



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 24TH DAY OF AUGUST, 2011 AT 9:30 A.M.

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

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

Items No. 897 and 898 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
891	Request of Michael David Krupp to address Council regarding the position of Mayor of the City of Portland (Communication)	PLACED ON FILE
892	Request of Bill Diez to address Council regarding cell tower in Alameda neighborhood (Communication)	PLACED ON FILE
893	Request of Mike O'Callaghan to address Council regarding shelterless update (Communication)	PLACED ON FILE
894	Request of Amy Nie to address Council regarding support for 100 million withdraws from the Chinese Communist Party (Communication)	PLACED ON FILE
895	Request of Sam Sachs to address Council to thank the Mayor for walking with Connected, a gang outreach group that walks in Holliday Park every Friday (Communication)	PLACED ON FILE
CONSENT AGENDA – NO DISCUSSION		
Mayor Sam Adams		
896	Appoint Lois Cohen and Kevin Pozzi to the Portland Plan Community Involvement Committee to serve a term from August 2011 through December 2012 (Report) (Y-4)	CONFIRMED

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<p>*897 Revise ordinance on illegal gun use and violent gang activity to correct East Hot Spot designation (Ordinance; amend Ordinance No. 184274) (Y-4)</p>	<p>184836</p>
<p>Bureau of Police</p>	
<p>*898 Authorize an agreement and memorandum of understanding with the Department of the Treasury, Internal Revenue Service, Criminal Investigation to allow for reimbursement of City expenses (Ordinance) (Y-4)</p>	<p>184837</p>
<p>*899 Authorize a grant agreement with Volunteers of America for the purpose of assisting victims and survivors of domestic violence in an amount not to exceed \$50,000 per year for 5 years (Ordinance) (Y-4)</p>	<p>184825</p>
<p>Bureau of Transportation</p>	
<p>900 Amend Intergovernmental Agreement with TriMet, for Fareless Square Extension, adding 1.30% to reflect the change in Consumer Price Index for Portland during 2010 (Second Reading Agenda 879; amend Contract No. 51564) (Y-4)</p>	<p>184826</p>
<p>Office of City Attorney</p>	
<p>*901 Revise ordinance amending outside counsel contract with Law Office of Erin Olson PC (Ordinance; amend Ordinance No. 184684) (Y-4)</p>	<p>184827</p>
<p>Office of Management and Finance</p>	
<p>*902 Create two new Nonrepresented classifications of SAP Business Systems Analyst and Senior SAP Business Systems Analyst and establish compensation rates (Ordinance) (Y-4)</p>	<p>184828</p>
<p>*903 Change the salary range for the Nonrepresented classification of Right of Way Acquisition Supervisor (Ordinance)</p>	<p>184829</p>
<p>*904 Create a new Nonrepresented classification of Parks Maintenance Supervisor II and establish a compensation rate for this classification (Ordinance) (Y-4)</p>	<p>184830</p>
<p>Commissioner Randy Leonard Position No. 4</p> <p>Bureau of Water</p> <p>905 Accept contract with Shearer & Associates, Inc. for the construction of the Burlingame Tanks Improvements Project as complete, release retainage and authorize final payment (Report; Contract No. 30000960) (Y-4)</p>	
<p>Portland Fire & Rescue</p>	

