



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 16TH DAY OF JUNE, 2010 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz and Leonard, 4.

Commissioner Fish arrived at 9:37 a.m. and left at 12:03 p.m.
The meeting recessed at 10:28 a.m. and reconvened at 10:37 a.m.

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

Motion to hold a meeting 6:00 pm August 12, 2010 to consider the West Hayden Island Project: Moved by Mayor Adams and seconded by Commissioner Fritz. (Y-4)
Note: the meeting was later rescheduled to July 29, 2010 at 6:00 pm.

On a Y-4 roll call, the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
862	Request of Ulisher Hardiman to address Council regarding meaningful communication (Communication)	PLACED ON FILE
863	Request of Heather Chaney for students from Sunnyside Elementary School to address Council regarding Firwood Lake (Communication)	PLACED ON FILE
864	Request of Timothy Youker to address Council regarding new business for Printing and Distribution (Communication)	PLACED ON FILE
TIMES CERTAIN		
865	TIME CERTAIN: 9:30 AM – Accept report on the selection of a proposed developer for 8735 N. Lombard St (Report introduced by Mayor Adams and Commissioner Saltzman) 20 minutes requested Motion to accept report: Moved by Mayor Adams and seconded by Commissioner Fish. (Y-4)	ACCEPTED
866	TIME CERTAIN: 10:00 AM – Summer Parks Programs (Presentation introduced by Commissioner Fish) 10 minutes requested	PLACED ON FILE

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<p>867 TIME CERTAIN: 10:15 AM – Accept the final report on projects related to the National Women’s Health Week grant (Report introduced by Commissioner Fritz) 15 minutes requested</p> <p>Motion to accept report: Moved by Commissioner Fritz and seconded by Mayor Adams.</p> <p>(Y-4)</p>	<p>ACCEPTED</p>	
<p>868 TIME CERTAIN: 10:30 AM – Authorize actions to support immigration reform and prevent illegal racial profiling (Resolution introduced by Mayor Adams and Commissioners Fish, Fritz and Leonard) 20 minutes requested</p> <p>(Y-4)</p>	<p>36793</p>	
<p align="center">CONSENT AGENDA – NO DISCUSSION</p> <p align="center">Mayor Sam Adams</p> <p align="center">Bureau of Planning & Sustainability</p> <p>*869 Authorize Bureau of Planning and Sustainability to contract with each of six Neighborhood District Coalitions for Neighborhood Cleanup events from 2010 through 2015 at a total cost of \$273,385 (Ordinance)</p> <p>(Y-4)</p>		<p>183885</p>
<p>*870 Approve annexation to the City of Portland of property within the boundaries of the City's Urban Services District in case number A-1-10, on the south edge of the City on the west side of SW Northgate Ave east of SW Terwilliger Blvd (Ordinance)</p> <p>(Y-4)</p>	<p>183886</p>	
<p>871 Authorize Intergovernmental Agreement and accept funds from Metro in the amount of \$10,000 for the Multifamily Recycling program to support waste reduction and recycling outreach and assistance for multifamily communities in Portland (Second Reading Agenda 821)</p> <p>(Y-4)</p>	<p>183887</p>	
<p align="center">Bureau of Police</p> <p>*872 Accept donation of \$1,000 for the Police Bureau from the Wal-Mart Foundation (Ordinance)</p> <p>(Y-4)</p>		<p>183888</p>
<p align="center">Bureau of Transportation</p> <p>873 Amend Intergovernmental Agreement with Metro for City CarpoolMatchNW Maintenance in amount of \$30,913 to be paid to the City and extend term through June 30, 2011 (Ordinance; amend Contract No. 30000897)</p>		<p>PASSED TO SECOND READING JUNE 23, 2010 AT 9:30 AM</p>
<p>*874 Approve variance allowing minor rise in base flood elevations associated with Portland-Milwaukie Light Rail Project's Willamette River Bridge Crossing (Ordinance)</p> <p>(Y-4)</p>	<p>183889</p>	

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<p>*875 Approve revocation of City authority for an industry spur track within SE 7th Ave, SE Caruthers St and SE Division St to facilitate alignment of the Portland-Milwaukie Light Rail Transit Project (Ordinance) (Y-4)</p>	<p align="center">183890</p>
<p>*876 Amend Intergovernmental Agreement with Oregon Department of Transportation to insert new terms of agreement requirements for electrical inspectors (Ordinance; amend Contract No. 30000940) (Y-4)</p>	<p align="center">183891</p>
<p>*877 Amend contract with Cale Parking Systems USA, Inc., to increase authority to purchase support services (Ordinance; amend Contract No. 36734) (Y-4)</p>	<p align="center">183892</p>
<p>*878 Extend contract with the Lloyd Transportation Management Association one year and increase by \$90,000 to provide transportation related services to employees in the Lloyd District (Ordinance; amend Contract No. 36766) (Y-4)</p>	<p align="center">183893</p>
<p>*879 Amend contract with Travel Portland to add additional time and compensation for Downtown Marketing Initiative Services (Ordinance; amend Contract No. 53081) (Y-4)</p>	<p align="center">183894</p>
<p>*880 Grant revocable permit to Alliance Francais de Portland to close NW Johnson St between NW 10th Ave and NW 11th Ave from 7:00 a.m. until 10:00 p.m. on July 10, 2010 (Ordinance) (Y-4)</p>	<p align="center">183895</p>
<p>881 Grant revocable permit to Deschutes Brewery to close NW Davis St between NW 10th Ave and NW 11th Ave from 7:00 a.m. until 1:00 p.m. on July 22, 2010 (Second Reading Agenda 827) (Y-4)</p>	<p align="center">183896</p>
<p>882 Grant revocable permit to Deschutes Brewery to close NW Davis St between NW 10th Ave and NW 11th Ave from 1:00 p.m. until 11:00 p.m. on August 12, 2010 (Second Reading Agenda 828) (Y-4)</p>	<p align="center">183897</p>
<p>883 Amend contract with CMTS, Inc. to add contractual spending authority to provide qualified temporary personnel (Second Reading Agenda 829; amend Contract No. 30000423) (Y-4)</p>	<p align="center">183898</p>
<p>884 Authorize an Intergovernmental Agreement with Metro and accept a \$30,000 sponsorship to administer five Sunday Parkways (Second Reading Agenda 830) (Y-4)</p>	<p align="center">183899</p>
<p align="center">Office of Management and Finance – Financial Services</p>	
<p>*885 Clarify and update Definitions - Includable Compensation and Participation in the Plan sections of the City Deferred Compensation Plan (Ordinance; amend Code Chapter 5.09) (Y-4)</p>	<p align="center">183900</p>

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Office of Management and Finance – Human Resources		
886	Change the salary range for the Nonrepresented classification of Chief Deputy City Auditor (Second Reading Agenda 834) (Y-4)	183901
887	Create a new represented premium assignment of Electrician/Instrument Technician, Lead and establish an interim compensation rate (Second Reading Agenda 835) (Y-4)	183902
Office of Management and Finance – Internal Business Services		
888	Accept bid of James W Fowler Co. for the NE 60th & NE Klickitat Street Sewer Rehabilitation and Replacement Project for \$3,683,750 (Procurement Report - Bid No. 111637) (Y-4)	ACCEPTED PREPARE CONTRACT
Commissioner Nick Fish Position No. 2		
Portland Housing Bureau		
*889	Authorize Intergovernmental Agreements with the Portland Development Commission in support of the transition of housing functions to the City of Portland Housing Bureau (Ordinance) (Y-4)	183903
*890	Amend Intergovernmental Agreement with the Oregon Bureau of Labor and Industry by extending the contract period (Ordinance; amend Contract No. 30000898) (Y-4)	183904
Portland Parks & Recreation		
*891	Authorize Intergovernmental Agreement with the City of Gresham to provide services related to the repair of the Springwater Corridor Trail (Ordinance) (Y-4)	183905
892	Designate a section of public right-of-way along N. Terminal Rd as part of Chimney Park and assign it to the Bureau of Parks and Recreation (Ordinance)	PASSED TO SECOND READING JUNE 23, 2010 AT 9:30 AM
893	Authorize grants to five Portland school districts for out-of-school-hours youth programs (Ordinance)	PASSED TO SECOND READING JUNE 23, 2010 AT 9:30 AM
Commissioner Dan Saltzman Position No. 3		
Bureau of Environmental Services		

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<p>894 Authorize an agreement with A & K Designs to allow the City to assume responsibility for construction of frontage improvements adjacent to the SE 83rd Avenue Wastewater Pump Station Project No. E08376 (Ordinance)</p>	<p>PASSED TO SECOND READING JUNE 23, 2010 AT 9:30 AM</p>
<p>895 Authorize Intergovernmental Agreement with the Oregon Department of Environmental Quality for laboratory services for Senate Bill 737 (Second Reading Agenda 841) (Y-4)</p>	<p>183906</p>
<p>896 Authorize a contract and provide payment for construction of the Chemically Enhanced Primary Treatment facility at the Columbia Boulevard Wastewater Treatment Plant Project No. E08910 (Second Reading Agenda 842) (Y-4)</p>	<p>183907</p>
<p style="text-align: center;">Commissioner Randy Leonard Position No. 4</p> <p style="text-align: center;">Bureau of Water</p> <p>897 Amend Intergovernmental Agreement with Multnomah County for the Water/Sewer Bill Discount and Crisis Assistance Program (Ordinance; amend Contract No. 38119)</p>	
<p style="text-align: center;">Portland Fire & Rescue</p> <p>*898 Authorize application to Department of Homeland Security, Assistance to Firefighters Fire Grant Program for a grant in the amount of \$720,000 for the purchase of one aerial fire apparatus (Ordinance) (Y-4)</p>	
<p style="text-align: center;">Commissioner Amanda Fritz Position No. 1</p> <p style="text-align: center;">Office of Healthy Working Rivers</p> <p>*899 Authorize the City to provide funds for Portland Harbor Natural Resource Trustees to pursue evaluation of Natural Resource Damage Assessment Restoration Projects (Ordinance) (Y-4)</p>	
<p style="text-align: center;">Office of Human Relations</p> <p>*900 Amend contract with Kristin Lensen Consulting in amount of \$20,000 for consulting services (Ordinance; amend Contract No. 30000485) (Y-4)</p>	
<p style="text-align: center;">REGULAR AGENDA</p>	

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Mayor Sam Adams		
901	Approve a Memorandum of Understanding with Multnomah County regarding funding for the Mental Health Crisis Assessment and Treatment Center (Resolution) 15 minutes requested (Y-4)	36794
Bureau of Transportation		
*902	Extend special rates and charges for public works permitting services through FY 2010-2011 (Ordinance) 10 minutes requested (Y-4)	183911
Office of Management and Finance – Internal Business Services		
*903	Amend contract with MCA Architects, PC in the amount of \$60,240 to provide additional architectural and engineering services for the Fire Station 18 seismic upgrade and facility remodel project (Ordinance; amend Contract No. 30000809) (Y-4)	183912
904	Authorize an exemption to the competitive bidding process to Procurement Services pursuant to ORS 279C and PCC 5.34 and provide payment for construction of the Kelly Butte Reservoir Project (Second Reading Agenda 856) (Y-4)	183913
Commissioner Dan Saltzman Position No. 3		
Bureau of Environmental Services		
905	Establish GreenBucks to solicit voluntary donations for the construction, maintenance, repair and improvement of sustainable stormwater facilities located on public school properties within the City (Second Reading Agenda 815) (Y-4)	183914
Commissioner Randy Leonard Position No. 4		
Bureau of Water		
S-906	Declare surplus property at eight Water Bureau locations (Ordinance) 10 minutes requested Motion to accept substitute ordinance: Moved by Commissioner Leonard and seconded by Mayor Adams. (Y-4)	SUBSTITUTE PASSED TO SECOND READING JUNE 23, 2010 AT 9:30 AM
City Auditor LaVonne Griffin-Valade		

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<p>907 Certify abstract of votes cast and proclaim candidates elected at the Municipal Non-Partisan Primary Election held in the City of Portland on May 18, 2010 (Report)</p> <p>Motion to accept report: Moved by Commissioner Fish and seconded by Commissioner Fritz.</p> <p>(Y-4)</p>	<p>ACCEPTED</p>
<p>908 Clarify composition of Police Review Board and applicability of code provisions (Ordinance; amend Code Section 3.20.140 and amend Ordinance No. 183657) 15 minutes requested</p>	<p>CONTINUED TO JUNE 23, 2010 AT 9:30 AM</p>

At 12:32 p.m., Council recessed.

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WEDNESDAY, 2:00 PM, JUNE 16, 2010

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

June 17, 2010

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17TH DAY OF JUNE, 2010 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz and Leonard, 4.

Commissioner Leonard arrived at 2:11 p.m.

Commissioner Fritz teleconferenced from 2:00 – 2:14 p.m.

At 2:14 p.m. the meeting recessed and reconvened at 2:15 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Jim Van Dyke, Chief Deputy City Attorney; Kathryn Beaumont, Sr. Deputy City Attorney covered items S-916 and 917 at 2:10 p.m.; and Ron Willis, Sergeant at Arms.

	Disposition:
909 TIME CERTAIN: 2:00 PM – Conduct a Proposed Use Hearing on State Shared Revenue (Hearing introduced by Mayor Adams) 15 minutes requested for Items 909-914	PLACED ON FILE
910 Certify that certain services are provided by the City to establish eligibility for State Shared Revenues (Resolution introduced by Mayor Adams) (Y-3; Leonard absent)	36795
*911 Approve accepting funds from the State of Oregon under the State Revenue Sharing Program for the fiscal year beginning July 1, 2010 and ending June 30, 2011 (Ordinance introduced by Mayor Adams) (Y-4)	183917
*912 Approve closing the Business License Surcharge Fund, and approve renaming the Housing and Community Development Fund to the Community Development Block Grant Fund, and approve creating the Headwaters Apartment Complex Fund (Ordinance introduced by Mayor Adams) (Y-4)	183918
*913 Adopt the annual budget of the City and establish appropriations for the fiscal year beginning July 1, 2010 and ending June 30, 2011 (Ordinance introduced by Mayor Adams) Motion to reconsider and attach statement to adopt the budget as amended in Attachments B, C and D to the June 10 memo, “Adoption of the FY 2010-11 Budget for the City of Portland”: Moved by Commissioner Fish and seconded by Commissioner Leonard. (Y-4) (Y-4)	183919
*914 Approve levying taxes for the City for the fiscal year beginning July 1, 2010 and ending June 30, 2011 (Ordinance introduced by Mayor Adams) (Y-4)	183920

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*915 TIME CERTAIN: 2:15 PM – Authorize an Agreement for Development with Siltronic Corporation regarding contingent commitments for development and restoration on the Siltronic property (Ordinance introduced by Mayor Adams) 45 minutes requested	CONTINUED TO JUNE 23, 2010 AT 9:30 AM
REGULAR AGENDA Mayor Sam Adams Bureau of Planning & Sustainability S-916 Amend the Northwest District Plan and Official Zoning and Comprehensive Plan maps in portion of Northwest Portland (Second Reading Agenda 860) (Y-3; Leonard absent)	 SUBSTITUTE 183915
917 Amend the Northwest Master Plan regulations (Second Reading Agenda 861; amend Title 33) (Y-3; Leonard absent)	 183916

At 2:39 p.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.

June 16, 2010
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 16, 2010 9:30 AM

Adams: The Portland city council will come to order. Karla, how are you? Enjoying the rain? Will you please call the roll?

[roll taken]

Adams: This is lgbtqi pride month, in the city of Portland, and we have our annual pride festival, and with us is debra porter, from -- she's president of pride northwest, and before I read the proclamation, I wanted to introduce you and thank you personally for the amazing amount of hard work it takes to make the pride festival look to easy, and how are things going?

Deborah Porter: We're ready.

Adams: You are ready?

Porter: Oh yeah.

Adams: And what does the parade look like this year?

Porter: The largest that we have ever had.

Adams: Really? How many entries?

Porter: 130, 140, somewhere in there.

Adams: How long do you think it will take for the parade to complete?

Porter: We haven't decided. [laughter]

Fritz: [inaudible]

Porter: It's going to be a while.

Adams: Anything you would like to say before I read the proclamation?

Porter: We just want to invite the community to come to the festival, a very family-friendly busy place, lots of entertainment, lots of activities, and large segment of the community will be there.

Adams: So it's my honor to read the following proclamation. Whereas the city of Portland is committed to diversity, social justice, equality, and mutual respect, as a fundamental aspect of a healthy community, and whereas, the presence and the visibility of the lesbian gay bisexual transgendered community continues to enhance the quality of life from the city of Portland and whereas the city of Portland is enriched by the contributions of the african-american and latino, hispanic communities in areas such as arts, business, and civic participation, and whereas, Portland is honored to host three annual pride celebrations, Portland latino gay pride, june 2-6, and pride northwest, june 19 4-20, and whereas celebrate families, history and pride builds understanding and strengthens all communities. Now, therefore i, sam Adams, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim the month of june 2010 to be lgbtqi lesbian bisexual transgendered and year pride month in Portland and encourage everybody to join me in this celebration and reaffirm our commitment to diversity, equality, and mutual respect in our community. Congratulations. [applause] We will proceed with communications, 862.

Item 862.

Adams: Mr. Hardiman, welcome back.

Ulisher Hardiman: Good morning. Mr. Fritz, mr. Saltzman, mr. Leonard. Boy, adams, he has been awful busy. I get tired keeping up with you. I want to tell you, I think the city of Portland can rest a lot easier now that, that, raise your head up, as far as i'm concerned, and got them in Portland now.

