really haven't gotten that off the ground yet but it's something we've been talking about doing and it's something we need to do.

**Adams:** And also on the folks that were not dismissed, if we can be constantly -- i'm having these conversations with the bureau -- constantly asking everybody, you might have been satisfied, but still, how could we improve the process.

**Migins:** We actually have another small survey going right now on just is that kind of question.

**Adams:** I think the business cards in part came out of -- that was an idea somebody put forward.

**\*\*\*\*\*:** It came from us.

**Adams:** Let's engage the public in that kind of solution. Any other discussion? Thank you all very much. We have testimony?

**Moore-Love:** Two people signed up.

**Adams:** Good morning. Welcome to city council. Glad you're here. Need to give us your first and last names.

**Dan Handelman:** Good morning, mayor and city council. We're under the weather so excuse me. I'm dan handleman with Portland cop watch. Last year, we praise praised them for their interim report but hoped that the final report, which you're reading today would include more community input and analysis of the crc of former chief sizer's racial profiling plan. Today, we're continuing to express our appreciation for the valuable information in the report but disappointed that only the first two of the elements were partially included in the final report. We're strongly encouraged by the crc's observation that the bureau's racial profiling plan unlike the crc's report did not address the so-called pretext stops. The fact this report is presented one day showing that keaton otis was stopped for pretextual reasons and shot 23 times over what began as a minor traffic violation should be a clarion call to take this to heart. We support the recommendations even though we think that the ipr and bureau can do more and there are low levels of sustained and insufficient evidence findings. This hasn't been talked about. The crc called attention to the fact that none of the cases resulted in a sustained complaint against the officers. Not one. And said that the findings were more and you labeled unfounded. Which means the incident didn't occur the way the person described it. This is borne out by the ipr annual reports that showed that one disparate treatment was sustained in eight years. In 2007. 42 unfounded, and 16 found with insufficient evidence and 19 unproven. Eight allegations exonerated. The officers acted within the bureau policy. The crc noted that officers were alleged to have made rude comments after finding a person had no criminal history and profiled people based on alleged gang clothes which is likely compounded by their race. It's not clear that these behaviors have lessened and operations targeted martin luther king jr. Boulevard and other areas frequented by african americans. About the business card policy, it was a major achievement for city council to direct the bureau to hand out business cards at all stops but it lack the caveat for the officers to give a badge number. It was a hard-fought battle to get that in because officers used to say, "i don't have a badge number." I hope that gets put back in. And final reports repeat that is the ipr prompted -- complains that a ipr prompted internal affairs investigation by calling attention to repeated disparate treatment complaints against one story officer the. The original report, we know that the iad investigated because of the officer's history and we have old comments from the draft reports. If you have any questions about those, i'd be happy to answer them.

**Leonard:** I don't get the significance of having the dpsst number if you have the officer's card and name.

**Handelman:** It's still a possibility that somebody might not hand out their card. And if someone says I want your officer badge number and the officer says they don't have one, you're stuck and acted inappropriately. Even though they're directed to hand out business cards at all stops, it's not necessarily happening all the time.

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**Leonard:** Do you know that?

**Handelman:** We've heard anecdotal reports of that. Because I can't prove it because people call us on the incident line and say it's happened but we can't prove it. We've seen a video where somebody went up and asked an officer for a business card and they had to come back and ask a second time.

**Fritz:** Question.

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

**Fritz:** Your last point regarding the internal affairs division calling attention to repeated disparate complaints against a one officer, that's a good thing, right?

**Handelman:** It is. The original report said that the ipr pointed out that the officer had multiple complaints but didn't say what happened. Now we know that the it was a initiated investigation and know that it probably wasn't sustained.

**Fritz:** But they're tracking and look for that to be looked at.

**Handelman:** Looks like.

**Fritz:** Thank you.

**Adams:** Other discussion? Thank you very much. Appreciate it. Sir?

**David Cox:** Mr. Mayor, i'm david cox, and members of the commission. I'm a member -- or resident of the piedmont neighborhood and a member of the ama coalition for justice and police reform. I decided to wear my hoodie this morning in solidarity with mr. Otis, who is deceased and as well as the thousands of young people in our city who choose to wear, addressed like this, because that's the style. It's I hope credible to me that that becomes part of the profiling problem here. Profiling in light of the police version of the homicide of keaton otis, is fortuitous to say the least and not just racial profiling we're concerned about. In fact, all three of the latest police homicides, aaron campbell and keaton otis, young black males deemed quote/unquote bad guys by the police and even jack dale collins as a vagrant or unwanted drunk -- vagrant, worse was the black male looking, quote, looking like a gangster, unquote. Now the citizens of Portland have to be afraid for their lives not only for being young or a person of color, but also for how we dress. A police enforced dress code for Portland? Clearly, this is an unacceptable, as is the continuing inappropriate use of excessive and deadly force by Portland police. Thank you.