ACCEPTED

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<p>*906 Authorize agreement with the State of Oregon, Office of the State Fire Marshal, for Regional Hazardous Materials Emergency Response Team Services (Ordinance; Contract 30002260) (Y-4)</p>	<p>184831</p>
<p style="text-align: center;">Commissioner Nick Fish Position No. 2</p>	
<p>*907 Authorize Intergovernmental Agreement with the Parkrose School District related to sport field improvements (Ordinance) (Y-4)</p>	<p>184832</p>
<p style="text-align: center;">City Auditor LaVonne Griffin-Valade</p>	
<p>*908 Assess property for system development charge contracts and private plumbing loan contracts (Ordinance; Z0782, K0130, T0142, W0012, Z0783, K0128, T0140, W0013, Z1186, P0106, P0107) (Y-4)</p>	<p>184833</p>
<p style="text-align: center;">REGULAR AGENDA</p> <p style="text-align: center;">Mayor Sam Adams Office of Management and Finance</p>	
<p>*909 Authorize one grievance settlement and two agreements with the Portland Police Association that amend the July 1, 2010 to June 30, 2013 Labor Agreement between the parties (Ordinance) 10 minutes requested (Y-4)</p>	<p>184834</p>
<p style="text-align: center;">Commissioner Dan Saltzman Position No. 3</p>	
<p>*910 Authorize a grant to Police Activities League of Greater Portland of \$30,000 to support the National Youth Sports Program camp (Ordinance) (Y-4)</p>	<p>184835</p>

At 10:18 a.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

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WEDNESDAY, 2:00 PM, AUGUST 24, 2011

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

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

AUGUST 24, 2011 9:30 AM

[gavel pounded]

Adams: Good morning, everyone. Today is wednesday, august 24th, 2011. It's 9:30 a.m. The city council will come to order. How are you, Karla?

Moore-Love: I'm well, thank you.

Adams: Enjoying the humidity?

Moore-Love: Love it. Look at my hair.

Adams: Can you please call the roll? [roll call]

Adams: Quorum is present. We'll begin with communications. Please read the title for item number 891.

Item 891.

Adams: Mr. Krupp. Hi, welcome. Welcome back.

Michael David Krupp: [inaudible]

Adams: Oh, do you? Ok.

Krupp: Works for me. When do I begin?

Adams: Please begin.

Krupp: For over 600 days i've been rehearsing one role on broadway and seventh and written a one-act play. I call it "act of god." written in memorial of -- the players, you play yourselves, the set, as it is, the time, 9:30, seven years ago, I married the city of Portland. Symbolized by [inaudible] first, I asked a mother who could speak as Portlandia for her daughter. It took place at voodoo donuts and performed by a licensed voodoo priest. And it dawned on me that all of the people are her children -- i'm the pharaoh to my queen. Maintaining peace for her so she need not bother herself. On behalf of my mother-in-law, my wife has asked me to come here and serve you with a 30-day vacate the premises order. You are so served. Think of it as the patriarchy that has left you all without chairs. And thankfully has the sense to run from the irs and the mayor is a reasonable man. Now the remaining members must go or face the music. There can be no peace. The end of the patriarchy and the beginning of the matriarchy. We're experiencing the changing of the pole, so powerful it changes the orientation of rock and also a magnetic event and more so, a time we remember we're a family and share the same great mother. All we see here, smell, taste and most importantly, how we feel, is her. Everything comes from her. Without her to stand on, there are no heavens. She's the dances, the dance and the dance hall. Mr. Sarkozy. [speaking foreign language] with this, I sound the blue -- I found the blue party. A party called mothers for mothers forever. Its logo is a blue tiger with a fierce amazon woman riding its back wielding a rolling pin. The jackass won't bray once and for all, mother is home. Welcome. Where everyone eats.

Adams: Thank you, sir, appreciate it very much.

Krupp: Thanks for letting me do that.

Adams: You betcha. Please read communications title 892.

Item 892.

Adams: Welcome back.

Bill Deiz: Thank you. Give what you i'm going to say.

Adams: Yeah, Karla will distribute it so you can focus on the remarks.