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Adams: Thank you, proud of you and wish you well on your walk.

Hardiman: I really enjoyed hearing certain communications from yourself on the radio the other night in which you left certain groups of people know that they are not going to let Portland be a shield for their hatred and gangs and all of that type of thing. That's how i, myself, became clear with the council. I think that I was victimized by racial profiling, and it cost me my car, my harmonica, half of a book and a bunch of more good stuff. But, I mean, you know, years ago used to have a cartoon old hermit be up in the hills and hating everything, and something happened in which these people want to get a middle or somebody, they want to hate people and pull stuff and they can point people around and cause some problems, you know. You have one group, one wanting to move into john day. They could get support, 500 acres, and leave out there and hate all the world if they want to. And all they want is to hurt a bunch of more people, we're they can do stuff to people. So I will be back because i'm still trying to learn how to communicate with city council, wish I could be of some help as you do this. What I call is, is let people know that, that Portland sunshine going to be a shield for their games and hatreds and, and, and thank you very much.

Adams: Thank you, mr. Hardiman.

Fritz: I wanted to tell you thank you, you are an example of how you sign up for three minutes, and you always having something thoughtful to tell us so thank you very much.

Hardiman: I am hoping for some further conclusions and whatnot.

Adams: Thank you. [applause] when you like something, unless noted by the chair, you wave your hands. The chair, on occasion, can allow for clapping, but it's at his discretion. Can you please read the title for communications item 863.

Item 863.

Adams: Good morning. Welcome. We're glad you are here. Do you want to introduce yourselves again into the microphone? You have got to kind of speak up loud.

Elliott Martin: My name is elliott martin, and I represent sunnyside environmental school third graders.

Gavin Grishold: I am gavin grishold, and I represent the, the environmental school, third grade, also.

Martin: And we are here on behalf of firwood lake at laurelhurst park. We have been studying the toxic blue green algae in the lake. We realize the lake is being dredged to help solve the problem. However, we believe a solution that will last the longest is public education. We are asking for your help to inform the public about not feeding the ducks. Leftover bread feeds the toxic algae bloom, when it dies it sinks to the bottom and becomes sludge. So, we would ask that you educate the public about not feeding the ducks. Thank you.

Adams: Very well done, and this one, we can definitely clap to. Congratulations. [applause]

Fritz: What you have done it help us, by getting on cable television you told the city we should not be feeding the ducks. Thank you very much.

Adams: And you are welcome to stay and watch more democracy happen or if, by chance, is school still in session? Oh, then you can stay all day. [laughter]

*******:** We have a birthday party to go to.

Adams: Ok, that sounds like more fun. Can you read the title for 864.

Item 864.

Adams: Mr. Youker. That gets us to the consent agenda. Does anyone wish to pull any items from the consent agenda? All right. Can you call the vote on the consent agenda.

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

Adams: Aye. Consent agenda is approved. And I move that the city council hold an evening hearing on, on august 12 for the purposes of, of discussing and considering the future of west hayden island.

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Fritz: Second.

Adams: Moved and seconded. Any discussion? Karla, can you please the vote on the motion.

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

Adams: Aye. Motion approved. [gavel pounded] Can you read the titles for time certain item number 865.

Item 865.

Adams: It's my pleasure to introduce this item on behalf of commissioner dan Saltzman and myself.

Commissioner Saltzman, unfortunately, is out sick today, which is too bad because he has brought this, this project to fruition that council is considering today. He and I have been working on this project and various assignments for a number of years. It is our opportunity, using land that the city has owned for a very long time, which was once polluted brownfield land. It's our opportunity to help improve downtown st. John's. And this is, the, also, the culmination of, the work by the project citizen advisory team, that has selected a preferred Development team, and the acceptance of this report by council will kick off the development agreement and negotiations. In 1976, Portland development commission purchased this property, when, this part of Portland used to have an urban renewal district and demolished the surface structures. The community's urban renewal area status was withdrawn after the purchase, so instead of developing the property, pdc leased part of the site as a parking lot for nearly 30 years. When that lease expired in 2004, pdc sought assistance from the bureau of environmental services, brownfield program, to prepare the property for development. In 2006, the city removed contaminated soil and seven underground storage tanks from the property. I remember being there that day, and was surprised at how many fuel storage tanks you could actually fit under the sidewalk, and very close to the, to the adjoining property. It was, it was a mess. The city's brownfield program conducted an extensive public process to determine the best use of the property. I think that I was at two or three town halls, which were very well attended. A lot of passion in this part of the city. And we are now here with the development team. Willie Nyanko, block design, which has been selected by the advisory committee. I would like to quickly thank members of the citizen Committee, and if you are here, please stand. Richard arnold, maryanne ashbrener, Jay breslow, Martin campos, Thomas ebert, James hayes, Michael coalhoff, Sharon bray, Jim sholer, and michael sellen. Thank you all for your valuable input, and I also want to thank clark henry, who moved back east and is no longer with them, but his boss, who kept things going, and coached him along the way is maveeta redding from bes.

Marveita Redding: Thank you, good morning, mayor Adams and commissioners, i'm pleased to be here this morning. Mayor Adams has given us a good background as to what took place with this property, and, and the environmental services bureau, the brownfield program, particularly proud to take part in this because, because we have been active throughout the city over the last eight years, and so it's a pleasure to take a piece of property that, that the city owns and, and hopefully, put it back into constructive use, and something that is beneficial to, to the neighborhood.

Our program, our program, and activities, we also have our activities there in the st. John's cathedral park area, so we are, we, too, are residents of the area, and many of our employees live in the area, so there is a lot of public interest in that. I wanted to add to clark henry, who was not here, who spent so many hours working on this Project, both during daytime and with evening meetings and doing community development. We hope this will be the first of many activities of this type. And that the Portland brownsfield program will be responsible for. I have here with me today maryanne, who you acknowledged earlier, and the development team. I would like to turn the time over to maryanne so she can talk about their activities.

Adams: Welcome.

Mary Ann Aschenbrenner: Thank you. I want to thank the city for a lot of patience with this process. We were met, we met for 2.5iers, and all of us were representatives of the neighborhood

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and business owners, property owners in the neighborhood. And we looked at this from every angle and came up with, with really, I think, a good proposal and had, had three very teams apply for it and selected the strongest one, and we're very, very pleased with the results.

Adams: All right.

Redding: I would like to introduce gina of the team, and she will provide a bit of information about the project, and, and the activity. I would also add, too, that this is the first of, of a number of additional developments. We planned to have another community meeting to, to introduce the developers to the community, and you get further input from them as we go through this process. I will turn it over to gina.

Adams: Sorry, but if you could move, if I could have you move down so that we can get you in the middle. If you would know mine moving over. Ok. Good to see you in the council room.

*****: Good morning.

*****: A little further.

*****: There you go.

Gina Woolley: Good morning, mayor Adams, and council members. My name is gina woolly, and sitting next to me is, is rosalyann hill, and we constitute the developers, and, and we'll form a new entity. Both of us are developers in our own right, and have done multiple projects in northeast, in particular, and, and, and we look forward -- we have worked together on, on small stuff, but this will be our first joint venture developing a project. And, and I also have, some other members of the, of the development team, and I just would like to point them out and recognize them, here with us today, and mackenzie pratt and, and andrew nguyen are with block design development, and tom johnson is with thomas johnson architects, and the rest of our development team that is not here today is amy green, who is also with block design very many, but, that will be our green consultant, design consultant, and andrew colas, and dave gunzel from r&h coalas construction, which is a newly formed joint venture between a majority and minority construction company. They have, they will maintain their own separate construction companies but they all, they also have a new entity. and we are excited to have this opportunity to work with the city and the st. John's businesses and neighbors, residents to create a new development that will revitalize and energize the downtown core of this historic area of the city. I think all of you know, the city, this part of the city has gotten very, very little attention, and primarily, because there are not a lot of resources available, i'm have a development standpoint, and a revitalization standpoint, to, to help make things happen in that part of the city, and we are hoping with the expansion of the interstate, urban renewal zone and -- and st. John's is a recommended inclusion in that expansion, that that will be another tool to help revitalize the area. We proposed the two-phase, 20,000 square foot mixed use development. It will consist of 10 units on the ground floor and nine market rate loft units on top in the second phase. And we will have five affordable housing projects that will be larger units that will accommodate families. And we are phasing this because we think that financially, in this marketplace, it's going to be easier to do this in chunks. And it's going to be, the banks are likely to have an appetite for, for a smaller development, scale development than a large-scale development, and we are, one of the things that we worked very hard to do in our proposal was to be very Responsive to, to all of the community interest and investment, that had been made in defining what the community wanted to see in this development. So, we will be highly sustainable in this development, and we have designed the projects so that there is a commercial sign that runs through, I mean, excuse me, a pedestrian sign that runs through the center of the site. It's a 14,000 square foot site that, that connects to, to the, the st. John's racquet club. This provide access to the bus stop right in front of our building to the st. John's racquet club. We are providing commercial spaces for smaller businesses, so smaller, commercial were designing it so that businesses can, can get into a small commercial space and get started. And we have also proposed to work very closely with the, the community and the parks bureau to try to define a way to, to secure resources, to

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develop the area that will be at the back of our site that's between our development site and the racket club, itself. Right now, that, that's trees and dirt. And so, there's an opportunity for a public space behind our development that would connect the two, the community facility and the development. And certainly, provide a better community asset for st. John's. And I think that, that st. John's is in transition right now. Just in terms of the demographics there's been a lot of new housing built in the last decade. And the families coming in are families with children and, and young professionals. Andrew nguyen, who is one of our development team members, actually lives in one of those new developments in st. John's, and we think that, that the commercial revitalization has lagged behind, and that this project will be a, you know, a way to, to kick off and catalyze some of the, some of the commercial revitalization in st. John's corps. There is a lot of energy in st. John's. A lot of community interest in revitalizing the commercial corps, and we hope top, to, you know, to be at the forefront of that and to help the community realize its aspirations of having a vital, energized downtown core we're people can recreate, and live and prosper. So, having said that, i'll, I would, we would entertain any questions that you might have.

Fish: First, congratulations on the selection.

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

Fish: And I wanted to ask just about phase two, and the affordable housing component. Do you currently have a road map for developing housing, assuming that the urban renewal district does not extend to cover this property?

Woolley: Yes, we, we, basically, have a financial, in our financial feasibility, we have a, a gap, but we have other ways of filling that gap. If that doesn't -- if the urban renewal zone does not come into place in time for us to use those resources for the development. That would be, make it a slam dunk, essentially, because you could get all the resources that we would need in terms of the gap financing in one place, but we have other options.

Fish: And that would include tax abatements, seeking some allocation of cdbg or things of that nature?

Woolley: It would include, um, possibly new market tax credits. It would include any kind of environmental grants, subsidies that would help as do some of the environmental features. We think that there is money -- we're talking about doing a, a showcase project for sustainability. We think that there is money out there both in the city, in the city programs, state programs, and we have enrolled the program already for energy trust incentives, so there are other resources that we will be seeking. And what's going to happen, though, is it's going to take us some time to put the package together because we're going to have a lot of sources of financing. It's not like we were just going to a bank. One of the issues in a transitioning community like st. John's is your project doesn't -- the rental rates don't support the, the rental rates don't support the cost of new development. And we've been very clear with the committee, and with everyone that we have spoken to, that there is a gap in our performance, that we will need to, to find other resources to fill.

We're going to be hopefully looking to work with the city in each of the bureaus, as partners to figure out if they have resources or, or subsidies or, or anything that would help us to take care of a little piece of, of the cost, and, and I know that these are hard times for the city, as well, and, and revenue is, is thin, and programs are being cut, but we will be talking with everybody to see what we can put together. We're hoping to form -- they have a lot of partners to get this project done.

Fish: Thank you. My other question was about, about the brownfield program, more generally. Are there other projects in the pipeline like this we're, we're there are brownfields being cleaned up, that could be the subject of similar public process and ultimately, mixed use development?

Redding: We currently don't have a project of that nature. This is the only project that we have that is a city-owned project, or property, but we do spend a great deal of time in advisory and helping people with federal grants on other mixed use types of properties throughout the city. And we would certainly anticipate doing more of that type of work.

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Adams: Any other discussion? Is there anyone that wishes to testify on this matter?

Moore-Love: No one else signed up.

Adams: All right. This is -- ok. This is a report, so I would move acceptance of the report.

Fish: Second.

Adams: Moved and seconded. Karla, please call the vote.

Fish: I want to thank the citizen panel that labored for so long to, to come up with this recommendation, and I will say, the housing commissioner, i'm delighted with the team you selected. They have a track record in our community, and deep ties, and, and if, if they can pull this -- if anyone can pull together the financing, if anybody can, jean and her team can, so congratulations. The housing bureau, of course, stands ready to assist you and your creative search as you start, when you get ready to plan phase 2. Thank you, mayor, and thank you, commissioner Saltzman, for your leadership on this, and to take a brown field and convert it to something which is going to not only put something back in our tax rolls, but creates a vitality in this part of the city is, is a great win. So, and thanks to, to bes. Aye.

Leonard: Aye.

Fritz: Congratulations. This is an excellent example of the public-private non profit volunteers working together, and thank you, maryanne fork all your work in the community and for the 2.5 years that the community put into working on what, what, the project should Look like.and i, particularly, appreciate that it has to be scaled back, excuse me, and you went for, for the whole enchilada to start with the racquet club, and when that didn't work out, you looked at this particular piece of the project, and I especially appreciated the commentary about looking to the future and, and doing it in phases. I think that's, that's a very good way to approach it. And we have not forgotten about the racquet club. This project really relates to, to st. John's as a community, and exhibits all of the community values, including cleaning up browns fields and polluted spaces and making them into something that the community values and includes commercial and, and affordable housing, and all of the things that relate to st. John's. So thank you very much for all your work. Aye.

Adams: Well, I want to thank each and every one of you for your work on this project and all of the citizens, as well. When we started, I honestly didn't know if we would get to this point. But this has been a piece missing in downtown Portland st. John's for, for three decades, and it's coming to fruition at a very difficult time. So, this is really the, the end of, of the start of the beginning, and your message is, is, I think, loud and clear that this project is exactly what I think downtown st. John needs, but it's going to take some more Partnership, and more, more help, and we'll do everything that we can from here on out to see that it gets built. So thank you. Aye. [gavel pounded] Congratulations. All right. Can you please read item number 866.

Item 866.

Adams: Commissioner Fish.

Fish: Thank you, mayor. We have a brief presentation this modern, and I will like to call forward jeff milkes, our southeast zone manager for the parks bureau, and sherrie manning, the development director for the parks foundation, and emily hicks, who is one of my parks liaison people, and we'll be handing out, mayor, a copy of a, is a supplement, which will be appearing in the Oregonian on friday, which lists what we call our summer free-for-all, which is the complete program of, of free summer activities that's moving, concerts, playgrounds, and the whole range of activities, which the parks bureau offers at no charge to the public. No now, the parks bureau has a history of offering free summer programs, and in good times, they are important. In these challenging times, they are vital. Because they provide families and children with healthy, active, and safe recreational opportunities. I want to begin by thanking the mayor and my colleagues for recognizing the vital services that, that the playground programs provide to our community, and for restoring funding for those programs, which will allow us to operate, I understand, 30, not just 23, is that right? 30 in 30

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playground programs around the city, and children will also receive a federally funded healthy meal in addition to the programming. This year, we cannot do these programs without the support of our private partners, and we have over 100 sponsors who have kept this free for all tradition alive. I want to thank all of them, everyone from Nike and Daimler, Bank of America, all the sponsors, many of them are listed in the document that we have handed out, and that will be in the newspaper on Friday. So, it's my pleasure to welcome Jeff and Sherrie forward, and they have a very brief presentation to make. So, thank you both for your great work, and Jeff, why don't you start us off.

Jeff Milkes, Portland Parks and Recreation: Thank you, Mr. Mayor and Commissioners. Good morning, this year our playground program will actually be taking place at 32 different sites because I'm pleased to announce that we have added two more sites as a result of some recent funding. 18 of these are sites expected to provide 75,000 free meals, including two new sites in the outer east. Those at Glennfair and Wilkes Park. I would like to thank the Mayor and Andrea for helping to coordinate with the county and The Sun Schools we have brought the free lunch programs across the city under one umbrella, and I would like to thank Nike, our main sponsor for the summer playground program, and they are a long and generous partner to parks, and I would like to recognize the National Recreation Park Association for awarding the remaining funding needed to both support the free lunch programs, and to restore the mobile recreation program. Thanks goes to the Oregon Hunger Task Force, as well, and for granting funds to assist with those sites. I would like to thank the Oregonian for the kind printing of our free for all schedule. The one that was handed out. And we have over 500,000 copies, which were recently distributed at schools, and it will be an insert in this Friday's paper. Our free for all kickoff event is next Friday, June 25. Everyone, you are all invited to join us at Peninsula Park for our teen idol performances, free swimming, field games, and much, much more. We are very excited to have the Portland Parks Foundation as such a strong partner. Sherrie.