**Adams:** Thank you both very much. Really appreciate it. Alright, Karla, this is a report. I'll entertain a motion to approve, to accept?

**Saltzman:** So moved.

**Fritz:** Second.

**Adams:** It's been moved and seconded. Karla, can you please call the vote on item number 787.

**Fish:** I want to thank Mary Beth Baptista, the Auditor and the CRC for a thorough and solid report on this subject and a very I think useful productive discussion this morning. Thank you. Aye.

**Saltzman:** Well, I'd like to thank the members of the citizen review committee for their work on this important topic, I'd say an important topic and certainly a vexing topic. Any discussions about race in this country, in this city and in this state are always some of the most challenging conversations to have. But I think we have leadership with the city council, leadership in the Portland police bureau, and through the IPR are committed to making these conversations and I should mention the human relations commission too, committed to often making uncomfortable conversations occur. I'm thinking in particular the living room conversations that the human rights commission convened where officers actually meet in the living rooms with latino families, talk about issues around community policing and race. And I want to acknowledge the work of former chief rosie sizer, who was one of only a handful of police chiefs in the nation to really acknowledge that racial profiling exists everywhere, including her own bureau. And she cited the plan to address racial bias in the bureau. I believe chief reece will continue to want to build on chief sizer's work in this area, and I think we all do as a city council. Great report. Aye.

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**Leonard:** Aye.

**Fritz:** Thank you, Michael Bingham and Hank are coming down, and for all of your work as citizens reviewing what the paid folks do. You've done a magnificent job. It's very, very helpful for to us have an independent review of our independent review process, and -- that citizens have taken all this time to look into what goes on with the auditor's office, that is your report. And I appreciate very much the diligence and knowing that more -- work has been done, since the human rights commission and office of human relations took on the work of the racial profiling committee. I second commissioner Saltzman's comments regarding the great work that was done by Chief Sizer and I also second his firm belief that Chief Reece will condition that good work. So I'm looking forward to working with Chief Reece, office of human relation and the human rights commission on these issues. It takes all of us, and I also thank Dan Handleman, your ongoing comments, I'm glad to hear some of the strategies that are in the report meet with your approval and with Cop Watch's, and also thanking the folks in the police bureau who do look after us all day and day out, and who like us, wants to make sure that everybody feels safe, that everybody is safe. And that we can move -- as Chief Reece talks about, as them being peace officers. And that's definitely steps in the right direction. Thank you Mayor Adams for your ongoing support of safety and good policing in Portland. Aye.

**Adams:** Well, again, thank you to the CRC for this very high-quality report, and for its recommendations. Three things. One, I want to -- there are so many initiatives going on in this area as I take over as police commissioner, and I'm asking everyone to be a similar set of questions, one, help define for me what success is in terms of the scope of this review. You provided about a dozen points of improvement, although you found no significant racial bias in the IPR system, you also I think gave about a dozen points of improvement which I like, it's part of -- we're doing good, how do we do better, continuously. If I read over each of the points, some of them are more concrete than others, and I'd ask you to go back through and I'm happy to give you feedback through staff, what does success look like, when will I know the bureau is doing what you recommended that they do. Some of these are clear, a few of them, it's a little more nebulous, and I want to make sure I'm an advocate for your points of improvement. And again, just to reiterate complaints are really important, good and compliments are really important, but I want to start capturing the expertise that's out there in terms of solutions. And, for example, Dan Handleman had in his a number of points that he thinks would be potential solutions on the issues that he covered. So we've got to keep at that. And collect that from the grass-roots more. So thank you. Aye. [gavel pounded] the report is approved. We'll now take the theme was pulled from consent, commissioner Fritz's item. Can you please read ordinance 802.

**Item 802.**

**Fritz:** I pulled this item just to give a brief summary of the changes that we're making to the graffiti abatement program as evidenced to this community grant program to let everybody in the community know that we want your help, and we invite your help. The first graffiti database was designed in November 2003 and now contains more than 23,000 reports from more than 700 users. In 2009, 932 cases were reported to the police bureau, of which 76 -- 67 cases were reviewed by the district attorney, about half of those were resolved. So we -- your reporting of graffiti by taking the photographs and entering on the graffiti hotline site really makes a difference, and we have been able to catch them, the perpetrators, and --