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Deiz: We have a couple of picture there is of a proposed installation. Mr. Mayor, members of city council, thank you very much for letting me address you on the issue of our neighborhood's concern about a proposed criminal tower at n.e. 31st and prescott in alameda and since we're in a priority four neighborhood which according to the rules of city of Portland be the absolute last resort for a cell tower that t-mobile forced itself in without a showing a compelling need to build at this last resort location when there are other higher priority locations in the area. Concerns for neighborhood livability were the reason these resumes were put in place and we commend the city for this action. Self-providers know that new installation should follow these rules and follow one, two and even three locations before they consider four. We chose this neighborhood because of its livability, the result of planning and foresight. We do not have junkyards or commercial establishments near our homes and instead, it's a neighborhood we take pride in the condition of our homes and work hard to keep them in good condition, because of the character of our neighborhoods even in these time, the values have remained relatively stable. We're concerned that an installation at this location will lower our property valence force some of our neighbors with vulnerable children to move away. As real estate agents tell you, many -- agencies tell you, many won't buy in a neighborhood where there's a cell tower because of the parental concerns that these might be harmful for their children. For these reasons, jurisdictions have restrictions on placing these near homes or schools. Long island, won't let one within 1500 feet of a home or school unless the cell tower has a truly compelling reason. None of us denies the need. Many of us drive cars but that does not mean that car companies are allowed to put a used car lot or gas station in any neighborhood. Zoning takes care of this need. We need an approach to our cellular tower needs to keep them out of our neighborhoods except as a last resort and force companies to go to a higher priority zone before they consider a priority four and don't permit any priority four installation to happen without the support of the neighborhood involved. Portland is a special place. Known as the city that works. May it continue to work for its citizens and its neighborhoods. Thank you very much.

Adams: Thank you very much. [applause]

Fritz: If I may make a comment. When I had the privilege of being in charge of the office of cable communications and franchise, we worked on the priority street classifications and looked into whether we could use zoning as a tool for these installations and ever to my chagrin was informed by the city attorney that was not an option in the public right-of-way. The code doesn't cover the right-of-way and we settled on this approach and part of the approach relies on what you've done, in being advocates for your neighborhood and making sure that the process is followed correctly as you know you're working with commissioner Saltzman's office now and making sure that happens. Thank you for bringing this to our attention.

Deiz: Thank you very much.

Adams: All right. Please read the next item.

Item 893.

Mike O'Callaghan: Howdy, the problem hasn't gone away, but you have a few observations on it. I've been traveling. Just got back. I went to six countries. I've been in 38 countries now. Ok? I've never seen any country with more people on the street than here. I haven't traveled the united states but i'm pretty sure from what I hear it's pretty similar across the united states. I was in the 135 poorest country on earth where 42% of the people make less than \$2 a day. I did see homeless people there. Not nearly as many as here. And I was also in jordan and didn't see any homeless. And also in another country, baku, I saw one homeless person twice in my week there and I saw another homeless person once. Two million people there. And you should be somewhat familiar if you traveled at all internationally that you take mexico city, rio, you take mumbai, the way this happens in other cities is they're allowed to squat. We're not allowed to squat. We're criminals here. I'm a criminal. Anyone can arrest me at any time because I sleep. That's illegal in this city.

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Illegal to cook. You're all aware of this. The situation hasn't changed. People in this country are harassed every day as we speak. This is a significant problem but I know it's not your bailiwick. You only have certain things. It's not the mayor's bailiwick or amanda's. Nobody has this bailiwick, ok? But my thing for today is respect existence or expect resistance. I was in london and watched london burn. Ok? Now, that happened because the people were very angry. My gosh, you know, the same kind of thing happened here. The same thing triggered it off. The police shot somebody, a black man and said he had a gun good turned out he didn't. It was a police bullet. That's basically why the riots started but they continued on because people are very, very frustrated. Very frustrated. Ok? They have housing there, we don't here. You're sitting on a powder keg and nobody is doing anything. We have approximately 8,000 people that are sleeping outside every night. We need 80 places for 100 people to go and as i've addressed this council for three years, we have no solutions. We have -- nobody is interested. And this is unfortunate. But you're off the hook. You know? Amanda is off the hook.

Adams: Your time is up.

O'Callaghan: I understand that.