Sherry Manning: Good morning, Mayor and Commissioners. It's my pleasure to be here on behalf of Portland Parks Foundation. And our new director, Mora White, who could not be here today, and Portland Parks Foundation Board of Directors. Thank you. We are here to thank you today for restoring funding to the summer playground program very important to our board and poll constituency. Portland Parks Foundation is a private non-profit organization formed in 2001 to bring resources and expertise to the long-term stewardship of Portland's parks and park programs. We are pleased to be a sponsor of the summer free for all program. And programs that serve at-risk children are central to the work that we do at Portland Parks Foundation, and many of the board members are involved because of the work we do in the parks for our children. Very critical to their involvement. Since 2003, we have directed more than a million dollars in grants to Portland Parks and Recreation. Specifically to the underserved children. And we believe that the very best way to involve and ensure our long-term care and health of our parks is to encourage children to make a deeper connection with parks. It will form long-term stewardship and ensure that they are comfortable and, and at one with the outdoors. As a side note, we are currently, Portland Parks Foundation, in cooperation with Portland Parks and Recreation, we are a finalist for a \$25,000 grant to support the mobile climbing wall, and free summer lunch programs through share our strength, and we encourage you to go to a website, strength.org/votetoday, the finalists with the most votes by the end of the week will receive a grant for \$25,000. And this, we designed this, this program to, to repair the summer food program with the climbing wall program, and taking it out to, to outer southeast neighborhoods, we're, we're resources are scarce, and we now are a finalist, and all we need to do is get in enough votes to make it happen.

Fritz: Could you send me an email with the link?

Manning: Absolutely.

*******:** So we look forward to continuing this partnership and thank you for your time today.

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Fish: Thank you, jeff and sherrie and she in addition to the programs, we are excited to announce we will be providing more healthy snack options in our rec centers. Doug and other staff have been working to make healthy choice the easy choice for all of our customers, and parks motto is healthy parks, healthy Portland, and we are committed to, to offering free and low-cost opportunities to all Portlanders to get active and to eat well. And I look forward to attending many of the events across the city this summer, and I invite my colleagues and, and in fact, all our colleaguings to join us at one mahr, and I should give fair warning to anyone attending the movies, since I understand it will be families and children, I should warn them that there is an introductory clip welcoming people to the event, and thanking them. Apparently, parks could not get anyone who is famous, so by default, I was asked to do the greeting, and I want to put a fair warning out there for anyone who is coming with young children in case they thought that they were coming for a drama, and it's a horror film. So, thanks again to my colleagues for their strong support of our work, and again, as I said in my introductory comments, these kinds of programs are incredibly important in good times, they are essential in tough times. And we are proud to be working with the city across bureaus, that is seeking not to, to shrink but expand opportunities that are at low-cost for our people this summer. Particularly family with children, so thank you both, and thanks to my colleagues.

Adams: I guess this is, this is a presentation, so you won't have, have an agenda, so I want to, to thank you, commissioner Fish, for the very difficult times, both for us, but especially, for our citizens, our residents, and that you have garnered the kind of private sector participation and sponsorship, and truly remarkable in being able to provide citizens free activities in their neighborhoods at a time when most household budgets are stretched to the breaking point. I just think is fantastic. So thank you, and thank your team.

Fish: Thank you, and during the starlight parade, daimler, which has return as the anchor sponsor for one of our programs, which is the Washington parks summer festival, had an award-winning float, and the float was a replica of Washington park, and they had the quadra-phones, Which is an all female horn trio or something band that will be performing on opening night starting, I think, august 5, and it is a testament to daimler that they are, as a company, so committed to this they not only are anchor-sponsored, but put in a lot of money to restore it, but to design it around this much beloved tradition here in Portland, so thank you.

Fritz: And thank you, commissioner Fritz for -- thank you, commissioner Fish for all your work, and I hope the volunteers, and a lot of non corporate donors who contribute to the concerts in the park, and so it really is a community effort, a community recognition that yes, we need vacations and we need things to do that are fun and wholesome in our parks, and it's a great community effort. I thank you to the foundation and the staff and commissioner Fish.

Adams: Thank you very much. We will move onto time certain item. Karla, please read the title for 867.

Item 867.

Adams: Commissioner amanda Fritz.

Fritz: Thank you. If we could hand out the report that would be great. This is a project that my office initiated. I'm in charge of wellness for the city of Portland, and we worked hard on the healthy kids initiative, so sarah was looking for grants that can help us with either of those programs to get the message out to folks about the benefits available through Them, through the city or through the state healthy kids initiative, which of course, is now law, and any uninsured child in Oregon can get signed up for health care. So she found a grant from the national government for national women's health week. We brainstorm about what we could do for a wellness program for the women in the city of Portland. At the same time, we were working on the sharing public sidewalk issue with our sharing public sidewalk advisory committee, and sarah and I both came to the recognition that the people who most need help with health care in Portland have, the women, are women who are living outside who don't have access to the services that the city

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employees or people with homes do. So Sarah put together our grant proposal, which was sent, and the project. It's a \$2,500 grant. And we wanted to do this because we are very happy with the outcome of this, and if you would give us 10 minutes to allow you to tell us about it, we would greatly appreciate it. We know that there's been an influx of people living outside and experiencing homelessness, and in fact, 2008 to 2009, approximately 13,000 individuals in Portland and Multnomah county have been served by one of the dozens of non profits that use our city's homeless management information system. And including street outreach programs, emergency shelters, and transitional housing program. And these 13,000 people, 2,542 were women. The women living outside basic survival is more immediate need than thinking about preventive health care or healthy eating habits, and yet the women are also most in need of information and services that prevent, as well as treat health problems and, and pregnancy, and part of our problem is that we have to take care of the emergencies and yet we all know that spending money on preventative care is more cost effective. So by hosting this project, we believe that we have helped many Portland women take active steps to get involved in their own health care. So now I invite Sarah, from my office are manage and had coordinated all aspects of this project to discuss with you the details of the outcome.

Sara Hussein, Commissioner Fritz's Office: Hello. Thank you, commissioner Fritz. Good morning, mayor, members of the council. I like to share with you the outcomes of the project that we did for national women's health week. Basically, we held two different workshops. One was based on women's health education, reproductive health, the other a nutrition education workshop. So in order to, to accomplish this, we partnered with ago different organizations in the Portland area for the nutrition education workshop, we partnered with the salvation army, cml emergency shelter and the Oregon food bank. We worked with the Oregon food bank. The purpose was to teach women how to shop more wisely to use their money. How to cook healthy but not have to spend a lot of money buying their food. And the workshop was interactive. The women got to taste the food that the chefs made. The chefs went through a day's worth of meals, and so they got to taste the food. They went home with a recipe book guide with different recipes that, that the chefs made that day, and along with additional recipes for breakfast, lunch, dinner, snacks, and desserts, and they also got to go home with a bag of groceries to make pasta salad, so it's great that, that they got to, to, to go home with, with stuff to, to start off their healthy meals, and the second workshop was, was the healthy habits for health women, and that was more of a women's health education reproductive health workshop, and that was held at home pdx, an outside church gathering, and dinner and a movie and program and the women's shelter, all these programs served low income people, or people living outside. And a total of 116 women participated in this set of workshops, which was amazing. We were not expecting that, so it a. Was great. And to help facilitate the workshop, we partnered with the Multnomah county health department's community exastation center, and then a, a physician from ohsu and a reproductive health indicated Iter taught the workshops, and what we really wanted the women to come away with is the importance of pap smears and detecting cervical cancer, birth control methods, and most importantly, we're women can access the services and, and the Portland area, throughout the state, at reduced costs or for free. So, we didn't want to just sit there and lecture them. So, we decided to go with the popular education route, which is a, the methodology used to -- it creates an interactive environment between the participants and the teachers. So, for example, for the birth control portion of the workshop, the reproductive health educator had a very casual, open discussion about different birth control methods. She did a show and tell. She had every type of method that she discussed with her, and she was able to pass it around to the group and women were able to ask any questions that they had for their specific needs. And for the cervical cancer portion of the workshop, this is fun. We did a skit on how cervical cancer forms. Is the participants of the workshop, volunteered and they were either normal cervical cells or cancerous cells or hpv cells, and they demonstrated the

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process of the bad cells attacking the cervical cells. It was a great way for them to understand this really complex process of cancer formation. And so, at the home pdx workshop, the Oregon adult immunization coalition volunteered their services, so they brought a mobile vaccination clinic there so men and women were able to get vaccines that they liked. And they were also there for counseling services that they didn't, if they didn't want a cerebral palsy that day, they could off them brochures and information about we're they can get vaccines in the future. So, we had the women complete valuations for the workshops and the results are in the report in front of you, but really, what they came away with is, is what we wanted them to come away with. They learned we're they can get these services, and what stuff they can take to protect their health, and 125 women total attended the workshops, and, and i, I was just impressed with the number that came, and we received a lot of positive evaluations about, about how valuable they thought the workshops were and, and, and not only are they going to use this information for themselves, but a lot of them said that they are going to pass this information onto their girlfriends, to their daughters, so, so it was just, just great to know that, that we are able to do something useful, and, and make these women, help these women feel empowered that there is something that they can do to, to take care of themselves and be healthy. Thank you.

Fritz: If you turn to page 8 and subsequent pages, there are illustrations of who participated and, and what they learned and we were very pleased with the level of participation and the fact that people did feel that it was a very workable program. So we have two invited speakers. Laura of the rose haven staff and sarah, from the company we just talked about. Thank you. Thank you for coming. If you can state your name.

Sara Dallison-Grove: I am sarah dallison grove, first time doing anything like this, so.

Fritz: Thank you very much for coming.

Dallison-Grove: I wanted to thank you very much, both you and sarah and mayor Adams and everybody else in service to the public here. And thank you for what that, what you did with the grant. I don't know if everybody here knows, rose haven is a day shelter, actually, not a 24 hour shelter, and only for women, and it was begun by a sister in 1993, and began for the women in old up to, and now it moved to northwest. Which is where it's at. 627 northwest, 18th in the lower level of the church there. Anyway, with this, what this did for me, when I attended there, I with an sure we're I was going to be. I can write better than I can speak.

Adams: You are doing great.

Dallison-Grove: Well, thank you, mayor Adams. And I recognize the voice.

Leonard: I hear it in my sleep. [laughter]

Dallison-Grove: That's a good thing. And women go to those appointments most of their reproductive life, and don't Enjoy them, and so with that being said, I think that you don't know all the facts because the feelings are involved. So basically what I learned there was that it's all about the cervical cancer. Primarily, it should be. And I also learned later because I like to read and do research, but there is a really high, or there used to be, perhaps, when the information was recorded, there is a high false negative with the, the cervical cancer, prescreening, which I could guess that that's why they like to do it yearly. I don't know. Whatever the person would decide to do. So, with the information, I work hard all my life, and kind of just give a brief synopsis with feelings set aside. I became ensured from, from a medical problem, kind of things you hear about on tv, and lost insurance, so now i'm going through a thing we're they don't want to see you if you have no insurance, which is, every day is a new day, but it's kind of a bizarre situation, and it can happen in america. And maybe in other countries, too, but I don't know. So to make a long story short, they gave us the resources. They sent home cards, which was really cute and wonderful, and they did try to make it fun, yeah. So, rose haven. There is never any, any kind of a problem there. It's always the most -- things are just right there. There is no exchange of money for anything. And that makes it a very, very special place, so we're really lucky in Portland, Oregon, to have such a place. And

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the sister goes to my church, and my friends all kind of help with certain things there, so I ended up there. But anyway, any more grants that can be done for this kind of thing because everybody knows, has nieces, daughters, women, we know how, how those appointments, oh, and I thought of an acronym, your yearly, to help remind me. Anyway, thank you.

Fritz: Thank you very much for coming in to talk to us about rose haven and the project.

Adams: You did great testifying.

Fritz: You sure did.

Dallison-Grove: Thank you, you are so sweet. Nice to meet you.

Fritz: So, reiterating the organizations that helped us in this project were home pdx, the church on the south side, rose haven's women shelter, dinner, movie, the salvation army women female emergency shelter, known as safe, and Oregon food bank. And we also thank the staff from the Multnomah county health department community center who volunteered their time to fulfill the workshops, and teresa, samantha, thanks to ohsu staff dr. Jessica for volunteering her time and lisa from ohsu for being a point of contact between the city, county, and ohsu. Thank you to the adult, Oregon adult coalition for volunteering for the free vaccinations and the staff who did that, and thanks to downtown safeway for donating food in addition to what we could purchase with the grant, and thanks to the u.s. Department of health and human services office of women's health for providing the funding opportunity, and finally, thank you to all the women who participated to make the workshop a success and sarah from my office.

Adams: Thank you very much. Appreciate it.

Fritz: Accept the report.

Adams: Second. Karla please call the vote.

Fish: Commissioner Fritz, thank you for the leadership that you have shown in this area and on the question of healthy choices and promoting good health, the parks bureau is very eager to continue to collaborate with you on both wellness programs and ways in which we can encourage healthier eating. And thank you, sara as always for a superb presentation. I think this is your second major presentation, so good job. And appreciate the good work. Aye.

Leonard: I also want to thank commissioner Fritz for bringing this forward. I am not one for liking to participate in large parades or gatherings, but in year's past, I have in honor of my mother and sister, participated in the walk for the cure and to mr. Fritz's urging, I will transform that into the run for the cure. I think it's vitally important for young women and, and particularly, women who are vulnerable to particular types of cancer, be it breast cancer, which is a genetic predisposition in families. I have, unfortunately, learned, and for women of certain ages, who are predisposed to cancers, to be tested regularly, to follow up regularly, which implies also that they have the ability to do so. And it's a travesty in this country, as we heard from the testimony from our witness, there are women who do those kinds of tests but can't because they lack insurance, and as we move forward, I hope that that is addressed for all, as well. Aye.

Fritz: Thank you, commissioner Leonard, that was really nice, and thank you commissioner Fish and all the council. People at home might be wondering why is the city government spending time on this, and the answer is because we care about all the people in the city of Portland, and we care about women who are living outside who don't have services, and we know it's cost effective to get them this information and provide, let them know that they can have -- there are resources for, for people with no means to get this kind of health care, so we'll post the information on my website so that others who might be interested can find out we're the resources are, and thank you to all that participated. Aye.

Adams: Well, thank you to commissioner Fritz and her great team and all the community partners for your work in this very important issue. Pleased to support it. Aye. [gavel pounded] We have a five-minute recess until our next time certain. [recess taken]

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At 10:28 a.m., Council recessed.

At 10:37 a.m., Council reconvened.

Adams: Please read the title for 868.

Item 868.

Adams: Linda, come forward, I will make a few introductory remarks, and ask that commissioner Fritz also make some introductory remarks, and then we'll hear from Linda Meng and take testimony. This resolution, which is co-sponsored by the members of the city council that you see before you today, sends a strong message that we support those cities in Arizona that are fighting the unjust and ill-advised state law, SB1070. I had an opportunity to talk to Tucson Mayor this weekend as part of the KATU news conference of mayors, and he wanted me to convey to the citizens of Portland his gratitude and appreciation for this particular approach to supporting cities within the state that are challenging the constitutionality of SB-1070. The SB-1070 is an ill-advised attempt to address immigration issues. It needlessly encourages, encourages the specter of racial profiling and increases the possibility of arbitrary arrest and prosecution. And I want to thank Mark Johnson, the former president of the Oregon Bar Association, who has agreed to be our volunteer attorney, who has national expertise in this area of the law, and his willingness to volunteer. And work with our office of the Attorney, which makes this, in terms of the cost to the city of Portland, de minimis. I also want to thank those involved with us in putting this together, that you are going to hear from today, including Jose Ybarra, Danson Tefi, a member of the business community, and I know that Andrea Meyer, who we will hear from, from the ACLU, her organization has been strong in this, and Carmen Rubio from the Latino Network. Along with Gayle Castillo from the Hispanic Chamber of Commerce, all of which have been great advocates on this issue, and have helped us to find a path forward that might be unique among American cities that have responded to this, but we think, as you will hear from our city attorney, Linda Meng, that this is, actually, one of the strongest ways a city, a local municipal government can support the overturning of the, of the unfair and unjust state laws in Arizona. So, Linda, if you could talk a bit -- oh, I'm sorry, there is another important provision of this resolution that falls into the category of Oregon "walk its own talk" and commissioner Fritz was instrumental in putting this clause into the resolution, and I would like you to speak to that.

Fritz: Thank you, Mayor. When we are looking at what the important response was to the Arizona law, and we have been considering over the 17 months that I've been in office, how we help people at different cultural backgrounds and, and immigrants and refugees in our city of Portland, and, and having known that, that, finishes, the state of Black Oregon report published last year, showed no progress in equalizing opportunities for African-Americans in 17 years, and we know that, that states, our neighbors to the north and south, Washington and California, along with 15 other states, including Texas, Florida, Oklahoma, and have laws that prohibit racial profiling and, of pedestrians and motorists, and Oregon, along with 28 other states, has yet to foot legislation on the books, prohibiting racial profiling. And for both, both traffic stops and pedestrian stops, and we know that in Multnomah County, people of color are disproportionately stopped by police officers and disproportionately convicted and incarcerated. And we have been working on the city council to address that, and we want the state government to address that, so that we put our own house in order at the same time that we ask for our city attorney and our volunteer attorneys to look into the constitutionality of the Arizona law and clarify. We, as is obvious, once I start talking, I am an immigrant. I am from England, and yet from looking at me, you can't tell that. So it seems incongruous that people whose skin color is different should have a disproportional impact in traffic stops as I do, also an immigrant so that was why I asked that we would ask our, our government relations staff to look into changes that might be needed in state law and that we support federal legislation, excuse me, making our immigration laws such that people could comply

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with them. They are so difficult. When I came here on a student visa, I came here on a working visa to work in a children's camp for the summer. I had to take the bus to montpelier to change my visa to get -- to montreal, to get a student visa so I could get a nursing visa. When I married an american, but for the fact that the time I was a registered nurse, I would have had to have left the country for 10 years before I would be allowed to come back in after falling in love with an american while here on another visa. That doesn't make any sense. And our federal immigration laws are tearing families apart, and we need to address that before we start looking at who do we exclude from the opportunities of a nation of immigrants. That's who we are. The native americans were here before us, but after that, we are all immigrants or descendants of immigrants so we need to, I think, look at our federal laws and state laws, as well as seeking to clarify what the arizona law does and shouldn't do. [applause]

Adams: Well said. Welcome, miss meng. If you could talk about boycotts and state law.