**Adams:** You mean the phone app?

**Fritz:** Yes, I'm sure that's what I mean. No, there's other things involved. We will make sure that we get --

**Adams:** Just trying to get a little love about the phone app.

**Fritz:** It's not in my script.

**Adams:** Sorry.



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**Fritz:** That's all right. So that everybody knows approximately 85% of graffiti is tagger graffiti, 12-13% is gang graffiti, and 1-2%, communicative hate or political-based. So much of it is sheer vandalism, and we need to make sure that it is taken down right away, that's the most effective way of dealing with graffiti, for communities to take ownership of their neighborhood and to get rid of the offending vandalism. The graffiti abatement program has increased our focus on volunteer recruitment because we simply can't pay professionals -- we don't have the resources to pay for the graffiti, though we do have a contract for the difficult-to-reach graffiti that would be dangerous for volunteers to get, so please report those as well. These grants that we're considering today are divided up between coalitions, they're smaller than expected due to midyear budget constraints, but we expect them to leverage more in human resource and we encourage people to look at the office of neighborhood involvement website and sign up to participate in a community graffiti abatement project. It's even more fun than pulling ivy. I know from personal experience. And these grants are intended to provide community building opportunities as well as address the abatement. When you take ownership of your neighborhood, and these projects may focus on different kinds of abatement, mural projects, as has been shown murals are less likely to be tagged than nonmurals, the grants can be used for repair of an existing community mural for protective coatings, for improvement projects such as planting, lighting, or other remodels to reduce the chances of graffiti, because it tends to be put up where it looks like people don't care. Because the intent of the taggers is to have it up there for a while, so if you care and if you take it down, they're going to move on somewhere else. You can also use the clean-up supplies, solvents, power washers, there's all kinds of good stuff that works a lot more easily than just sheer elbow grease, though that is also very much needed. And businesses -- business district neighborhoods can organize graffiti-free zones, and we've had several neighborhoods in north Portland and outer southeast who have been very successful in this project, and indeed individual volunteers who adopt a street and keep it clean of graffiti, and it's really wonderful. You can adopt a street or you can adopt a park bench and just take ownership of keeping that particular place graffiti-free. So please see office of neighborhood involvement website on details on how to sign up there. Are several work parties over the summer, I'll be participating in some of them, and we greatly appreciate the mayor for continuing to fund graffiti abatement both in this year's budget and next year's budget. This is the creative way that we're hoping to leverage many more hands to make light work of getting rid of graffiti.

**Adams:** Thank you. Any additional discussion from council? Anyone wishes to testify on this matter? Karla, please call the vote.

**Fish:** Aye.

**Saltzman:** Thank you for highlighting this great program, and certainly your enthusiasm for it is apparent. Aye.

**Leonard:** Aye.

**Fritz:** Thank you. Aye.

**Adams:** It drives me insane, graffiti, and I am really happy that you're on the job. Thank you. Aye. [gavel pounded] so approved. And we -- can we read first item on the regular agenda, second reading actually, 803.

**Item 803.**

**Adams:** Please call the vote.

**Fish:** This is a really good idea. Kudos to the mayor and his team for putting it together. Aye.

**Saltzman:** Aye.

**Leonard:** Aye.

**Fritz:** I put a link to this website on my blog of my website. I did it myself the very day that we had the hearing last week. No interest if you pay off the outstanding balance within 25 days, no annual fee, and all of the -- half of the profits of the card go to help these programs. So thank you again for putting it together. Aye.

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**Adams:** Thanks to map clicks that has been locally owned business, developing maps for neighborhood commercial districts across Portland for the past decade. Thanks to unitas, celebrating its 74th anniversary as a credit union, that started out with the telegraph and telephone service here in Portland. And Portland schools foundation and the county sun school program that will benefit. This is a good card for education, it supports local businesses, and for every dollar you spend, a local business, 84 cents stays in the economy versus 64 cents at a national chain. Aye. Unless there's objection, please read the title for 804.

**Item 804.**

**Adams:** That is \$20 million. The marching band was tied up today, so we're continuing this unless there's objection to june 9th. [gavel pounded] so continued. Please read second reading item number 805.

**Item 805.**

**Adams:** Please call the vote.

**Fish:** Aye.

**Saltzman:** Aye.

**Leonard:** Aye.

**Fritz:** Thanks to dee walker for answering my questions. Aye.

**Adams:** Aye. [gavel pounded] 805 is approved. Please read item number 806.

**Item 806.**

**Fish:** Aye.

**Saltzman:** I'm very supportive of the \$2 million that is going to be authorized here to help support building a new hooper detox and a mental health crisis center. Great project. Aye.

**Leonard:** Aye.

**Fritz:** This has been in the works ever since I got on the council. I greatly appreciate Commissioner Saltzman and mayor Adams for the ongoing support of the hooper detox center and the mental health crisis center. It's greatly needed and it will help us in our public safety. Aye.

**Adams:** This should have a marching band. It's been a great city-county-nonprofit-private sector partnership. I thank commissioner Saltzman for his advocacy on this issue as well. Aye. [gavel pounded] so approved. Please read the title for 807.

**Item 807.**

**Adams:** Where are you all from? You're running to get out of here.

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

**Adams:** Welcome to Portland city hall. We're glad you're here. Study hard. Thank you.

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

**Adams:** 807 is continued until june 9th. [gavel pounded] so moved. Please read the title for emergency ordinance item number 808.