Adams: Thank you for your testimony, appreciate it.

O'Callaghan: It's unfortunate that this council chooses to not respond.

Adams: Thank you, your time is up please read the title for item number 894.

Item 894.

Adams: Hi, welcome.

Amy Nie: Thank you. Good morning, mayor, good morning city council members. I'm amy nie. With the chinese community party of Oregon and here to tell you important information. 100 million chinese people have withdrawn from the chinese communist party. As of this early august. Withdraw from the chinese communist party, this movement in china is a movement that began the year 2004 when the chinese version of the newspaper published a series of editorials. Called "my commentaries on communist party." ever since, chinese people started to withdraw from the party because the editorials revealed the nature of the party. I think it's great news. It's the biggest movement, awakening happening for chinese people in history.it's laid down a foundation. To honesty, fairness and compassion in their daily lives. It's different from any other the western democracy movements. It emphasized a morality, instead of politics. Here's an example. A former intelligence officer for china's ministry of state security publicly announced his withdrawal from the chinese communist party. He said, today I stand here with my back to the embassy and solemnly declare i'm severing all ties with the chinese communist party. That's the conclusion I have come to after lengthy and serious consideration and it is something from the bottom of my heart. As you may know, 80 million chinese people have died from unnatural causes due to the actions of the chinese communist party. And falun gong people -- from its persecute falun gong practitioners expressed support for participants of the movement and I hope that the mayor and the city council of Portland will understand the significant meaning and support us all the ways you can. Thank you.

Adams: Karla, please read item 895.

Item 895.

Adams: Welcome. Glad you're here.

Sam Sachs: And john as well.

Adams: Fantastic. Welcome back.

John Canda: Good morning, mayor and councilmembers. I'm john, the founder and co-chair of the group known as connected. We formed on april 27th of this year after the brutal slaying of shilo hampton at holladay park and come together as concerned citizens to show the city of Portland and those people who pay attention to the things we do that ordinary average citizens with pure intentions and right purpose can come together and have a real impact on crime and the fear of

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crime and our -- in our Portland neighborhoods. Originally, I made a call for 100 men to stand with me in the streets of Portland who are not afraid to speak with and have conversations with young people who are robbing and killing and stealing, selling drugs in our neighborhoods. The result of that after a meeting at the northeast -- north precinct community policing room was an effort that began almost right way, that friday was april 29th and we made our first walk through holladay park. As you've seen by now, the data produced by the Portland police, department the crimes this time last year in holladay park, from the center of the park, there was a diagram that talked about the seriousness of the level of crimes and the same report shows a large green area and that speaks to the crime in that area have been significantly reduced. We cannot take all of the credit. There are many community partners who work in that area but it has made a difference and we're hoping this effort can be a model for the ways that citizens can get involved with local government.

Sam Sachs: I wanted to follow up, mayor, commissioners, what john said. I want to acknowledge our board member, carl goodman as well and like john said, we made a call for 100 men. We've had men and women. Rain or shine every friday. And after you walked with us, mayor, we were touched that you took the time to come out and not just show up but actually walk and communicate with people and talk to people and us. And the media was there and give us an opportunity to share our story with them. We decided that we wanted to present you -- usually you have to walk three times before you can earn one of the shirts. But your presence was significant and we appreciate it.

We wanted to thank you publicly for your walking with us, and hope you'll walk again and also want to invite the rest of the commissioners to come out. As john said, the statistics show that crime is down 25% since we've been out there. So if I can approach --

Adams: Yeah.

Sachs: -- we'd like to give you the shirt and thank you.

Adams: As you're approaching. I want to thank you for -- as you've done a number of times over the years, taken the initiative and not waiting for someone else to do it. And getting this organized and it just makes -- it has made a tangible difference. It isn't just a feel-good, because the numbers speak volumes. So thank you for that and thank you both as well.

Canda: Thank you, sir.