Linda Meng, City Attorney: Yes, when you asked us to look at the question of boycotts, we have look at, primarily we looked at state Purchasing laws, and I have looked at some of the resolutions of other cities who adopted boycotts. What those boycotts generally say is that they will boycott the state of arizona to the extent that they are allowed to do so under the law, and by and large, they are probably not allowed to do much. I'm not familiar with the other state laws, but in Oregon, our purchasing laws cover goods and services and construction contracts, and most of the things that we purchased, do not allow us to boycott a particular state. They are designed to, to promote competition and, and set standards for, for who is allowed to bid and who is not, and I believe that, that if this council adopt adboycott provision, that would be subjected to state law, it would really be ineffective, so that's why we recommended against doing that, and, and have participated and have been working with, with, in touch with the other cities and counties around the country that are, that are intervening to support the actions of the arizona cities and counties that are challenging the law. **Adams:** When I first, and I think, I don't know what the experience was, of other, my other colleagues on the city council, but when the law was first passed, I raised concerns about it and got a lot of emails. Some of them in support of my position of expressing grave concerns about this law. But, also, a lot of people that were very critical of my position of being critical of the law. And you can imagine what it's like to be a city council and mayor of a city in arizona, city of tucson, and the city of flagstaff. And just how much withering criticism and pushback they are getting. I want to thank you for, for helping us find a way to support those two cities and possibly other arizona cities that, from within the state, are challenging this law. So thank you for your legal advice on this matter. Or first group of folks to come up will be carmen rubio, jose ybarra, and dan stefi. Welcome back to the city council. We're glad you are here. Carmen, would you like to begin?

Carmen Rubio: Good morning, mayor and commissioners. It's great to be back here today for this important resolution. Thank you. That's kind. And so, my name is carmen rubio, the executive director of latino network, and I am here to thank you for taking these important steps, along with many other cities in arizona and across the country against sb-1070. As a non profit that serves the latino community in Portland, we support your efforts to publicly work against unlawful racial profiling, and, excuse me, and other provisions, and required by this law. And as a community member, I can't stress how critically important it is in the wake of the legislation, such as this, For communities of color and particularly, immigrant communities to be reassured that they are sending support for social justice and singleton rights and will take a stand to defend our constitutional rights, regardless of we're one comes from or how one looks. Other leaders have publicly demonstrated their condemnation of the law. A professor of law, mr. Wolve wrote something that vocalized all our fear and sentiment about this. The purpose of this, what he said, the purpose of this law is not to get rid of all undocumented immigrants. The purpose of this law is to disempower all brown skinned immigrants in arizona. Turning them into third class groups who must live in

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constant fear of government and are subject to arbitrary abuse and exploitation. And senate bill 1070 represents the beginning of a slippery slope of fear, intolerance and lashing out by those who will use the law to un, or to justify racist and unjust actions. As we have seen occurring in that state and elsewhere. And 10 other states are seeking some similar legislation, and by allowing this to go unchallenged we risk similar follow-up legislation that would deny citizens, citizenship to children born in the u.s. to undocumented immigrants such as what was proposed in 1968 to deny citizenship to children born of chinese immigrants. Further, doing away with ethnic studies and pro clueing teachers with accents to teach in public schools. These are blatant acts of discrimination. For me, the ability to study and understand my history was transformational to my sense of identity, confidence, and placement in this country as a second generation chicano, whose grandparents were immigrants to this country. So my fear, what's next? We can't afford to let ignorance and fear prevail. My hope is that any efforts, such as these, will stop in arizona, but if they don't, my other hope is that we can continue to count on you, our elected leaders, to continue to prevent and condemn legislation rooted in discrimination and disempowerment and stand up for social justice and civil rights for all of us. So, thank you for taking these important steps today. And I only have one suggestion, if in the resolution, which you can substitute the word alien with undocumented immigrants, or immigrant without legal status.

Fritz: That was a concern that I had to fill out tax reports as a temporary resident alien. Maybe, maybe like I am from mars, and here I am paying my taxes so I think, leaving that word in, is shocking. And, you know, needs to be, that term, is that the term the government used?

Rubio: Yes.

Fritz: I agree with your concern.

Rubio: And I have that thought that maybe it was in there, but maybe some quotes would be good and to distinguish it from language Coming from the city.

Fritz: Thank you, that's helpful.

Adams: Welcome, jose.

Jose Ibarra: Good morning, I am jose ibarra, and I am the current chair for the Oregon commission of hispanics and the united states council on latino affairs. First, I want to thank you for the leadership that you have provided in this very important issue, not only for latin@s in Oregon, but for latin@s throughout the united states. And I want to thank you, also, for joining the u.s. Conference of mayors, who adopted a resolution similar to the one that we are considering today. Communities throughout the state of Oregon, latino communities are looking up to, to Portland and, you know, to, to the leadership sitting at this table, and see what actions, what message we're sending to arizona, you know, and protection of, of civil rights. And carmen has described, talk about all the different implications, so again, I just want to thank you for the leadership today that council has taken under your, your guard, and I want to say thank you very much. This is an issue that, that we're going to continue to look forward to your input and your leadership and your voice and making sure that the city of Portland has a voice and is heard throughout the united states.

Adams: And congratulations on your election in terms of your national post.

Ibarra: Thank you very much. and I also wanted to point out the other 40 or so civil rights organizations, not only from the latino community, at the national level, have, you know, they are aware of the resolution that the city of Portland today is, is considering, so you know, Portland is setting an example for, for many cities throughout the country, and I want to thank you again for that.

Adams: Thank you. And welcome back.

Dan Steffey: Thank you. Good morning, mr. Mayor, and commissioners. I am dan steffey, and thank you for taking action against what I consider to be a dangerous, unjust law in arizona. My wife and I are boycotting all things arizona, and after hearing the legal wangling, i'm thankful that I

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don't have the responsibility representing all the citizens of Portland. So, I fully support the action you are taking today. I can talk about the legal and the moral and the sociological issues that this law raises in my opinion that are reprehensible, but I would like to, instead, get out of my head and into my heart the things that constrict my heart. As you know, I am married to a fairly fantastic latina, and actually, totally fantastic latina.

Fish: We'll clean up the transcript on that and hand her a copy.

Steffey: Hopefully she's not watching right now.

Adams: She is fantastic.

Steffey: My time with maria has enabled me to see other things that I would not have had the insight to recognize before, and I have seen her targeted in a well-known department store in downtown Portland. Simply because she's a latino. I witnessed an anxiety of her going into a people of color recognizing that she may be subject to some hurtful comment during the course of the evening. And I have also watched her in places like new mexico and colorado where she is not so much the minority, and relaxed when she goes into similar gatherings. And that experience has caused me to realize that what I think of as racism doesn't really count. We, the majority, who are not of color, and who, who some day, very soon, will change that distinction. Are, in my opinion, not entitled to define the term. Those who are so entitled are those who, like the love of my life, has more than once been followed, questioned, ignored, dismissed, or not allowed to participate as fully qualified members of the community. I am reasonably convinced that the overwhelming majority of those who share that common experience with her would see the arizona law as racist, and, and certain to result in profiling such as that maria has experienced, and worse. So think about how the young latino feels about a law that clearly singles out the people He knows and loves and trusts. And consider how he or she will struggle to hang onto their confidence when their mother or father or brother or sister are single out and required to, to, to provide proof by the immigration status or their citizenship, frankly, because of the way they look or dress or simply talk. And as you vote on the ordinance today, let that guide the way you respond in the form of yes. Thank you.

Very well said, and thank you all, very compelling testimony

Adams: Thank you for being here today, we really appreciate it.

Andrea Meyer: Good morning, mayor Adams and commissioner, andrea meyer, legislative director for the aclu of Oregon, here today in support of the resolution. Aclu, along with a coalition of civil rights groups has filed the class action lawsuit on november, excuse me, on may 17, and the u.s. District court of the district of arizona challenging the new law, and we are pleased to do that, as we know this law invites racial profiling, interferes with the federal power and authority over immigrant, immigration matters, and in violation, we believe the supremacy clause of the u.s. Constitution, as well as the first, fourth, and 14th amendment. As the aclu stated when it filed the lawsuit, arizona's law is quintessentially unamerican. We are not a "show me your papers" country, nor one that believers in subjecting people to harassment, investigation, arrest, simply because others May per receiver them as foreign. Several law enforcement groups, including the arizona association of chief of police oppose the law because it diverts limited resources from law enforcement's primary responsibility, of providing protection and promoting public safety in the community, and it undermines trust and cooperation between local police and immigrants, indeed, in all communities. I have provided you two papers today, one is a brief discussion on Oregon law, and the other is questions and answers about the arizona law prepared by the affiliate there. So, I want to emphasize the point about the public safety issue. Oregon made a policy decision many years ago that we are not a "show me your papers state" by enacting rs-181850. That law prohibits state and local police from enforcing federal immigration laws, if the person is not involved in criminal activity at which point it does allow for engagement, it provides important safeguards to all, and I want to emphasize all Oregonians, by insuring that witnesses and victims of crime may report what they know without fear of government reprisal. In the past, one of the important issues

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is, is safety in the community, domestic violence, sexual assault, and other victims of those crimes, it is critical that they feel safe to come forward to report when they are victims of crimes and laws, like occur in occur, Absolutely make that impossible and only increase moving domestic violence and sexual assault and other crimes underground. And as now retired hillsboro chief ron louie stated a few years ago, public safety is necessary for everyone regardless of immigration status. That simply is not our job or function. The more we marginalize undocumented people, the more they will become victims of crime themselves, and the more difficult it will be for our public safety to help them because of fear. The closer the police are to their respective communities, the more effective they will be for crime detection, crime prevention, and the more effective they will be for homeland security. The aclu is pleased to be here today in support of the resolution. We encourage the changes mentioned by the previous witness, and we are also looking forward to working with your government relations folks in terms of enacting statutes in the Oregon legislature to prevent racial profiling in our community and our state. Thank you.

Adams: Thank you very much. Welcome.

Natalie Patrick-Knox: Hi, I am natali patrick -- knox, and thank you very much for this forum here, and I will keep my comments brief because, actually, I just want to follow onto what andrea said, and she addressed a lot of the concerns that we have seen. Casa is a coalition of organizations, and we work in Portland here with partner community-base and had grass-roots organizations and throughout the state. And as we've been meeting with different organizations, and communities trying to figure out the implications of this arizona law, and to understand how that affects us, we have heard numerous stories of fear. Fear of what is going on, fear of law enforcement, fear of communities being torn apart. And it is so important that the city of Portland take this step with passage of this resolution to send a strong message, to alleviate some of that fear so that our communities can be safer. So thank you again for your efforts here and for taking this good step and moving in the right direction for our communities.

Adams: Thank you very much. Hi, welcome to city council.

Cathy Zhentlin: Thank you. My name is Cathy Zhentlin. I didn't really come prepared to speak but it's Andrea, Andrea encouraged me to come and speak from my heart. And I just wanted to say thank you and I too speak as a spouse of an immigrant and feel from a very deep place it is very important that the city pass this resolution. And I'm very grateful for your efforts on that.

Adams: Thank you all very much for very compelling testimony. Appreciate it. Anyone else wish to testify on this matter?

Moore-Love: We have one more person who signed up.

Adams: While Ms. Parker is coming up, Shane is the addition of quotations, is that scriveners or do we have to actually have to do an amendment?

Shane Abma, Sr. Deputy City Attorney: I'd say it's a scriveners error. It's quotations is all it's missing.

Adams: If there's objections, then we will add the quotations as requested.

Fritz: Around alien, wherever alien is stated. That's what it says in the law. Thank you.

Adams: We're just quoting the law, not agreeing with the portrayal. Hi.

Judith Parker: Hi. Judy parker, i'm here on behalf of the Oregon hispanic bar association and i'm also a commissioner of the commission on hispanic affairs. The ohba supports this resolution. The ohba believes arizona's law is likely an unconstitutional exercise of state power that will lead to racial profiling and other injustices. And the ohba joins the hispanic national bar association in calling for an economic boycott by entities that are able to do so. We understand the city is bound by legal contracts that we're not able to, but we appreciate the opportunity to express our support of the city and what it's doing as well as the inclusion of the quotation marks in the language. Thank you.

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Adams: Thank you for your service on an important commission. Appreciate you being here today. All right. Karla, unless there's council discussion, would you please call the vote. On resolution them 868.

Fish: I want to begin by thanking mayor Adams and commissioner Fritz for taking the lead on this important resolution. And bringing forth what I consider to be an extremely important issue before this council. And i'm struck by the fact that this is a part of a series of actions taken by this council in the past year which have had a consistent theme. And those include the renaming of 39th avenue, and -- in honor of cesar chavez, and that includes the unanimous support of this council in support of the dream act, which followed a film called "papers" which framed the issue of the children undocumented people in this country who are at risk of being deported. And today we come to this issue and in my judgment, this is a fundamental issue. At the heart of the issue before us is who decides the immigration policies of this country. Do the states and the legislative bodies of the states and the cities decide our national immigration policy, or is this the province of the federal government? Mayor, you and I both I think in our past had a chance to work for members of congress. And no doubt in our work spent some time addressing immigration issues. In the early '80s when I worked in Washington, dc for congressman bonnie frank, he and my father served on the judiciary committee and immigration reform was the topic of the day. I'm struck by how far we have moved away from some of those early debates because in the early 1980s, the big issue of our country faced was the simpson misoli bill. That was the first effort to create some kind of balance. It was based on the notion that undocumented people in this country would have a path to full citizenship because we did not think it was healthy to have people living in the shadows. At the same tylia johnson, brought some stronger measures, put some stronger measures in place to deter employers from exploiting undocumented workers. What I remember in those days is the republicans and democrats shared a basic philosophy on the vitality of importance of immigration to our country. And 30 years later, heading into mid term elections, in a down economy, here we are once again talking about immigration, but now in a negative cast. And while I understand that this issue is a hot topic on talk radio and is a good wedge issue in politics, I believe the principle that we are standing up for today is the constitutional question should not be decided in our states, they should be decided in our courts. I liked what carmen rubio said. She urged us to stand up for the civil rights of all people today. She said all people, she didn't say hispanic-americans. Or african-americans. She said all people, because we know that if one group is targeted than we all diminish. If we allow the constitutional protects of one group to be diminished, it diminishes us all. So I believe the ordinance, the resolution before us is an appropriate response to what has occurred in arizona and i'm struck by some of the emails we've received. People can speak to us by coming to council, emailing, calling, writing us, they all get equal weight. But I have seen at least three issues framed by people who have urged us not to take this action. The first is, essentially it's none of our business. The question of the constitutional rights of fellow citizens of this republic is none of our business. Well, to that I would say, we are residents of the state of Oregon, we are citizens of the united states of america. And it is our business as citizens to be concerned about how constitutional protections are afforded to people throughout our country. That is, fundamental to our rights and our obligation as a citizen of this country. The second thing i've read is there's been polling on this done here and there, and that we should base our decisions about how constitutional protections should or should not be provided based on whatever the polling data. Well, I think the genius of our constitution is that we put some things in the constitution because we said that they were so fundamental, we did not want the momentary passions of the day to determine rights. We wanted them enshrined in a document that ultimately the courts have the final say on. And the third theme in the emails that i've received are this process like some other processes we've been involved with, has unleashed if there's the better angels of people's nature, what's the opposite? This is the commentary we've received from people who have lumped hispanics into one category, painted

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with one broad brush, and made very disparaging comments about people that they don't know. And that I regret, but it seems to be a recurring theme of every time this issue or related issues come up. Today, in this resolution, what we are saying is that we have serious concerns that the constitutional rights of a class of citizens are being abridged. They include equal protection clause, the due process clause which ensures that before any actions are taken against us and deprivation of liberty, that we have our rights protected. And perhaps the most fundamental question of all, she called the sue supremacy clause issue, which means, again, who sets the immigration policies of our federal -- of our country? Are they decided by the legislature in arizona, or by the congress of the united states? Mindful of what the constitution dictates are. To me those are compelling issues and what this council is saying today, and I hope -- and I assume unanimously, is that we join with people throughout the country who believe that this matter should be adjudicated in court, and that a federal judge should decide this question and perhaps the supreme court should decide this question. And i'm encouraged that our chief law enforcement officer, our chief federal law enforcement officer, happens to be the president of the united states, as I read the constitution, has already stated the publicly he believes there are significant constitutional defects with this law. So I believe we are on the right side of history, but what we are essentially saying is, let the courts decide this question, and that in Oregon, since we do not believe in discrimination, we join with those who ask the courts to review this with my judgment dubious law. I'm proud to support this matter, and I would close by just noting that we can all tell -- we all have stories of people we know who would be affected by this. Carmen rubio was my public advocate once. She could be in business in traveling in arizona for business and be affected by this and detained. Danielle in my office, who has a rich mixture of native american, mexican, and spanish heritage, could be affected by this if she's traveling in arizona. And you know, to me perhaps the most personal is that my mother-in-law carmen gomez, who came to this country, gave birth to her eldest daughter patricia, who is now my spouse and life partner, would be affected by this. And carmen, after 30 years in this country, still speaks with a broken accent, her english is -- she still struggles to find the right word, though she is the scrabble champion of our family. But she could be targeted under this law if she found herself in arizona, and that is not the american way. Today we join together in saying that we believe this law is not constitutional, but I think we're taking a very prudent step in joining with other government entities who have asked the courts to decide this question. And i'm proud that once again the city council has taken a leadership position on this, I think the mayor and commissioner Fritz and i'm proud to stand up as carmen said for the civil rights of all people in our country. Aye.