**Item 808.**

**Saltzman:** Thank you, mayor. I'm really pleased to bring forward this next item, the community watershed stewardship program grants. Known as cwsp.

**Adams:** Really?

**Saltzman:** Really.

**Adams:** The worst acronym of the day.

**Saltzman:** The bureau of environmental services has been awarding these grants since 1995 to community groups doing watershed health projects like invasive species removal. It's a great program that's allowed people to take the work into their own hands and to do the project together as a community. Over the years, the community watershed stewardship program staff has reached out to provide greater geographic and social equity in the distribution of these grants, and after last year's process I asked the bureau of environmental services to more explicitly include those equity components into the application process for these grants. I'm thrilled that several of this year's grant

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winners include equity pieces, and i'm looking forward to seeing more of that next year, and at this point i'd like to introduce bureau of environmental services director dean marriott.

**Dean Marriott, Director, Bureau of Environmental Services:** Thank you, commissioner. Good morning mayor, members of the council. I'm dean marriott, environmental services director. I'm just here to introduce our speakers. Kate and bridger, who will be presenting a brief report on the past 15 years of this program, and what it has led to. They're both grad students at Portland state university, have been working with us on this project. I also want to introduce jennifer devlin, who is in the front row. And when I get up, i'm going to ask her to come up here and sit with the team, because she's been a real integral part of the success of this program for the past seven years. Although she's our environmental program coordinator for fanno tryon watershed, she does this work throughout the city. I also want to take a moment to say that when this effort began about 15 years ago, it was considerably smaller. And over the years it has grown in size and scope, and I want to particularly thank mayor Adams for when he was environmental commissioner, encouraged us to double the size of the program, and we did so with his support. Just over the last 15 years we have invested about \$800,000 in community watershed stewardship programs. By our calculation, the community has leveraged that to the tune of about \$2.5 million, with their volunteers, volunteer efforts' time, and it really has proven to be an enormously successful effort, it has engaged our citizens in caring about the watersheds they live in, and caring about the community they live in, and has produced some measurable results. I also want to point out that this is also a true partnership with Portland state university. We have worked with Portland state since the beginning on this, and I want to thank professor barry messer for his good work in helping to -- helping us make this a success. You may recall we were here a couple years ago to indicate that the jimmy and roslyn carter foundation had recognize the Portland state and the city of Portland environmental services for the national success that they wanted to highlight. So it's a nationally recognized effort, and with that I will turn it over to our distinguished colleagues and ask jennifer to come up.

**Kate Carone, Bureau of Environmental Services:** Thanks so much. Again, i'm kate, and this is bridger, and we're the master of regional planning program. We have a power point, so I don't know -- if we can show that. We're here to provide a short overview of the 15-year-old cwsp program to highlight changes implemented to include equity criteria as requested by commissioner Saltzman's office, and to introduce the grant projects for the 2010-11 funding cycle. In the aiesha steward-bakerly years of the cwsp grants, watershed funds were awarded to areas that still have streams because streams are a logical place for the community to come together. You can kind of see how they cluster around stream areas on this map. Since most of the open channels are in the fanno-tryon west side willamette and the johnson creek water sheds, many of the grants were awarded in clusters in those areas. And education and restoration projects comprised the majority of grants from the first program year, 1995, through 1998. But as storm water retrofits like ecoroofs and bioswales became more common, cwsp began receiving requests in 1999 to fund storm water projects. And this is really important because impervious surfaces are found throughout the city, which means that storm water projects provide communities in more urban areas with really great opportunities to get involved and have projects.

**Bridger Wineman, Bureau of Environmental Services:** In 2003 bes began an effort to distribute funds equitably across the city's water sheds to provide outreach and grant writing workshops in areas that were underrepresented in our program. Also, since storm water projects are more complex, bes added more technical assistance for grantees through the clean river rewards program. This helps community groups with planning and permitting. However, with over 183 grants awarded, it's easy to see some areas of Portland are still underserved, particularly outer southeast and parts of northeast Portland, so this is all of our projects through 2012. A quantitative special analysis confirms some areas could use the extra assistance. At Portland state, my colleague and

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myself did a gis analysis of the spacial distribution of cwsp projects. This identifies target areas and access to open space. In examining the demographics, we found neighborhoods in outer east Portland like cully, rose city park, roseway, russell, glenfair, summer, no park, and the powellhurst gilbert neighborhoods could especially benefit from targeted outreach for technical and grant writing assistance. In 2010 at the request of commissioner Saltzman's office, a question was included in the Grant application to allow applicants to state whether they're working with underserved populations. Also a prompt was included in ranking materials for grant selection committee members to add value to the evaluation scores given groups that serve underserved communities. Also in 2010, we identified groups in need of additional technical assistance. While underserved groups have great ideas, often they need support in grant writing, project development, or partnership recruitment. To address these needs, an additional psu intern was added to the cwsp team to help groups develop proposals. He's actually distributing mulch here. This in turn is also coordinating summer outreach at the north Portland and outer southeast Portland parkways to celebrate the 15th anniversary of cwsp and to provide information to provide in -- people in areas underserved by our grants. In 2011, cwsp plans to include a grant selection committee member who has a strong background in equity issues.

**Carone:** So we recently completed this year's grant selection process and here is the list of 15 projects that are recommended for 2010-11 cwsp funding. Projects highlighted in blue identified in their applications as serving underrepresented communities as they defined the term. As applicants defined the term. And as you can see, six out of the 15 projects include an equity component. Some'm going to go through a few of these to give you an idea of the kind of work they're doing, and how they're defining equity. The first one that will touch on is glen fair church, located at east burnside and 143rd avenue in the hazelwood-glenfair neighborhoods. The church plans to install a community garden on its grounds, on its private grounds. Their application identifies the surrounding community as economically challenged and culturally diverse with about 75% of residents living in multifamily units without access to garden space. Glenfair church will provide garden space to neighborhood residents, the church will grow food for snow cap social service and glenfair school will develop a children's educational garden on site as well. The next project, erco managers the gilbert sun school in outer southeast Portland and they'll use grant funds to engage students, teachers, and hopefully some parents in removing grass and installing an educational native garden. As you probably know, 76.3% of david douglas school district students qualify for free or reduced lunches, and since annexation in 1995, this area has seen dramatic increase in low-income asian, latino, and slavic immigrant as well as mainstream families. So they hope this environmental demonstration project will encourage neighborhood engagement, ownership, and pride. The last one i'll touch on is the lents spring water restoration project habitat restoration project. Many -- some of are you probably familiar with ed eastern, who has been leading restoration efforts along the spring water corridor for the past 14 years. To date ed has engaged more than 3500 students and a thousand adults in more than 100 planting events, and this year he is focusing his efforts at high visibility intersections between -- along the corridor between 82nd and 103rd, and he'll continue working with students this year from kelly elementary and hopefully marshall high school. In total, 40% of projects recommended for funding include equity components. And 67% of equity containing projects that applied were approved conditionally for funding. We also attempt to distribute funds throughout all of Portland's watersheds, although this year we received fewer applications from the columbia slough watershed. So each year cwsp grows more competitive as demand for grant funding increase usa long with environmental awareness and engagement. But as we navigate this more competitive landscape, it will be essential that cwsp continue to intentionally pursue equitable grant distribution. So thanks for your time.

**Adams:** Great presentation. Thank you.

**Saltzman:** Did you want to add anything?

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**Jennifer Devlin, Bureau of Environmental Services:** No, just if you have any questions.

**Fish:** I have a couple brief questions. First of all, on the grant committee, do you currently have someone from Portland parks and rec who is engaged in the process?

**Devlin:** Yes. What we have is not on the committee, but before the grants get to the committee level, anything that involves a park goes through different park staff. For example, leslie pool reviewed one that we funded for glenfair church. Even though they're not going to -- they're not signing up to be part of her program, just so that she knows about the community garden they proposed there. So we have a very long, maybe it's about 25 different people in the city and outside the city who are on a committee, they're not a committee because they don't meet, but it's called the red flag review group, and they -- they're usually the land owner that somebody is proposing, we like to get a letter from a landowner that says it's ok.

**Adams:** Where are you all from?

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

**Adams:** Banks elementary or high school?

\*\*\*\*\*: Elementary.

**Adams:** Really I hear kids from banks are really smart. Is that true?

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

**Adams:** And that you study really hard. And you do almost everything your teachers tell you.

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

**Adams:** Very good. We're glad you're here. Enjoy.

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

**Devlin:** That was the quietest group i've ever heard come through here. So anything that's going on in parks -- typically what we really try to get grantees to call us and talk to us beforehand so we can connect them up to the right parks person. But even so, even if they have had that connection and that discussion and the parks person has included a letter with their grant, the parks person still reviews their grant, because sometimes there's elements that are added or changed. So parks does review the grants.

**Fish:** Second question is, I think the framework of equity is extremely important, and the gee great barrier reef I can distribution. But do you -- you have target goals for different kinds of things like - do community gardens, do you try to put, you know, 20% of the dollars into those, or is it simply a function of what kind of applications you get and the quality of those applications?

**Devlin:** We never have any idea what sort of wacky things people are going to be proposing each year. And we are really surprised by the different things that people come up with. I don't think we could have predicted a few years ago that we would have depaved, for example, proposing all these straight-up depaving. So we've never set goals where we would have certain number of stream restoration, or certain number of church parking lots or anything like that. It's intriguing, but there's usually a pretty diverse group that we fund. And we can get you -- we could take a look at that if that's interesting.