Leonard: Many, many wonderful attributes about the united states of america, its history. One of them is not being tolerant for people that look like us or talk like us. I have to briefly remind those listening that this is the latest in a series of organized attempts by not just some small groups of people, it would be somewhat reassuring if it was small groups of people, who expressed intolerance, which i'm sure is a consistent theme in countries throughout the world. The trouble can part is that that discrimination is embraced by governmental institutions. And I think that's what sets us apart from the rest of the world, and has for some over 400 years, I will remind people that upon arriving in this country, or this land, I would more accurately say, in the 17th century, a systematic policy of extermination was and discrimination was imposed upon native americans, which continued not just in the 17th century, but in the 18th century and the 19th century, and well into the 20th century. Most people associate throughout the world americans a racism with african-americans. But certainly began with the arrival of white english-speaking people in this land, but it really is just another example of discrimination. In the 18 -- the nineteenth century, with the wave of irish immigrants into the united states, they looked like a lot of people here, they talked different. And as such, were relegated to the worst ghettos one can imagine, often starving to death, often not allowed to have jobs others had, and often were the object of violence from people born in this

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country. In the hysteria that occurred in the united states after the bombing of pearl harbor, probably even most shockingly for modern america, it was not only widely supported, but embraced by institutions of the government to round up people not that were born in japan and immigrated here, not just them, but people that were born here. Japanese-americans were born on this soil, rounded up, lost their businesses, their homes, and put in concentration camps. There's no other way to put it. Throughout the united states. And unless my colleagues find some solace in this issue being decided by the courts, I need to remind everybody here that you're was the united states supreme court in the dread scott decision of march 1857 that ruled on a 7-2 vote that african-americans indeed could never qualify to be american citizens and in fact in census counts only counted as three-fifths of a person. And I think history commands that we recognize the two brave men of that nine-member court that dissented and dissented vigorously, associate justice john mccleon and benjamin curtis. So we arrived that the place and time where arizona adopts law that nobody can argue becomes a tool to arrest those and detain those who look different. Or who talk different. And I would just close with reminding people of the plaque that is affixed to the statue of liberty, which often times is abbreviated by folks and understandably so, and the most popular portion of the sonnet that is affixed to the statue that was written by the is give me your tired, your poor, your huddled masses, do people think that's the entirety of the quote. It's not. The entire poem -- not like the brazen giant of greek fame, with conquering limbs astride from land-to-land. Here at our sea washed sunset gates shall stand a mighty woman with a torch whose flame is imprisoned lighting and her name mother of exiles. From her beacon hand glows worldwide welcome. Her mild eyes command the air bridged harbor that twin cities frame. Keep ancient lands your storied pomp, cried she with silent lips, give me your tired, your poor, your huddled masses, yearning to breath free. The wretched refuse of your teeming shore. Send me the homeless, tempest toss to me I lift my lamp beside the golden door. Aye.

Fritz: Martin luther king spoke of the day when his four children would one day live in a nation where they would not be judged by the color of their skin but by the content of their character. This law asks law enforcement officers to judge people by the color of their skin. Immigrants are legal aliens already -- illegal aliens, i'll still using the -- it's deeply in my lexicon, because having lived here as illegal, a temporary resident alien for several years, I know that's what the government refers to immigrants as. And I was required to carry my papers at all times. As an american citizen, I am not required to carry my papers at all times. And I don't want any american citizen to have to carry their papers at all times, because of the color of their skin. Or the way they talk. My accent is considered charming by folks. Sometimes. Others I sense are not, and that's something that we have to recognize in our society. I recognize too that there are a lot of folks in Portland who don't support what the council is doing today and asking the courts to make this decision, and in asking our government relations staff to make clear our determination that racial profiling in Oregon is wrong. I received a dozen or so, maybe more, emails from folks who strongly support what arizona has done, and I recognize that arizona is dealing with different issues or attempting to deal with different issues through their law. One of the email correspond departments asked me if I read the arizona law and I have. It's 17 pages. Notwithstanding any other law, a peace officer may lawfully stop any person who is operating a motor vehicle if the officer has reasonable suspicion to believe the person is in violation of any civil traffic law, which is referring to legal -- legality of immigration. Listen to this part. It is unlawful to conceal, harbor, shield, or attempt to conceal, harbor, or shield an alien from detection in any place in this state, including any building or any means of transportation, if the person knows or recklessly disregards the fact that the alien has come to and has entered or remains in the united states in violation of the law. When I read that, I thought of the brave souls who harbored slaves escaping from the south to the north. And I thought of anne frank and the people who looked after her. And I thought of what if I was not here legally and my husband was then subject to that law. Because we wanted to be together. This is what this law is

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talking about. This addresses the fundamental issues of who we are as americans. And who we want to be as americans. And where we come from as americans. In this nation of immigrants. And so i'm very pleased to support this serious addressing of the issues that have been raised by the arizona law. I recognize that some people would have liked to have done a boycott, and as the mayor said, there are cities in arizona who are bravely standing up to the law, and we don't want to include them in that, and we trust the people of Portland to make their decisions about whether they want to vacation in arizona under these circumstances. So i'm guided by the director of the office of human relations who is here and the human rights commission has spoken out on this issue. Mayor Adams, thank you for your leadership. City attorney linda meng has done a wonderful job of helping us propose something which is meaningful, and governor relations and term director, I know will help us at the state legislature. We are serious about equal rights in Portland, in Oregon, in the united states. Aye.

Adams: Well, this city council I think today has far better summarized and spoken to all the issues along with those that have testified that I ever could. But I hope that the actions, and I don't unfortunately in the scheme of things very few people will see all of that compelling testimony, but I hope that the action that we're taking here today ripples across the nation. This weekend u.s. Conference of mayor pass a resolution that is very similar to this. And so to those cities involved with the consideration of that resolution, to those cities that have offered a boycott resolution and to all the cities that have yet to act on this across the nation, I encourage you to follow this example. And I want to issue today a friendly and good-natured but very serious challenge to cities across this nation to follow our lead and to support the legal efforts of Tucson and flagstaff and other cities for -- who are in this state to support their legal efforts to overturn this law. It is unfair and I believe unconstitutional. And I would encourage Portlanders to do everything they can to support the cities of Tucson and flagstaff separate from the actions of arizona state government. And again, I just want to end on the push-back we've gotten here in Oregon, you know, pales in comparison to the push-back that the city councils and the mayors of Tucson and flagstaff are receiving on this issue in arizona. And I would encourage everyone to do everything they can to support those two cities. Aye. [gavel pounded] thank you all very much. Can you please read the title for resolution item number 901.

Item 901.

Adams: This memorandum of understanding memorializes the agreement between the city and county for the operation, construction and operation of the catc. This investment is very high priority for our city council and our partners, originally the investment was targeted for fiscal year 2012-2013. However, recent events and the absolute whole scale disinvestment in programs funded by the state, by the -- administered by the county, and our desire to ramp up this -- getting this program online means that we have moved this forward. This added the urgency to the timing of renovating the hooper facility and adding this important additional service for crisis and assessment. Last week the city council authorized an increase in the line of credit short-term debt issued, pdc urban renewal area by \$2 million in order to accelerate the renovation of hooper detox center to include a 16-bed crisis assessment and treatment center. Catc. By taking this action and construction will begin this summer, and the facility can open in 2011. We will create a new community service and put construction crews back to work on this almost \$6 million renovation. This is truly been a collaboration between multiple stakeholders and I would like to have the deputy chief of staff to discuss specifics, and then we'll hear from the chair.

Warren Jimenez, Mayor Adams' Office: Great. First of all, I just want to acknowledge our partners who have been taking the lead and providing the center and it's been a truly a unique partnership. But what I would like to do is go into the detail of the treatment center and i'm glad you're here, because I want to get this all right. We'll go over some of the specifics. The crisis assessment treatment center will serve individuals experiencing mental health crisis who cannot

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manage their symptoms on their own and do not need a hospital stay to become stable. This center, as the mayor mentioned, is a 16-bed secure locked facility in which people will stay from a range of four to 14 days as their mental health symptoms stabilize. Upon discharge each person will have a plan for follow-up treatment in the community in which includes some wrap-around services, such as housing, some other basic needs, assistance, and care for their physical health needs. The center will also be designed as inviting and safe and in support -- supportive environment for recovery from crisis, the staff will include peers, will provide that support, and advocacy and mentoring at the center as the mayor mentioned, it will be located in the hooper detox Center -- detox center. The Multnomah county 24-hour, seven day a week mental health call center will manage the admission to the center. The staff will work with police and local hospitals to triage those individuals who are most clinically appropriate to be placed as part of this continuum. The police will be engaged and will be contacted by health centers and can also use the call center, a dedicated line if they encounter someone who appears to be in crisis due to symptoms of mental illness. They may also contact project respond, mobile crisis outreach and they will manage admissions at that time. The center -- the crisis center is scheduled to open in the summer of 2011. With that i'll turn it over with chair and joe ann to talk about a little more about this.

*****: Thanks for waiting.

Jeff Cogan, Multnomah County Chair: Thank you. Good morning. I'm jeff cogan, Multnomah county chair. And I just wanted to take a moment to thank you for considering this memorandum of understanding which would create a really important partnership and I want to talk about two things. One is the nature of the partnership and why that's important, and then a little bit about the nature of the services. In terms of the partnership, it's important to know this is the city and the county taking lead but also working very closely with the state which is A financial partner in this, as well as with nonprofit community in making this happen. And I believe deeply that these kinds of cross jurisdictional partnerships and public-private partnerships are going to be increasingly important to all of us as we try to meet the needs of our community in very constrained times as mayor Adams noted, the state's cuts are affecting us all. They're getting to be coming down further and further, and we all know that the financial conditions, the federal government as well is going to probably prevent additionally significant stimulus from them, and what that means is to a certain extent, we're on our own. And we need to figure this out collectively, because the needs of the community are great. And the members of the community, they don't really care if they're getting helped by the city or the county or metro or the state, they just know that they have needs and they want them met. And i've been truly heartened by the partnership in the months that i've been in this role, in trying to make this happen. As mayor Adams noted, originally we were thinking it was going to happen later. There's a number of reasons to move it forward, and the working relationship that my office is established with mayor Adams' office, warren jimenez has albanian terrific partner, has been wonderful. We really needed for a variety of reasons, including the availability of new market tax Credits that are available for a limited time window to get this done quickly, and we did. And i'm hoping that we did it -- that you vote in favor today, and my board votes in favor tomorrow, and we d it's an important model for us, and this is a really important project. Warren told you the specifics of the operations. The broader context is important too. How people with mental illnesses are treated by law enforcement, by politicians, by the community, has been at the forefront of many of our conversations over the past months as well as being in the forefront after lot of headlines. Frankly we know that there have been weaknesses. We have a system, but we know there are gaps. And collectively identifying those gaps, this particular program having a place for people in crisis to become stabilized, has been identified as an absolutely top priority. We know that this is not going to mean suddenly everything is ok, we're not going to suddenly have the perfect mental health system. Bt but what we are going to be doing by moving forward with this is identifying critical weak links in the system, partnering to fill them, and that's what this is about.

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And i'm really excited about the prospect, i'm really excited about the partnership, and I want to thank you for giving me a chance to talk with you this morning.

Adams: We couldn't have sped it up, and we couldn't have come to fruition as quickly as we have without the great partnership of you and your team. And chair cogan, I have a feeling this is going to be the first of many fantastic and productive collaborations between our jurisdictions. So thank you for your great work.

Cogan: Thank you, mayor.

Joanne Fuller: I'm the director of the county's department of county human services. I don't very much to add to what you've heard. I'm here mostly to answer your questions if you have questions. I want to acknowledge, the executive director of central city concern is here, and we could not be doing this project without central city concerns' fantastic ability to step up and take on the remodel of this facility. In many communities as they try to put together these kind of facilities they either to build to suit or they have to, you know, go and scrounge for something and make do with a half decent facility. What we're going to be able to do with the plan that's before you today is to really rehab a facility that for many, many years the community has turned to when they've been in desperate need. And so it's got an identity, it's named after a person who died in distress in this community, it is a facility that the police are used to dropping people off, it's sobering, which will still be there on the first floor of the facility. So I think it creates a great opportunity for us to put this center someplace that people will really see as a refuge, because hooper has been a refuge in our community for a long time. The other wonderful thing about this project is that the creation of this center at hooper has allowed the detoxification services that were in the top floor of hooper for many, many years in really substandard conditions to move to the madrona, another project that was cosupported by the city, the county, and the state. To new very effective facilities there where we can continue to provide detoxification services. So what we're really getting here is a coming together and a synergy between what we're doing with people who are in crisis around their substance abuse issues and what we're doing with people who are in crisis because of their mental health issues. Thank you.

Adams: Questions or discussion from council?

Fish: Just a comment if I could. I think it's important in times like this that we highlight the kind of investment that's required to produce results. We know we have a growing crisis, lots of people on the street, maybe as many as 2,000 people last night alone, and increasingly we're seeing people that have substance abuse issues, mental health issues. We all wish we could be king or queen for a day and solve the problem. But I think it's really important that the public understand that once upon a time the federal government was more involved in the solution. And once upon a time the state government had more discretionary funds to be involved in the solution. And increasingly it's falling to the local jurisdiction, the county and the city primarily, to address this crisis and as the mayor has pointed out, many times recently we're not just carrying the ball for people in our community, we really are carrying the ball for the whole metro region. Because if you look at the dollars being invested in our sister jurisdiction, they're just -- they pale in comparison to what the county and the city invest. And so this is a wonderful program. And there will be 16 beds. But the public needs to understand it's going to cost \$6 million to renovate the facility, and the ongoing costs annually, which we're going to share, is over a million dollars. And so that's great. But that's how we're going to address a small piece of the big problem, and so when people get frustrate and say, you know, how we ultimately going to get to the finish line, this really is one of those areas where the answer is, we need more resources. Because we know how to address it, we have great outcomes, but ultimately it's a question of resources. And mayor, this afternoon chair cogan and I will be cutting the ribbon at the martha Washington. The city has put \$4.7 million into that project, which just to put in context, will be investing \$67 million in tax increment financing dollars over the next fiscal year in affordable housing, this one is \$4.7 million. So we have a great working

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relationship, we're making these investments, but I -- people need to understand that these sound like big dollars, but this is an enormous problem, and we are making steady progress, but the problem is still consuming us. So thank you.

Adams: Thank you very much. Anyone else wish to testify on this matter?

Moore-Love: No one else signed up.

Adams: Please call the vote.

Fish: Very pleased to support this. And I want to acknowledge the mayor, commissioner Saltzman, our county partners, joanne fuller is here, i'd like to acknowledge that she has become a full partner of the new Portland housing bureau, thinking of ways that we can redefine the relationship at a time of scarcity to get bigger bang for the taxpayer buck, and we really appreciate that. And it seems like ed blackburn shows up at every one of these things, because somehow he's -- he was at the madrona opening, he's here today, and I understand he's going to be at the central city concern -- the martha Washington this afternoon. So central city concern really is our go-to nonprofit partner in dealing with folks that are struggling with addictions. And we're very pleased with these partnerships. Jeff, it's a pleasure to work with you at the county, and we're looking forward as the mayor indicated, to great things. Aye.

Leonard: As we have learned in the city and the county, investing in services like this not only help the people that need the help, it also has other positive effects like lowering the crime rate. And lowering interactions that are unhealthy with the police. It reminds me of the parable of people coming down a river, drowning, and us going out to save them one at a time as opposed to going upriver and finding out why they're in the river in the first place. And this is an example of stopping people early on before they get into a deadly confrontation or before they lose all hope in life and giving them a chance to succeed. I would remind the council that crime in old town-chinatown has dropped by nearly 40% since the introduction of this partnership with the county and the police bureau that gets people into treatment. We often find on the streets that those that are the most repeat offenders are either mentally ill or drug addicted, or addicted to alcohol, or more often than not, a combination and unhealthy combination of the three. Hopefully this catches them before they even have that confrontation. with the police, that would then direct them into some treatment program. And I too want to acknowledge what I see as a different tone from the county in terms of working with on us these important projects. And I appreciate it, jeff. Aye.

Fritz: Thank you, chair cogan and joanne fuller for coming in today, and for your partnership on this. Folks at home might be wondering why the city is paying money for ongoing services at a mental health service place when that's a social service traditionally fund by Multnomah county. The reason as stated by my colleagues is that we are responsible for housing and for police, and that there are many interactions, and by providing this service for a subacute center that will help people for four to 14 days, we're providing another option for providers to take care of people. And we are grateful to president obama with his national health care, which will help fund this, i'm grateful to tipper gore and vice-president gore for getting mental health parity at the national level so that we are sure that when we get national health care funding that mental health will be covered. I want to recognize the bravery of the Oregon legislature for establishing the Oregon health plan, which frankly has helped us avoid getting into even a worse mess, and again, we're providing for in Multnomah county for people coming to get our services, and with Oregon health plan, we were providing for people coming from other states to get our services. Now with national health care, hopefully that will lessen the burden and we need to figure out how to do that within our state for the housing and community services that are so desperately needed throughout our state. Thank you, mayor, for your leadership on this, and for focusing on addressing the root causes. We are looking at a whole range of services for people with mental illnesses and a whole range of solutions for our police and how they interact with people in our community. The basilon project is looking at what are the root cause and how can we address them, this won't take care of all of the problems,

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we still don't have enough acute beds for people in severe mental health crisis with medical issues. One of the reasons is because we don't have enough capacity at the state hospital and one of the reasons they don't have enough capacity at the state hospital is that there aren't community care facilities for people to be discharged once they're doing better. So this is not something that the city of Portland can do alone. We are glad to provide the final piece of funding, because let's be clear most of the funding is going to be coming from insurance. And the piece that won't be is going to be split ongoing between the city and the county, and I think that's entirely appropriate. The more we partner in both the responsibilities and the funding, the more we will all see benefits. Aye.

Adams: In addition to chair Cogan and his team, I want to acknowledge and thank Scott Andrews, Bruce Warner and the team at the Portland Development Commission along with the state of Oregon who are partners in making sure that this happens. On my staff, Warren Jimenez, Tom Miller, and Kimberly Schneider. Appreciate their work. I can tell you on behalf of the police bureau that is desperate for more partners and more effective partnerships around, folks facing mental illness as police commissioner we're very grateful for this. I want to thank Commissioner Saltzman who is not here today, and Commissioner Fritz as well for their earlier work on the mental health action plan. Aye. [gavel pounded] so approved. Can you please read the title for emergency ordinance item number 902.

Item 902.

Adams: Hi.

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

Adams: How are you?

*******:** Fine, how are you?

Adams: Good, welcome back. Glad you're here. What are we looking at?

Christine Leon, Bureau of Transportation: So good morning. My name is Christine, and I manage the Portland bureau of transportation development services division, and Iona has the similar position, and -- in the bureau of environmental services. What we'd like to you consider is an emergency ordinance to continue essentially the ordinance that you passed in December of 2009 which establishes a special rate for public works permits. That ordinance was suspending the code essentially for a period of January through June. We anticipated that development permitting and public works permitting would pick up so that we would have good data to be able to set the rates for public works permits. That has not happened. And so what we are requesting is that the rates that are attached to the ordinance be put into effect for the entirety of this next fiscal year so we can continue to gather data and work with our outreach groups and their committee to get good data. We have had 12 public works permits come in this year. That's it. Two have gone to 90%. That's not enough for us. And our working groups to be able to make decisions that are going to last a lifetime. So that's what we're asking for.

Adams: All right. Any council discussion? All right. Thank you. This is an emergency, has anyone signed up to testify for item number 902?

Moore-Love: No one signed up.

Adams: Please call the vote on 902.

Fish: Aye. **Leonard:** Aye. **Fritz:** Thank you. Aye.

Adams: Aye. [gavel pounded] thank you please read the title for emergency ordinance item Number 903.

Item 903.

Adams: Thanks for waiting.

Connie Johnson, Office of Management and Finance: Good morning. My name is Connie Johnson, I'm the facilities project manager for fire station 18 with OMF facilities. What we're asking --

Glen Eisner, Portland Fire Bureau: I'm Glen with Portland fire, deputy chief at logistics.

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Johnson: What we're asking for this morning is, we are amending the professional services contract with mcr architects to include leed for the fire station, we'd like to pursue leed certification. And this dollar amount, the \$60,240 represents roughly 8200 for an assessment and then the remainder of it for the leed certification effort itself. And so that's why it's coming at this point.

Adams: Great. Discussion from council? Commissioner Fritz.

Fritz: I read in the ordinance that there's -- it includes a deck. Why do we need a deck on a fire station?

Johnson: It's the deck on the backside that we're doing a --

Eisner: It's an area in the -- on the back of the fire station where the firefighters can have -- typically a fire station they have a barbecue or something like that to gather and to cook. At that station there is no -- there is no -- it pretty much abut property line and the only other place they have is the parking lot beside it. And so it's a way that the firefighters can have a place where they can gather and prepare their evening meal.

Fritz: Would it be big enough for them to exercise any have to declare fire station 18 is my fire station, so -- .

Eisner: It's a very small deck, frankly, ma'am. It's just barely large enough to be able to have the barbecue area. We do have an exercise facility in the station.

Fritz: Ok.

Johnson: They also grow a few tomato plants and things like that so they can have tomatoes, lettuce, that sort of thing.

Fritz: That makes more sense. What is happening with the alternative site of station 18 on barbur?

Eisner: Pardon?

Fritz: The alternative site that was considered, the one you were thinking of moving --

Eisner: We anticipate -- we're holding the property until better times and hopefully we'll be able to sell it and make up the money.

Fritz: I encourage to you hold it indefinitely until we get light rail on barbur. It's part of the west Portland town center, and I think it could be a valuable site for the city. Thank you very much.

Adams: All right. Thank you. Appreciate it. This is an emergency ordinance, anyone wish to testify on 903? Karla, please call the vote.

Fish: Thanks for your testimony, nice to see you again, chief. Aye.

Leonard: Aye.

Fritz: Thank you for answering my questions. Aye.

Adams: Aye. [gavel pounded] so approved. Please read the title for 904 and call the vote.

Item 904.

Adams: Please call the vote.

Fish: Aye.

Leonard: Aye.

Fritz: I need to explain my vote here. I believe this vote is to do with two different issues, and has been crafted so that we're looking at how do we do the contracting and also complying with lt2 requirements from the federal government. So it's been alleged the use of this alternative project process will save us money. We don't know what the actual cost will be and there's a low-cost estimate of the \$70 million. So it's very difficult for me to tell at this point whether this way of doing the contract is the better way to do it. There's no way of knowing whether we can - will comply with the state law about favoritism, we expect it to be the case, that's been the case before. I will be wanting some ongoing reports as to how this turns out. We can't show the cost savings yet on such a big project, it's of concern to me that we're not bidding it out. But I do respect that staff recommends this is the way to go, and I certainly know we have to build this to comply with the lt2 process. I'm not convinced that this special process is a method that will provide us with cost saving or get the women and minority businesses that we want. I support this ordinance and will

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appreciate more data knowing if we're -- if and how we're saving money through using this alternative contracting process. Aye.

Adams: Aye. [gavel pounded] 904 is approved. Please read the title and call the vote for second reading 905.

Item 905.

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

Adams: Aye. [gavel pounded] 905 is approved. Please read the title for nonemergency ordinance number 906.

Item 906.

Adams: Commissioner randy Leonard.

Leonard: I'd like to move a substitute ordinance.

Adams: Second. It's been moved and seconded to substitute the ordinance for the purpose of further consideration.

Leonard: Let me explain the changes. On the first page of the existing ordinance, I've asked that item a that is the property on carrie boulevard be removed. I'm not persuaded that the water bureau has done as much due diligence has been needed to partner with the parks bureau in some capacity to allow this piece of property to be retained within the city. I've walked the property, it is a uniquely beautiful piece of property and I think we need to make sure we have done everything possible to help parks acquire that property. They currently -- we paid the parks to mow the property and i'd like to see that partnership extended some way if there's any way possible to help parks keep that piece. And acquire it from the water bureau. Second, I had the -- my substitute -- i've had item c of the ordinance changed to read proceeds from the sale of property shall be deposited as revenue to the water fund and shall be used to reduce future water. That was the intention of the original language I wanted to clarify to make that clear. So that there was no misunderstanding. And in a broader discussion, so that you can understand the framework within which this ordinance arrived, when I was assigned the water bureau in july of 2005, one of the things that I liked to do is when i'm assigned a bureau familiarize myself not just with the people working with there, but the various assets they may have. So one of the things I asked for have been going up in Portland and i'm aware there's a number of water bureau properties throughout the city. It was a list of the property owned by the water bureau. They had no such list. I thought that was interesting. Then I asked to meet with the property manager to see how the property manager knows where our properties are. They did not have property manager. Thus thom klutz, who is the first property manager in the history of the water bureau, and tom's first job back in whenever year that was we hired tom, was to -- september of 2005, was to do an inventory which was not as easy as it might sound, of all the holdings of the water bureau within and without of the city. Once tom did that he compiled for me a two-volume book of -- one-page each dedicated to each piece of property with a picture and a description of the property and also whether the property is in active use, whether it could be active, or whether it's truly a pee of property we have no use for. And so we began on the properties that the council recalls that could be used in the future working with neighborhoods trout Portland -- Portland to create hydroparks. So hydroparks were the result of tom's work and the inventory in terms of identifying active property and property that could be active fall under the category of property we do not want to dispose of. The properties we're considering today have been deemed by the water bureau as properties that will never be used to provide water service to the city and thus properties we can sell. And with the exception of the one that I just learned actually could be appropriate for the parks bureau, these properties that you see up here have been identified as surplus properties. We would like to have the authority to sell them of course sell them at a time we think would reap the most benefit for the city, which probably would not be right now, but as they sell those properties and dispose of them, dedicate the funds to reduce water rates.

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Fish: I move the substitute ordinance.

Fritz: Second.

Adams: It's been moved and seconded already, but i'm glad the enthusiasm is there for the following vote. Karla, please call the vote on the substitution.

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

Adams: Aye. Substitution is approved. Further discussion, commissioner Leonard?

Leonard: No.

Adams: Gentlemen?

David Shaff, Director, Portland Water Bureau: Well, i'm david shaff, the director of the water bureau, with me is tom klutz, the property manager. As commissioner Leonard said, we have a number of surplus properties that we are slowly working our way through, getting appraisals for, determining whether or not they indeed are surplus, then going through the process fig identified bite city council and the code to determine that no other bureaus have a need or desire to have those properties. And then putting those on the market to sell them so we no longer have to maintain them and have the liability of those properties. So these now eight properties are the first properties that we have identified as truly surplus where they have either been inherited by the water bureau, that's five of the properties, or are water bureau facilities that we no longer use and are out of commission, or as The -- they carry property the only one of these where we bought it back in 1978 with the idea that there would be a pump station there, and eventually determined that there was not a need for a pump station. And as commissioner Leonard says, it's a very nice piece of property along the gulch that the railroad travels through up in north Portland. So it will make a great park someday, and will work with the parks bureau on figuring out how to make that happen eventually.

Adams: Any other discussion.

Fritz: A couple of questions. On the -- rise property, I remember from the hayden island plan the desire of the neighborhood to have a neighborhood park. Is this an area that could possibly serve that purpose?

Shaff: No. This is a tiny piece of property, tom, if you'd point to the dot. It's a former pump -- I believe it was a pump or a well house that's actually surrounded by somebody else's property. It's slightly bigger than your area, but not much. It's a very small tiny --

Fritz: It's not that whole wooded area?

Shaff: No. Actually, tom --

Tom Klutz, Portland Water Bureau: Actually, the road -- it's part of the road that comes out. The pump station is not very big at all. We haven't -- there's a piece that eventually ties to the road, it's actually in the front yard of the harbor master's home.

Fritz: What's the significance of the red line on that?

Shaff: That's the actual property line. Boundary.

Fritz: Would we be selling the whole property, then?

Klutz: Yes. In this case it's so small there's no actual market value to it. There's nothing we really can sell except to decommission that well and then have it part of the harbor master's facility.

Shaff: Our intent would probably be to do a quitclaim deed to the harbor master.

Fritz: The other question I had was regarding the willlalatton. Which is I understand is in forest park?

Shaff: It is, it is surrounded by property owners on all four sides, none of whom are the water bureau. So it's a very small -- it's a very small square property. Here's the willlalatton tank this green area is all our property. But this is, you can't see out this, but there's a slight strip of land we don't own and then on the other three sides are all owned by the other property owners. So it's entirely landlocked and none of it is bounded by property owned by the city.

Fritz: Thank you very much.

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Adams: Unless there's additional discussion, unless someone is signed up to testify -- this moves to a second reading next week. [gavel pounded] thank you. Please read the title for city auditor report 907.

Item 907.

Adams: Auditor? Welcome. Griffin-valade?

*******:** very good.

LaVonne Griffin-Valade, City Auditor: So this is as amended this is the abstract votes for the primary election for the city of Portland. And I can answer any questions I hope if not, we'll call on and recall -- former elections officer for the city who is not able to be here today, but I think it's pretty straightforward.

Leonard: If we vote this down does that mean they cannot take their positions?

Griffin-Valade: Well, two of them maybe.

Fish: Just to show how devoted to sustainable -- that's a recycled joke. It gets better with age. We appreciate the sentiment.

Leonard: I was the object of it two years ago.

Griffin-Valade: I'd like to congratulate all the winning candidates.

Adams: Very good.

Griffin-Valade: Commissioner Fish, commissioner Saltzman, auditor griffin-valade.

Adams: I'll entertain a motion to accept the report.

Fish: So moved.

Fritz: Second.

Adams: Anyone wish to testify? Karla, please call the vote on the motion to accept the report item 907.

Fish: I want to state for the record that when I first saw this I was -- I looked become to my earlier comments and I did say on the record that if nominated I would not run, if elected I would not serve. Commissioner Leonard, would you give us a historical citation?

Leonard: I'd be happy to do so.

Fish: I want to say just on behalf of me since i'm on this list, that it is an honor to serve on this body, and i'm grateful that the voters allowed me to win this election in the primary. Without the necessity of a runoff. And I want to acknowledge the three other people in my race who ran and attended forums and took time out of their lives to participate in the democratic process. They made the process a better one. Honor to vote and pleased and probably conflicted out on this, but I will -- in any event vote aye.

Leonard: Aye.

Fritz: Commissioner Fish and commissioner Saltzman and auditor griffin-valade, i'm happy you're all reelected, I have to note commissioner Fish is 79.95%, I think it's rounded up to 80, commissioner Saltzman's 55% with many worthy opponents was also a significant endorsement of his service on the council. Thank you so much. Aye.

Adams: I am very pleased to accept the abstract of votes that solidifies your continuing service on the city council. Aye. [gavel pounded] so approved. Can you please read nonemergency ordinance item number 908.

Item 908.

Adams: Welcome.

Griffin-Valade: Auditor griffin-valade again. With me today is mary beth baptista who is the director of the independent police review division in my office. So as we have moved through the process of making the changes that you approved on march 31st, we have found that there are some kinks in the works so we want to smooth those out today, and we made two proposals here. So the first one is that we had anticipated that the new police review board would hear complaints filed after april 30th and thereafter. And it would be september before those would reach the police

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review board, and it would take that amount of time probably to recruit and suggest for the council's approval the citizen members of the police review board. And work out some of the other processes. But we did not define that process. So this ordinance defines the practical process for moving from the two current boards, if you'll remember it's the performance board and the use of force board -- to the police review board that you approved. It basically sunsets the current board and sets a start date for the new board of september 1st. Prevents a need for three concurrent boards in the interim, and again it allows us time to recruit the citizen members for your approval. So that's the sort of the more housekeeping piece of it. And then it corrects what we view as an accountability gap, keeps the direct supervisor as a voting member of the police board, they've always been a voting member of the police board. And it means accountability remains for supervisor decisions. So i've asked mary beth to join me here to and help me to answer any of your questions, and we've also asked chief reese and other staff from the bureau to be here in case you have questions of them.

Fritz: Has the stakeholders group reviewed -- do they agree with this?

Griffin-Valade: They have not reviewed it yet. They certainly could still.

Fritz: Why are you moving forward this with now instead of waiting for that process, regarding the specific changes? I understand the timing piece.

Griffin-Valade: Right. I think we saw this as a pretty simple change, and that chief reese and command staff had made a compelling case about the negative impact of removing direct supervision input, and led directly to me and to staff a commitment to accountability and they have demonstrated that commitment through their actions and cooperation with us in terms of making the changes we need to make. Shown good faith in their efforts to make the changes approved by council, and so there's that, and I was convinced that this actually was a stronger accountability piece, and mary beth and staff were convinced of that as well. I feel like as the elected official and bureau director in charge of this program that we -- if we feel like there needs to be some changes, that we can bring those forward to You, does not mean the stakeholder committee cannot review them and bring further recommendation to us at a later time. It's my -- one more thing. So it was my understanding that the stakeholder committee was to convene and come up with a set of consensus recommendations for you and notwithstanding those recommendations, we have an obligation to manage this program. And so that's really my explanation for that.

Leonard: I want to add my own remarks that are complimentary to what auditor griffin-valade has just said. Because I introduced the ordinance. When we drafted this ordinance, it was done with less than cooperation from the police bureau and the police union. So often times we were left trying to figure out what the right thing to do was rather than being told what the right thing to do was. With the change in administrations, there's been a sea change in approach to issues such as this. And what auditor griffin-valade referred to as more assistance from the bureau very politely, I would say is more akin to partnership and a desire to embrace not only these changes, but even other changes that we're discussing in the stakeholder group. And I think it's important for me to be flexible enough as the auditor is so that when we have true partnerships from both sides, and where they make Reasoned arguments about what would work best, what may not work best is to give them the benefit of the doubt. And in this case, I think what we're doing is giving the bureau the benefit of the doubt because they've made reasoned arguments which I would allow chief reese articulate for himself, but after he came on board there was -- there were reasons given that neither the auditor or I or mary beth had been given insight into -- that made sense. And we want this to work. And we want the bureau to continue to embrace this, because what i've learned in government, whether it's the state or here, you can pass whatever law you want and -- but if a bureaucracy don't embrace it they can make it very difficult. This is an attempt to have all sides work to make this work as well as possible to give adequate oversight and to create this sea shift

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change. And the approach the bureau takes to be transparent. And I want to reward that. And acknowledge that.

Mary-Beth Baptista, Director, Independent Police Review: If I may respond, what I think you're getting out with the stakeholder committee is you wanted some sort of public input and public process on this particular piece. Is that correct?

Fritz: Yes, and my understanding that stakeholder committee was convened precisely to make these recommendations. So I was wondering why this one was earlier.