**Fish:** My big conversation that i'll have with my colleague about just aspirational things, there were some interesting overlay was commitments we have made through the climate action plan, categories of goals. My final question is, I was struck by the numbers. We operate on some rules of thumb in terms of the cost of doing a community garden. It can range from 30 to 60,000 dollars depending on the size and some of the challenges. And there are a couple of grants here for gardens, 4,000 assists a low, and 9,000. So what do you get for that investment?

**Devlin:** Again, it's really variable. Some of the gardens -- one of the gardens, for example, is an already existing garden, and what they want to do with the 4,000 dollars might be remove parking lots and expand the garden. Or they might want to put in a new hose bib, or something like that. Or they might want to haul in soil. So it's not like we're just getting a brand new garden for each one. The one -- the glenfair church is already -- it's a grass area. So they don't have to depave anything,

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they don't have to do a lot of soil amendment. So it's a less expensive process. So they want materials to build a shed and materials to fence it off, and they want raised beds, they want soil to add to that one. So it's not as expensive as a process. They have really great partners that were gathered up by our psu interns to really make that a more robust grant proposal.

**Fish:** Thank you.

**Adams:** Thank you very much. Really appreciate it. All right. Anyone wish to testify on this matter?

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

**Adams:** Unless there's additional council discussion, Karla, would you please call the vote.

**Fish:** Thank you for an excellent presentation. Aye.

**Saltzman:** Thank you for the good job. I want to thank our psu masters in urban regional planning students for your excellent assistance, and it's very -- I appreciate how you've unrated equity. I want to thank the bureau for that, and thank amy in my office for really helping the bureau to come up with ways to approach these grants with equity in mind. And great job. We'll look forward to next year's awards. Aye.

**Leonard:** Aye.

**Fritz:** As a parent with three children at marquam elementary school, I wrote one of the first Grants funded by this program, the community watershed education project. Which is the only title one school on the west side. So I think it's important when you're looking at your demographics to recognize there are subcommunities within wider communities. That was one of the first things I did in civic engagement in addition to subdivisions, and we had a trip to the bull run watershed, and all of us learned about the wonders of the water shed. We had that -- tutors come in and teach about vert brats, which translates to bugs that live in water, and we purchased water quality testing equipment which I pass order to jackson elementary school after I was done with the friends of arnold creek. So I forget whether it was 3,000 or 3,500 grant we won, the -- we also got the other one from metro, for a total of \$7500 from government funding, which we pervade into a \$28,000 project with a lot of volunteer donation and corporate donation and other things that taught a lot of parents and students at marquam elementary about creating a community courtyard garden where there was grass before. So I have personal experience about how this helped me begin to learn about being a good steward of our environment, being a good steward of our city and how just that little bit of money can be magnified into things that continue to ripple. So thank you mayor Adams who did support this program while you were in charge of environmental Services, commissioner Saltzman, who has consistently supported it, dean marriott and jennifer devlin, who was part of that process back 15 years ago. You've been a wonderful cheerleader and supporter to those who have written the grants as well as carefully administering the program and helping to look at those wild and wacky things that in fact you never know where they're going to lead. So this is in fact a way that our government can support innovation in neighborhoods. And sometimes it works and sometimes it doesn't with that amount of money, with the careful documentation that's required, it ed indicates us all as to what works and what doesn't. So thank you so much, thank you for the student work that you've done. Aye.

**Adams:** Again, thank you. Great presentation, great work. Aye. [gavel pounded] so approved. Please read the title for emergency ordinance item number 809.

**Item 809.**

**Adams:** Commissioner randy Leonard.

**Leonard:** Thank you, mayor Adams. This is the next step in the process that would have -- we've been working on for some years to exchange property with the federal government up in the bull run watershed so that it has more logical connection to the water delivery system for the city of Portland and the federal government's land holdings has more consistency with what they do. Eddie campbell is here to give us specifics.

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**Edward Campbell, Portland Water Bureau:** Good morning mayor Adams and council. As commissioner Leonard indicated, I'm Edward Campbell, planning director for the water bureau. In February the council approved an agreement between the water bureau and the Mount Hood National Forest to proceed with the formal federal land exchange process. Pertaining to approximately 5,000 acres of land within the Bull Run watershed. The purpose of the land exchange from the city's standpoint as Commissioner Leonard alluded to is the consolidation of the city's land holdings around our two reservoirs within the watershed. This in turn would greatly simplify the permitting and administrative processes that we go through with the federal government, and that in turn would result in significant time and fiscal savings to the city. An example I mentioned in February was that of our Portland hydroproject, number one, it's currently on federal lands. We would anticipate that eventually we would be accruing \$500,000 a year in benefit to the general fund if we're successful in transferring ownership of those federal lands to the city. So those are the types of examples of things that we anticipate benefiting the city as a result of the land exchange. The item that's before the council today is the actual collection agreement between the water bureau and the Mount Hood National Forest. This agreement is a mechanism that allows us to transfer funds to the Mount Hood National Forest to carry out the administrative steps as we go through this formal federal process. The funding that we're providing to the Forest Service is limited to just the Mount Hood National Forest. Any actions that are necessary by the regional office or headquarters or other aspects of the federal government are supplied by the federal government. So we're limited in what it is that we're paying for. Total estimated funds to -- that we estimate paying out over the next three years is just under \$250,000. That breaks down to about \$60,000 in the current fiscal year, about \$104,000 in fiscal year '10-11, and \$84,000 in fiscal year '11-12. And finally, the -- we're very cognizant of the council's concern about overuse of emergency ordinances. The reason that we brought this one forward as an emergency ordinance is that we do have funds that were budgeted in the current fiscal year that we would like to apply to this, and by the time we actually came to agreement with the Forest Service around the cost, we didn't have time to go through the normal approval process to actually allocate our funds in the current fiscal year to this project. So that is the reason why we brought this forward as an emergency ordinance. And that's all of my comments. I'm available for questions.

**Adams:** Commissioner Fritz?

**Fritz:** What was the hold-up between February and now that you weren't able to come to agreement? **Campbell:** Basically it was just ascertaining the exact cost from the Forest Service as to the staff time that would be involved in their part to be able to fund -- to come up with an accurate amount for the funding.

**Fritz:** I do appreciate the final amount you've come to is less than the lower limit, so that's a good thing. What would happen if I didn't vote for it? It wouldn't pass. What would be the consequence of that? It would pass but not as an emergency.

**Campbell:** That's correct. So we would essentially -- the amount we have budgeted in this year, which is about \$60,000, we would need to budget in future years to -- we'd have to increase the amounts that we would budget in future years to accommodate that. Because we would lose the ability to spend the dollars that we have in our current fiscal year for this purpose.

**Fritz:** Doesn't money that's left over in the water bureau, doesn't that go back into your contingency?

**Campbell:** I guess -- we have an assumption of an amount of a contingency we have from year to year. I'm not in the fiscal management side of things, but basically we're told within the water bureau that allocations that are made in the current year, there's not an assumption you can roll those funds over and have them available for that specific purpose in the next year that those contingency funds go to cover cost across the bureau. So maybe there would be additional contingency funds that would not require us to need to charge for additional funds in the future years. But it's not a guarantee, and so if those contingency funds are necessary for any other

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purpose, the funds are essentially gone and we would need to collect more money to backfill. So I guess it's not absolutely certain it would -- we wouldn't know until the very end of the fiscal year whether or not the \$60,000 that we have currently budgeted would be available to us in the future.

**Fritz:** Well, I recognize that you're not the financial person, so I'll defer those questions to later. I did have a question about in the contract there's \$8,000 to the Oregonian. What's that for?

**Campbell:** I believe -- I can confirm that with staff -- I believe that's for advertising the public meetings that are associated with the nepa process. Hold on, I can confirm that.

**Fritz:** That's my next set of questions, because my understanding is the cultural resource investigation preparation -- the analysis comes out of the water bureau budget, not through that agreement. This agreement.

**Campbell:** We would actually pay for the work directly, but the entity that is in charge of actually running the meetings and conducting the public process would still be the forest service. We have a very similar arrangement with the national marine Fishery service when we did our endangered species act act, habitat conservation plan. The water bureau paid directly for the environmental impact statement, but it was no ha Fisheries that conducted the public processes, because ultimately it's their product.

**Fritz:** What is the proposed public process?

**Campbell:** It will follow the national environmental protection act process, and so it's a formal federal process that includes not if I indication and the federal register, as you've already noticed, advertisement in "the Oregonian" of various meetings, in addition to that, we would supplement that with notifications on our side on the city's side to make sure stakeholders from the city side were aware of the federal process and were clued in to how to participate.

**Fritz:** I'd like more details on that ongoing, because I'm very concerned about citizen participation and we are familiar citizens who participated in -- are very familiar with the review process which doesn't apply here, so I want to make sure -- I'd like to see what the water bureau's plan for public engagement is moving forward on this project.

**Campbell:** Sure.

**Fritz:** I think that's all my questions. Thank you.

**Adams:** Any additional council discussion? Anyone here wish to testify on item 809?

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

**Adams:** This is an emergency, please call the vote.

**Fish:** Aye.

**Saltzman:** Aye.

**Leonard:** Aye.

**Fritz:** I didn't support the original decision by council to do this in this manner. I appreciate the answers to the questions that I just heard, and as I said, I certainly appreciate the fact that they -- the price was negotiated to be less than the lower limit of the previous estimate. And so for that reason and as a code commissioner, I'm willing to vote aye on this.