Leonard: As the author of the resolution that came before council is not why they were -- they were convened to make further recommendations on areas other than this, including the crc and other issues that are out there. This truly in my view is a housekeeping nuanced change that addresses an issue raised that does not affect oversight, transparency, the independent review office's ability to make independent investigations. This is what would I call a subnuance level.

Fritz: Thank you for the clarification.

Baptista: I do want to point out that, and I know i've been privy to cop watches, emails and other information that's been sent to you about this, and I know it's been pointed out that there was a 2003 recommendation from the parc report relating to this. And I want to clarify what that 2003 parc recommendation was. It was that the commander be a nonvoting member and officer involved shootings and in-custody deaths. There were specific reasons for that. And when you actually look at the 2003 parc report, their recommendation was that in all other cases, that there's good reasons to have the commander actually be involved. And be the voting member. And on the public process piece, the 2003-2006 parc report were just recently reviewed by the citizen review committee. They spent two years going through every single one of those recommendations. And they've recently written a report based on that in-depth review and gave very specific recommendations regarding the board. And you'll notice that was not one of them. And this report was -- all of the meetings were open to the public. This report was presented to the citizen review committee in an open meeting, we actively solicited feedback and it was voted and accepted on. When you think about whether our not the public has had any time to weigh in, they certainly have through the citizen review committee.

Griffin-Valade: This was done in the context of tremendous change, the police review board.. And our participation and our oversight role, and mary beth will be there to monitor and we'll monitor and track the effectiveness of this, and if we are concerned, either because of that ongoing monitoring or because of the outside expert that I have committed to bringing in one year after implementation, then we'll be back in this room to ask for a different -- .

Adams: Additional discussion for this panel, including auditor lavonne griffin-valade? Anyone signed up to testify? Welcome back.

Dan Handelman: Good morning mayor Adams and commissioners Fritz and Leonard. I'm dan handleman with Portland cop watch. We coauthored a letter to all of you and to the auditor and to john campbell who is overseeing the stakeholder group with another member of the stakeholder group appoint bide commissioner Leonard, with members of the national lawyers guild and the league of women voters, raising concerns about particularly the process by which this change is being made. But I also want to call attention to the substance of the change being proposed here. And again, the time line is a housekeeping issue, we don't -- we're not objecting to that. The substance of what we're looking at here is that this police review board, which is not open to the public, and whose members have never had a public forum to speak to the public about, what they do when they decide on whether or not an officer should be disciplined on one hand, the performance review board currently, or when there's been an officer involved shooting or death in custody on the other hand, when those members are having a discussion and debate and voting on the outcome of those cases, whether the commander who supervisors the officer in question on a daily basis, should be given the power to vote on the outcomes of those findings. And the previous

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model allowed that commander to vote, which the parc report clearly says is a conflict of interest in those cases where there's a shooting or death in custody involved. And they say it's a second bite of the apple, they said this in 2003 and they repeated it in the 2006 report. But they didn't repeat it as a new recommendation. Which is why the crc's report didn't address it. So it's very disingenuous of the director to say the public had a chance to weigh in on this. For that reason, a, it wasn't one of the recommendations that was being reviewed by the Crc, and b, this -- the way the ordinance was written, the people in the community supported it because it was the commander who's not supervising that officer who was going to be voting the way that you voted in this ordinance on march 31st. And now you're planning to change that without running it through the community. The only people that have had input are the ipr, the auditor, and the police bureau. There's been no citizen input on this change. We don't get to see what happens at these boards, we don't get to know the outcome of these boards. I urge you not to make this change without letting the stakeholder group talk about it.

Leonard: There's a couple points I think that need to be addressed. To discuss this change as distinct from the wider change in the police review board, I think is unfair. And equally disingenuous. This is a brand-new composed board that includes the ipr director as a voting member whereas before there were times when the police bureau argued she could actually not even be in the room. So there's that. She's been voting in as a member, and I would argue the community was less focused on the other compositions, the other board members that comprised the review board than this piece, which is significant. Two, the review boards no longer will be chaired by a member of the police bureau. They'll be run by a professional facilitator, which is unique. And the history of the police bureau's handling of discipline. So there's that. Three, the auditor's office will blush each year or at some point throughout a year the votes that are taken and the issues addressed in the review board for the public to see. Not with names attached, not with cases, because they involve discipline. But the board itself is an entirely different creature than it used to be before. And intentionally so. The important part for me, dan, is that where you raise legitimate points that need to be addressed and there isn't a good response to them, I think you need to be listened to. And I think i've demonstrated i'm willing to do that. Where the police bureau is engaging and actually wants to be a partner and actually wants the process to work, when they're raising legitimate points, I think they need to be given equal treatment with you and other members of the community. And they've raised procedural issues related to this that I consider to be just that, procedural issues that don't in my view impact what will happen at the police review board, will not impact the ipr director's ability to vote and speak out at the police review board, and will not impact the substance of their recommendation ultimately to the police chief as to the discipline. And I just want to make sure we're giving this new body every Chance to succeed and do the things that you said you wanted that i've clearly demonstrated I want out of the police bureau. Fairness, not just to the community, but the officers involved. In discipline. And I think that we're -- I hope you're recognizing we're moving down a continuum here where there's a lot more cooperation to address some of the issues you've rightly -- rightfully raised in the past and changes are happening that haven't happened in the past. And I think it's important to recognize that. For all of us, including you to recognize that.

Handelman: That doesn't negate the fact that the only people who had an input into this change are people inside the city government. And that the -- not even the citizens involved in this review board have had input. Not to mention that there are other changes to the police review board that were recommended by the community that aren't being considered today because you've bypassed your own process by not bringing this to the stakeholder group.

Leonard: That's not accurate.

Handelman: You knew about this thursday morning, we didn't discuss it at the stakeholder group last thursday morning. I have to -- I commend the director of the ipr director for giving me a heads

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up, which was nice of her, she didn't have to do that. But there shouldn't be a substance they've change that's not going through that group. It's inappropriate.

Leonard: I -- we disagree on whether or not this is substantive change. I think it's a procedural change to make sure all parties are heard adequately just as if you pointed out some glaring omission from the review board. I think we would need to address that before it took effect. So I think we just disagree as to the nature of this change.

*****: Thank you. Appreciate it.

Adams: You can return to your seat.

Fritz: We have one more person to testify.

Adams: Ok.

Moore-Love: Commander dave benson.

Adams: Commander benson?

Dave Benson, Bureau of Police: Good morning mayor and commissioner, dave benson, president of the commanding officers association. I want to talk a little bit about these changes before you today. We are where we are. And from my association, we want these changes to ipr to work. To be functional. And to the first point on three boards running concurrently, as a practical matter it really made little sense to me. Or to anybody in my group. To the second point, on the, are you manager or commander being a voting member, my members are the ones who manage to work -- the work force, who spurt work force, and who know their people the best. When these cases come before the review boards, they have studied the case, they are in the best position to make the recommendation, and more importantly, to carry out the imposition and discipline. And to hold those people accountable after the review board occurs. And after discipline is imposed. And not only is discipline imposed, but so these commanders can make sure the employee is making the necessary changes so those kind of behaviors, whatever they may be, don't happen again. And commissioner Fritz, you made an excellent point about the stakeholders group. I'm a member of that group, and I embrace that group, but you know, I see this -- commissioner Leonard I think spoke to it well. Stakeholders group was due to come up with new recommendations or other changes. I see this as a small administrative change. We're not changing the channel, we're just fine tuning. As we go along the way, there will be other fine tuning parts to this that we're going to have to make and frankly, I don't think we can convene an entire committee every time we make small procedural changes. To make this functional, to make it work, and to make it effective. And it's my intent and my members and -- my members' intent carry out the will of council. And to carry out this ordinance with not only the word of the ordinance, but the intent of the ordinance. And so you have my commitment on that, and this was just to make it go more smoothly.

Fritz: I'm wondering why there wasn't a report on thursday morning about this?

Benson: I can't speak to that.

Leonard: I can. I participated in the committee meetings, and have been president each -- present at each one and plan on being present at each future one. I did not consider this to be an issue because I do consider it to be an administrative change that is -- that is minor. And does not involve the substantive changes that the police review board is now charged with and the sea change of transparency that will occur because of the new way we're handling the board fd. This is one member that will be on the board that police bureau has argued they think is important and fair review of officer disciplines. And understanding that's one member out of a number of people including communities, folks that are appointed by the auditor and the ipr director, it doesn't make to me shall doesn't sound to me to be anything of significance at all.

Fritz: I'd like to hear from chief reese as to why you -- yits not a second bite at the apple to have the supervising officer be on the board.

Mike Reese, Chief, Portland Police Bureau: I'm mike reese, chief of police for the Portland police bureau. Specific to that point, most of these cases get to the performance review board after

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the division commander has recommended a sustained complaint. So the -- as Dave Benson said, the division commander reviews the case, makes a recommendation to the assistant chief of their branch, whether it's investigations, operations or services, whether or not there's been a violation of policy. So -- and then if it is a violation of policy and the discipline is more than counseling or letter of reprimand, we're going to send that to the performance review board. So in terms of the second bite of the apple, most of these are already a sustained complaint that the division commander has recommended.

Fritz: The commander is an automatic yes vote.

Reese: I wouldn't say it's -- that there -- it's a dynamic process in the performance review board, and I wouldn't say they're an automatic yes vote, but the division commander has a feeling that there's a violation of policy and whether or not that results in discipline or not, that's for the performance review board. But I think there's some compelling reasons why we should have the division commander as a voting member.

Fritz: Why not just at that -- add that person rather than substituting for the nondivision commander?

Reese: Part of it is workload issues. Reviewing these cases, particularly the more complex ones, it's a monumental undertaking and we've got a number of people already that are doing that. Assistant chiefs, the IPR director, internal investigators, the persons division commander, usually the lieutenant in the chain of command reviews it as well. Adding additional workload to a division commander who is busy doing their own managing of their division is significant workload issue. And may be a bargaining issue for us as well.

Fritz: Thank you.

Adams: Anyone else wish to speak to this matter?

Fritz: One other comment. We did get the letter from four members of the stakeholders committee for appointees or stakeholders, so that's of concern to me. The other question that I have in looking at exhibit A on page 3, where we're deleting under B we delete number 8, are you manager, then number two, the quorum still includes the r.u. Manager. I'm wondering in that's -- is it a different group or is that an error?

Baptista: I wanted to make sure that you understand that one of the reasons why we're eliminating the rotating command era they're than just adding the voting members, one of the main community concerns we heard was that there need to be more parity on the board, so if we were to add another police officer, that would have disrupted and I think that would have been an area of community concern because we clearly heard they wanted more balance. That's why we've replaced so it we could keep the numbers the same. And it's not a mistake, we think the -- we always have thought essential member of the board needs to be the reporting unit manager of that person. So we just kept that part of the quorum because we think he or she is an essential piece.

Fritz: But they're not an advisory member anymore.

Baptista: They're a voting member. I'm sorry, it's still written they're part of the quorum for advisory members? That is an error.

Fritz: It says the r.u. Manager is part of the quorum.

Baptista: Part of the quorum for the board, yes.

Fritz: And are you saying the commander or captain is the r.u. Manager?

Baptista: Yes.

Fritz: And why is it important for that person to be part of the quorum?

Baptista: Well, that is -- the chief just pointed out, that is the commander who is advancing -- usually advancing the sustained finding is the key person that needs to be there in order to explain why they believe there's a violation of policy. And in the reverse, in this case where now again IPR has new authority to be able to control to send to the board, on finding or discipline, we think the r.u. Commander is the essential person to explain why it is that they didn't find him or her out

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of the -- the officer out of policy and why necessity made a decision not to discipline. So we feel like they need to be able to explain their positions on both sides in order for this to work effectively.

Fritz: I think paragraph should actually say a quorum of six voting members including two citizen members and the r.u. Manager and you still want four advisory members since the r. U. Manager manager is now a voting member rather than an advisory member?

Baptista: I see. Yes, we actually -- that is correct. We need to fix that piece. That's right. So we should put three advisory members and then delete the including -- the r.u. Manager.

Fritz: You still want three advisory members, then? So it would be three voting and three nonvoting.

Baptista: That's right. I'm sorry. I see what you're saying.

Fritz: What's the -- what was the significance before of having two voting members be necessarily part of the quorum? And four advisory members?

Baptista: What our concern was that based -- there was no quorum for advisory members. We took the quorum that existed and so we were concerned about the advisory member piece because of the experience that ipr had of trying to be excluded from a board, and we wanted to make sure it was clear that advisory members have a place at the table and that they shall be there and there needs to be a quorum of them.

Fritz: Do you want to make an amendment or bring it back next week with an amendment?

Baptista: We can -- if we can do it orally now, and then be sure that the paper is corrected for next week's vote.

Adams: Let's turn to our attorney.

Shane Abma, Sr. Deputy City Attorney: The council can make an amendment as soon as it's an ordinance, anyone on the council can move for an amendment.

Leonard: Can you articulate what the amendment would be?

Baptista: That there be a quorum of six voting members, including two citizen members, and here's where the amendment would come in. That it says and three advisory members. Is required to be present.

Leonard: I so move.

Fritz: Deleting - second --

Baptista: Deleting the line that says including the RU Manager designee.

Fritz: You're not requiring that person to be part of the quorum.

Baptista: Part of the advisory members.

Fritz: Right. Didn't you just say you want that person to be part --

Baptista: We should have done this in writing, i'm sorry. You're right. A quorum of six voting members including two citizens and the r. U. Manager member or designee.

Fritz: If I might make a suggestion, since this isn't an emergency ordinance, and since the there has been concern expressed from four of the appointees to the stakeholders group, I appreciate your description of what that committee is for and why you convene it, I think you don't -- i'm sure you don't want to get off -- get them off track on process, feeling they've been blind sided by this, how often do you meet?

Leonard: July 1st is the next meeting.

Fritz: I'm not seeing why there's an urgency to do this particular amendment right now. If we were to do it again next week and all row for more testimony when people have more time, the process then would -- could go more smoothly.

Baptista: The reason that we are advancing this now is because it requires great preparation for these boards to happen on september 1st as everyone has -- wants them to be.

Fritz: What an extra week make a difference?

Baptista: We would be -- we already are set to vote next week.

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Fritz: If you brought an amendment next week and we vote order it the week after, would that make any material difference?

Baptista: I think we would be getting into july, we have to do the recruiting, we have to set up the internal process of having the rotating commanders, we have to set up the training. I think there's a lot to be done in a short period of time.

Fritz: What if you did it next week as -- with the amendment next week as an emergency ordinance if my colleagues would be willing, so we could pass and it could go effect immediately next week, would there be another opportunity for citizen testimony.

Leonard: I'm fine with that.

Adams: I'm fine with that.

Fritz: Ok. Thank you.

Adams: We will -- unless there are objections we will carry it over to next week. The legislative process intent is that we will have an opportunity to read a written amendment between now and then and we'll vote on it and attach an emergency clause to it at that time.

Fritz: And take testimony on the amendment.

Abma: The only concern, I don't have the schedule, but that you're going to need four members, and I don't know who may or may not be here next week.

Adams: Good point.

Moore-Love: Next week just commissioner Fish is out.

Adams: Ok.

Baptista: I will be out as well.

Fritz: I think we've had a good discussion, and I appreciate the input this will allow for citizen testimony, and it is sometimes hard to scramble and get wednesday morning off short notice. This will at least allow folks to send in testimony in writing. If we can get the amendment posted as soon as possible, and that would give citizens a little more option to justify it in writing if not coming in. **Baptista:** Thank you.

Fritz: Thank you.

Adams: Moves to next week. And we are in recess until 2:00 p.m. tomorrow. [gavel pounded]

At 12:32 p.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

JUNE 17, 2010 2:00 PM

Adams: It's 2:00 p.m. And the Portland city council is in session. Good afternoon Karla.

Moore-Love: Good afternoon.

Adams: Can you please call the roll.

[roll call]

Adams: Are there any objections to commissioner Fritz participating electronically?

Adams: Hearing none, there's a quorum present, we are in order. [gavel pounded] please read the title for time certain item number 909.

Item 909.

Adams: This hearing is being held by the city council in compliance with the provision of the state revenue sharing regulations. It is to allow citizens to comment on the proposed use of these funds in conjunction with the annual budget process. As proposed for city council adoption, the fiscal year 2010-2011 budget anticipates receipts totaling \$12,867,392 from state revenue sharing under ors 221.770. Si proposed this revenue be allocated in equal parts to support fire prevention and police services. Is there anyone who wishes to be heard on this subject? Anyone who wishes to testify? All right. I close the hearing on state revenue sharing. Do we vote on that? No. It's just the hearing. Please read the title for item number -- resolution number 910.

Item 910.

Adams: State law requires this action ors 221.760 requires municipalities and counties over 100,000 people in population to certify certain services are provided to be eligible to receive state revenue sharing. The service is certified -- services certified are police protection, fire protection, street construction, maintenance and lighting, sanitary sewers, storm sewers, planning zoning and subdivision control and water. Is there more to be done here?

Fish: That's correct.

*****: That covers it.

Adams: Ok. So then do we vote on this now? All right. Is there any one that wishes to testify on item number 910. All right. Please call the vote on resolution item number 910.

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

Adams: Aye. [gavel pounded] 910 resolution is approved. Can you please read the ordinance emergency ordinance item number 911.

Item 911.

Andrew Scott, Office of Management and Finance: This ordinance is accepting funds under the state shared revenue program. We just had the resolution this, is the ordinance accepting those. I think we'll need a fourth member voting on this.

Adams: Is there anyone that wishes to testify on emergency ordinance number 911? We'll -- unless there are objections, we will hold the vote on this until we have a fourth person to vote. Please read the title for emergency ordinance item number 912.