**Adams:** Aye. [gavel pounded] so approved. Please read the title for resolution item number 810.

**Item 810.**

**Adams:** Commissioner Fritz.

**Fritz:** Thank you, mayor. I'm pleased to ask the council to approve this resolution to commence legal proceedings for franchise enforcement. So far this year the office of cable communications and franchise management with legal assistance from the city's attorney's office have collected over \$5 million in compliance revenue due to pursuit of companies not paying the correct amount of fees to the city. With this resolution cable off will have the flexibility to pursue additional conditions that owe the city money. Additionally the resolution allows staff to participate in proceedings at the federal communications commission or some of these companies are attempting to preempt local franchise fees. It's difficult to underestimate or overstress the importance of this



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resolution. The assaults on local authority is taking place at the sec and the courts and very soon in congress so we need to give our staff the flexibility to protect the city's interest and move swiftly as these issues arise. I thank the mayor and council for supporting the work of this office which continues to reap benefits for the city year after year. Mary beth henry from the office of cable communication and franchise management and ben walters from the city attorney's office have worked very diligently on this and are available to give any further comments or answer any questions that you have. Mary beth, did you want to say anything?

**Mary Beth Henry, Office of Cable Communications and Franchise Management:** We don't have any formal presentation. We'd be happy to answer any questions.

**Adams:** Hearing none -- yes, hearing one.

**Saltzman:** These are companies commencing legal proceedings because they stopped paying franchise fees?

**Ben Walters, Sr. Deputy City Attorney:** The resolution -- ben walters. The resolution authorizes the city attorney's office to commence legal proceedings. There are ongoing discussions with the companies and depending on how those discussions proceed, it may or may not be necessary to actually file the litigation. But this sets it up and so that we're teed up to proceed if things don't --

**Saltzman:** But they stopped paying franchise fees, that's our position, as of two years ago?

**Walters:** Yes.

**Saltzman:** And I notice just in looking at the memo that commissioner Fritz -- that david olson wrote to commissioner Fritz, none of these companies have business licenses?

**Henry:** Not current ones, no.

**Saltzman:** So are they still in business?

**Henry:** Well, two of the companies have claimed -- will tel and ftv claim their parent company level three, is responsible for any relationship with the city of Portland.

**Walters:** So they may be paying business license fees as part after consolidated unitary entity under the business license program. That's something that the cable office will work through with the department -- with the revenue bureau.

**Saltzman:** You said two of the three. What about the third one?

**Henry:** The third one, tcg Oregon has -- they are in the audit that the revenue bureau is conducting on our behalf. They have refused to provide us with the data in order for us to determine what it is that is due and owing. So because they're refusing to provide us with documentation of their revenues, we need to seek legal action.

**Saltzman:** And then in your opinion, either one of you, these companies stopped paying franchise fees, is this a business condition they're in, or is this a symbolic issue to them much like we had to pursue qwest for many years to pay franchise fees? In your opinion.

**Walters:** In my opinion with tcg, it's probably closer to the qwest situation with the other two it may be more of a business situation.

**Saltzman:** Ok. Thank you.

**Adams:** Any other discussion on this resolution? Anyone wishing to testify?

**Moore:** No one signed up.

**Adams:** Please call the vote on resolution item 810.

**Fish:** Aye.

**Saltzman:** This is very important that we collect franchise fees from those who use public right of way. It's an important part of our general fund. I think it's the second largest source of our general fund revenue right now behind property taxes. And I the do hope that we will work closely with revenue bureau to determine whether these entities do in fact have valid business licenses and if they do not, then we should also commence proceedings to collect business license fees from them as well. And I hope that will be heated, and i'm sure it will, given the two people i'm looking at across the table from me. Thanks commissioner Fritz for your diligence on this too. Aye.

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**Leonard:** Aye.

**Fritz:** Thank you to the city attorney's office and the cable office for your diligent work seeking companies and making them pay what they owe. And also for your work on the global and national level with the fcc and your work nationally is exemplary. Thank you so much. Aye.

**Adams:** Aye. [gavel pounded] please read the item number 811.

**Item 811.**

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

**Adams:** Aye. [gavel pounded] please read -- call the vote for 812.

**Item 812.**

**Adams:** Please call the vote.

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

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

**Fritz:** May I request a point of personal privilege?

**Adams:** Sure.

**Fritz:** When I came in to the chambers this morning mayor Adams asked if I was supporting holland for the world cup. While I did have a ---- because of the orange colors, and my staff also wondering whether i've deserted my ducks to become a beaver. In fact, yesterday my son maxwell graduated from princeton university, I was in new jersey at this time yesterday, and i've never seen so much orange in all of my life. I am mentioning this to tell our audience at home how very good our Portland public schools are in all of our districts, and that they're still graduating students who can compete and exceed with the best in the country. And also to express my gratitude to the staff at marquam elementary, jackson middle school, and wilson high school. Particularly alvarez ril monroe, and jean, sherry, and michael lang at jack song and melissa johnson and bilboy, who were mentor and teachers for maxwell and helped him to represent our city proudly at the graduation yesterday. Thank you. Thank you for letting me be the proud mom.

**Adams:** Yay. We are adjourned for the week. [gavel pounded]

At 11:52 a.m., Council adjourned.