Item 912.

Scott: There's not a whole lot more here, but we have to take action to both open new funds and close funds and rename funds, and this ordinance does all three.

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Adams: Is there anyone who wishes to testify on ordinance 912? All right. We will hold a vote until we have the proper quorum and move to the reading of emergency ordinance 913.

Item 913.

Adams: Is there anyone that wishes to testify on this matter? Is there anything would you like to say?

Scott: So what have you in your packets and I will not go through the details here, but again, council did approve the budget a few weeks ago. We have gone through the tech supervising and conservation hearing just yesterday, they did sign off and approve the city's budget, so this is a formal adoption for fiscal year 2010-11. And in your memo we list out an attachment b all of the adjustments between the approved budget and the adopted budget. I'm happy to answer any questions on those. And I think at this point once we get four, we'll need a motion to adopt this budget as amended in this packet.

Adams: It's an emergency just because of the timing?

Scott: If we could do the budget as a nonemergency, but it would require a second reading. Since the other ordinances that are part of the budget process are emergencies, we just made this one an emergency as well.

Adams: All right. I've already asked if anyone wants to testify. No one indicated as such. We will hold the vote in abeyance. And can you please read the title for emergency ordinance item number 914.

Item 914.

Scott: This ordinance is the ordinance that officially levies the taxes again at the city's permanent tax rate for next year.

Adams: Anyone wish to testify on item number 914? All right. We'll hold that in abeyance. Would somebody --

Fish: Should we move to 916 ask 917 just to knock those out?

Adams: Absolutely. Please read the title for s-916.

Item S-916.

Adams: Please call the vote.

Fish: This is the second time we've in recent memory we've taken up an aspect of the northwest district plan where because of the way it has been handled by planning and sustainability, and by the mayor and his team, instead of having a fractured hearing, we had a group of people coming out in lock step with consensus around how to proceed. So that's the result of a lot of work, and this particular issue has a history of substantial conflict. The fact we're now at a point of a consensus about how to proceed is remarkable. Congratulations to mayor Adams and his team for that, and i'm pleased to vote aye.

Fritz: -- [inaudible]

Adams: Can you hear us?

Fritz: I can hear you, but you can't hear me.

Adams: Now we can hear you.

Fritz: Good. I want to echo commissioner Fish's comments and commend mayor Adams and also the neighborhood association and vote aye.

Adams: Thank you for your kind words, but I would turn to the staff of the bureau of planning and sustainability, wherever they might be, and thank them. And amy ruiz on my staff. Aye. [gavel pounded] can you please read the title and call the vote, second reading item number 917.

Item 917.

Adams: Please call the vote.

Fish: Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] so approved. Very good. Can you please call the vote on item number 911.

Item 911.

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Fish: Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 911 is approved. 912.
Item 912.

Fish: Aye. **Fritz:** Aye. **Leonard:** Aye. **Adams:** Aye. [gavel pounded] 912 is approved. Please call the vote on item number 913.

Item 913.

Fish: Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 913 is approved. Please call the vote on item number 914.

Item 914.

Fish: Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 914 is approved.

Fish: Andrew, are you hear to object?

Scott: On 913 the budget adoption ordinance --

Adams: Do we have a substitution?

Scott: We'll need a motion to adopt the budget as amended in attachments b, c, and d.

Fish: So moved.

Leonard: Seconded.

Adams: Reconsidering unless there are objections, number 913, with the motion so attached. Please call vote on the new motion to approve 913.

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

Adams: Aye. [gavel pounded] 913 is approved. Thank you to the budget office. Appreciate it.

Ok. That gets us to time certain, and I believe we are -- we have a two-minute recess until we get to 919. Talk amongst yourselves. Smoke -- never mind.

Fritz: I'm leaving at this point.

Adams: Thank you.

Fritz: Thank you.

Fish: Enjoy ashland.

Fritz: Thank you very much. [recess]

At 2:14 p.m., Council recessed.

At 2:15 p.m., Council reconvened.

Adams: It's still thursday, it is still june 19th, 20 at the time -- 2010. We have a 2:15 time certain, it is now 2:15. Karla, if you would be so kind as to read emergency ordinance number 915.

Item 915.

Adams: This is an emergency. We're going to take the staff presentation today and testimony, but we'll be voting on it, we'll carry forward the vote until next week and we will consider it next week as an emergency ordinance, but we will not be voting today. Hi.

Brian Campbell, Bureau of Planning and Sustainability: Good afternoon. Brian campbell, bureau of planning and sustainability. I'm going to give you pretty much the short version of this. The council heard and voted on the memorandum of understanding upon which this development agreement is based back in april, and finally a vote -- voted on the final version of that mou in may. So i'm going to move right to the substance. The -- this development agreement falls -- follows the guidance language of the mou you adopted in may. In many areas word-for-word. So it's in a different format, but the essential points are the same, and the main thing is the tradeoff between the parties provides the certainty for both siltronic and the city as the slide says, it's for a development site that is without its river plan proposed, environmental overlay zoning in exchange for a conservation easement that siltronic will donate to the city for compensation for habitat loss on that development site. There was one piece of information that is a little bit different in the mou than in that in the mou. And the width of the easement area that is in blue on this drawing has changed in a couple of different places just slightly. The overall square footage of it, the acreage of it stays the

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same, but there are a couple of different changes. This area right down at the bottom of the -- at the -- in the middle of the easement next to the utility corridor is wider by a fairly significant amount, enough so that we can actually do some more restoration work in that part of the corridor. It got correspondingly a little bit smaller up here by the river. By about 40 feet. There's still 160 feet of dimension here which the -- is what we need for restoration work on the riverfront nesting habitat and other kinds of things that might happen on the river. And the 40-foot area which would stay within siltronics' control, as you can see, the old line came right up to their building and it gives them and us just a little bit more -- gives us all, both a buffer in that particular area. So regardless of who actually ends up controlling it, the city or siltronic, the use of that area is going to be the same as a vegetated buffer. So what are the benefits here? The primary benefit as I mentioned before, is certainty. Specifically for the city, that means gaining control over a critical restoration site along the willamette that includes one of the few creek corridors that can be preserved and enhanced for habitat in -- and that's a huge win for the city. It's essential to achieving the city's restoration objectives, not only on this site, in -- but in the whole north reach. And the alternative is really complete uncertainty, about whether or even if this site could be restored. It would depend upon the environmental review process on a future development proposed for this site, which may or may not translate into as good an outcome as this agreement provides. And that may also be a long time in the future. So we recognize that there are some concerns about the agreement. One of which is width, which I just talked about. And I think i'll come back to that in a minute. Because I can talk about the others just quickly. And I want to show you two more diagrams here which will talk about the easement itself. The easement width. There's been expressed a concern about the greenway trail. That has now -- is not part of the development agreement at bob sallinger's suggestion. And the setback also a suggestion from mr. Sallinger, is -- it's a suggestion that he made that siltronic be required to provide native vegetation in the 50-foot setback area that is required as part of this zoning along here. It's specifically requires them to provide that vegetation when the river plans 1% of project value or 15% vegetation requirement provision is triggered by a future development project. So we think we have a pretty good way to make that happen. At least as soon as development does. Another issue has been the ecoroof. We were working under council direction on that one, and it seemed like a really -- we tried to meld the concerns of siltronic and pdc and city council as best we could on that one. Concern about the process under which we're working, we were working under council direction over the last year and a half, on this, it's -- we think it has been a great opportunity to actually achieve a win-win for the environment and the economy in this particular instance, and so the process was what it was. In terms of precedent, the staff also believes, this is a good precedent in a positive -- in a positive way here, in that it accomplishes something very tangible. Easement is a very valuable for all the reasons mentioned before and it can also be improved upon over time, potentially adding width and perhaps daylighting some of the feature over time too for the creek corridor. Let me just talk about the very briefly here about the width again, and why we think that is adequate for the job at this point. I want to point out, I don't know if you can see it on the screen here, we have indicated on the railroad side of the conservation easement what -- the full dimension of the habitat corridor really is. Because it takes into account railroad property. That is part of the habitat now in the left side of the screen there, you'll see that crosshatch covering what exists on the ground, the entire doan creek corridor area, is almost all of it in railroad property, and then as you swing around the bottom of the property, and out to the river you'll see that the true width of the habitat corridor is really quite a bit larger. That's because -- gives you another picture of what that is all about. Finally, hopefully this is not too obscure, we had a restoration concept this, is highly conceptual. The main thing to maybe take a look at is the cross-sectional diagram section aa in the bottom left corner. What it's showing is that there's a way to do a daylighted stream along much of this doan creek corridor. We can talk about each one of these things i've mentioned just recently in any question and answer period, but I

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thought i'd give you a quick view of what we thought was a very achievable solution. Again, not ideal, it's not the perfect, but it is very good and very valuable for the city to acquire this piece. That's it.

Adams: Any questions or discussions from council at this point? You can step down. Who do we have signed up to testify?

Moore-Love: We have two people signed up. Bob Sallinger and Dorese Weller.

Adams: Welcome back to the city council. Glad you're here.

Bob Sallinger: Bob Sallinger, the conservation director for the Portland Audubon Society. I have sent you a letter with four conservation groups signed on. We also got a letter from Urban Green Spaces Institute, the environmental community is pretty much united in its opposition to this agreement. We're disappointed, and we think it's gotten worse from the original agreement that was in the MOU. Today we're installing a couple of statues down at the waterfront. Statues of birds that have gone extinct. It's the Lost Bird Project. And those birds -- people didn't understand what they were doing and didn't care. We're facing our own destiny. 25% of our birds are declining and our river is trashed. And under the current approach we're taking on this river, it's only going to get worse. This is part of that. I came before a couple months ago and supported the river plan strongly. I don't support it anymore. And the reason for that is we now understand how far the exemptions and reductions and standards went in that plan and we know that although we traded flexibility for protecting the best places on the river, they're not protected under this plan because of the changes to get those protections. We know that almost 70% of the things that would have gone through review under the old Greenway Code no longer go through review. It's an amazing number. We're tossing our river open. I hope you give me extra time, because I am representing a bunch of groups. This agreement is part of that study erosion that we're seeing. That actually reduces protections that existed prior to the adoption of the river plan. We have a number of problems with it. First of all, relative -- everything else in the river plan, this was done in -- behind closed doors. We see the city bending over backwards to accommodate industry concerns with multiple meetings, scientific review panels, maximum transparency, we spent time and resources coming back to the table over and over again so we can work through the same industry concerns that have been raised for years and years. When we have an environmental concern, this was done behind closed doors, no stakeholders were there, no scientific review, that's a huge problem to us outside of the city. As far as the plan itself goes, our problems are numerous with it. The easement is simply not sufficient. It's 100 feet wide in many places and I would refer you to it, it states, the new easement does not meet the minimum width for a functional wildlife corridor, it does not provide enough space to meet minimum silt requirements to prevent bank failure, it allows uses that create disturbance to natural resource and diminishes function. That is the city's own analysis it's not going to function for the purposes we need it to function for, and it's the -- it's one of the only corridors we have left. It is the best corridor we have left between Forest Park and the river in the industrialized landscape. And it's not going to function for the purposes we need it to function for. Secondly, the area near the river which was the most valuable part of this agreement, that 200 feet is shrunk by 40 feet. And we haven't really seen any analysis of how that shrinkage affects the viability of laying back the bank. Third, the vegetation on the riverbank, people keep pointing to that 1% that was another aspect of the plan that was gutted. Under the old code, they had nonconforming uses requirement that would have required them to pay up to 10% of construction costs now it's down to 1%. So a project that costs 200,000 dollars will get us \$2,000 toward restoration. That's nominal. Almost meaningless.

Adams: I need you to stick to the MOU.

Sallinger: Ok. I am. That's the point of the --

Adams: Not the river plan, the MOU. And I'll give you 30 more seconds.

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Sallinger: The last piece is the ecoroof. The ecoroof is simply an aspiration, the city will have to pay for it. We've seen aspirations before, south waterfront, they didn't come true. They were a mirage. We don't believe this one will happen either. Certainly industry would never agree to this kind of a term on their side of the equation, we hope you'll vegetate the bank, we hope you'll put it into an ecoroof. Who is going to be here in 10, 15, or 20 years to actually see that happens and who is going to pay for it? That shouldn't even be in this agreement. So we look that the property, we see 37 acres. Certainly we can find 300 feet next to a railroad track that will allow us to get a real wildlife corridor. 100' about twice the width of this room. We'll have a road in that, we did say that we could not fit a trail in there and do restoration. The idea that we can daylight a creek, lay back the banks, put in a trail, isn't feasible, but we think there should a trail there. I don't want to sell out my Friends at the pd -- pd greenway, I want to make sure its wide enough we can do all the things we need to do to serve all the functions of the river. Thank you.

Adams: Thanks. Hi.

Darise Weller: Hi. My name is darise weller, I didn't think was going to be here to testify, so please bear with me, because i'm a little convoluted in my testimony. I have concerned of the area and the consequences of the proposed doan daylighting and wildlife proposal have not been researched enough to make a decision at this time. Considering the expense and the effort, I also feel there are better choices for daylighting other creeks in the area, a wildlife corridor across st. Helens road, the extent of the pollution, a doan lake site are two of my concerns. To encourage wildlife to cross st. Helens road is a risky -- is very risky for both wildlife and the vehicle traffic. Having used that road for many years i've experienced many close encounters in the area with near collision was deer. One particular horrid visual memory I al always have was with a deer that had a nearly severed leg collapsing in front of my vehicle. The semi truck traveling next to me hit it, so I didn't. An undergrown corridor would be a possible solution, but crgt expense isn't possible. A corridor or st. Helens road for safe passage for humans was not considered in linton because of the expense. My second concern is the extent of the pollution on that site. Agent orange was manufactured at that site. At our meeting, Portland harbor advisory group meeting in january, deq informed us they wanted to solidify a small body of water that was directly adjacent to this site on the other side of the railroad tracks. Because they didn't want any life at all to interact with that water because it was so contaminated. Another concern is that the railroad tracks that run through the corridor continually spray herb sides to control the weeds on that and they are within their rights to do that no matter what kind of area it is to spray those contaminants. Also, the -- with daylighting the creek, the groundwater and the dprownd because of airborne particulates are probably quite polluted, so I think it really needs to be studied whether we've actually be opening a corridor to the river for those pollutants flowing to the river. So I don't think the consequences have really been totally considered on this particular site. And I would urge you to look at further educating everybody as to whether this is real lay good idea. And maybe picking some other sites instead for this, which may be -- involve less expense.

Adams: Thank you very much. Appreciate your testimony, both of you. Brian? So when I sort of working from that point backwards, when I have been at the site a number of times over the years, most recently to spend part of a weekday afternoon walking all around the -- and as part of that briefing and consistent with other briefings, the notion of daylighting the creek seemed of low probability because of some of the issues that we just heard from the last individual that testified. And that the cost for daylighting the creek in the -- and the required clean-up if I recall correctly was in the \$60 million range.

Campbell: Something of that nature.

Adams: So I would -- i've been working on the assumption that while that's possible, that this was more of a habitat corridor in terms of habitat we were prioritizing deer. And critters. And whatever

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else we could. But that daylighting the creek and at least beyond the entrance would be very expensive. Is that --

Campbell: That is essentially true, yes. And we are -- the corridor is, again, not completely optimal, probably for the large mammal species like deer, but it is as -- it is still would be a complete corridor, it -- and i'm not -- paul kettchum may be able to enlighten on you other aspects of the corridor, and its ability to function as good habitat for a large array of species, but it's definitely adequate for most species that use the property now.

Adams: The other -- just looking at the media write-up of this, talks about -- I just want to reinsert into the record, the reason that this mou is coming forward is because we haven't -- the city hasn't just been in conversations about this site and trying to make sense of it economically, and environmentally, we haven't been in those discussions for months as it's described in the press, but we've been in those discussions for years. And so that's the reason why this is moving forward along -- on a parallel track along with the north reach plan.

Campbell: Correct. And I think I should add to your observation about the recent press on this, today's Oregonian did not even mention the conservation easement as the primary trade-off, if you will, with siltronic. So I that I was a major omission from that news article, that as my opening slider indicated, that's incredibly important for the city to have possession of that kind of an asset.

Adams: Is there anything else you want to say in response to either one of those that have testified?

Campbell: No. I think my preliminary remarks pretty much covered the gamut of what at least mr. Sallinger had to say. I think -- this is -- this is not the end of the road for this development agreement, & the eventual acquisition of the conservation easement by the city. I think I distributed to all the council staff this week a short outline of the contingency that need to happen going forward before the transfer of the property would take place. So I just wanted to point that out again, that there is -- there are other things that need to happen, and I guess we'll have to come back next week for the actual vote as well.

Adams: What's the -- knowing that the blue hatched portion of that second map is aspirational in terms of access to it, if you add that, though, which would be my intent to have the railroads grant us access for the purpose of habitat corridor, if you add the blue hatched and then what's contained in this agreement, what's the -- some of the width of those two things together?

Campbell: Well, I -- it's still hard to tell exactly, but it goes from around 200 feet to perhaps 260 feet wide. And again, it just depends on where you are. Actually larger even at the southwest corner there than that. So I think there's -- again, we all recognize it's not ideal. But it can be added to as well. So I think that's the thing. As you mentioned, discussions with the railroad will have to take place in order to do work at the mouth of the creek in the river, and we need to make sure they have good intentions for the rest of their property that includes the surface part of doan creek at this point too. All those things you're correct, they need to happen going forward.

Adams: Any other discussion desired from council? All right. Then this moves to second reading next week. [gavel pounded] we are adjourned for the week.

At 2:39 p.m., Council adjourned.