Adams: Both? Wow, even a sign cool.

*******:** I'm going to take your picture. Got it.

Adams: Thank you, thank you, sir. Very much. Thank you.

Saltzman: In the microphone, give us the details how one gets involved for the friday walk.

Canda: It's simple. Thank you for asking. We're asking people who have an interest and we all have facebook pages. Connected has a facebook page. Go to the search button on there and type in connected and it will pop up and talk to you about all of our activities but people show up two times every friday. 4:30 starts the first walk time and they usually walk right up to about 7:30, 8:00. Rob richardson generally leads that group. I lead the one at 8:00 and walk to 10:00, 10:30, depends on the activity in the park. People can "like" our facebook page or meet us at the park.

Saltzman: Just show up at the park?

Canda: Just show up.

Saltzman: Those two times.

Fish: Mayor, if I can acknowledge, there's a huge team working on this and art hendricks, the head of security for the parks bureau has made holladay parks a priority and I got a briefing, a three-page memo single-spaced. Outreach to the community and tri-met. We're proud of the chart you describe showing a decrease in particularly larceny but also other violent crimes but larceny in particular. And the city can't do it alone. It's a difficult park because it's surrounded by a parking lot, a max, a hotel and mall and the mall is inwardly facing and not outwardly facing and what we know about maintaining safety in parks, eyes and ears are important and when you don't have on the perimeter people looking in on the parks, it makes our job harder. So art and the rangers and the

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team have been working hard and that includes at the mayor's request, where we've changed the configuration of bushes and trees to have a better sight line but we're not successful without the partners in the community and I want to acknowledge everyone who stepped up to make a difference.

Sachs: If I could add -- thank you for bringing that up. Art has been a -- out with us several times, not just during work, but outside of his personal life. He's been there walking with us several times and we appreciate that. And just a side note, as a board, we're planning a function in the near future to thank everyone and want to try and have something in the park to thank those who have walked with us.

Fish: And the commissioner in charge of the bureau has twice anonymously gone to the park and spent time to get a sense of what's going on. I want to make a commitment to you that it's high on our list of priorities for people to have confidence in using that park. It's an important park and we're sorry that the tragedy led us to this, but let's make something of it.

Adams: Thank you very much.

Sachs: Thank you.

Adams: Really appreciate it. That gets us to the consent agenda. We have two items that have been pulled. 897 and 898. Any other items anyone wishes to pull from the consent agenda? Please call the vote on the consent agenda.

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

Adams: Aye consent agenda's approved. We'll move to the regular agenda. Please read the title, emergency ordinance, number 909.

Item 909.

Adams: Good morning, sir, how are you?

Jerrell Gaddis: Good. Good morning. How are we doing today? I'm here to present this ordinance for one settlement -- two settlements and one grievance settlement. The first one is the on call and on call telephone calls. We've reached agreements during negotiations and this is --

Fish: Can you move the mic up a little bit?

Gaddis: We reached these agreements during negotiations. And so my job is coming forward with you. My previous manager, Steve Herron was negotiating the unions, and he's no longer here and I'm presenting for him. Ok? Let's start with the on call. The on call and telephone calls, as written in the collective bargaining agreement, will be amended to allow the members to be compensated as outlined in the settlement agreement. You've had an opportunity to read the agreement. Any questions regarding that?

Adams: Any questions or discussion from council? All right.

Gaddis: Ok. I'll go to the next one, the holiday compensation, that was written in the agreement to mirror our overtime payout on compensation, it was left out for some reason and what we want to do is make sure it's put in the contract. As agreed upon during bargaining.

Adams: Any discussion or comments from council? All right.

Gaddis: And the last one is the grievance settlement for sergeant Doug Tang. That was a part of the settlement agreement, the overall collective bargaining agreement in which sergeant Tang should have received overtime for -- overtime should have been available to him that was not. It was given to other officers and so we were as a form of settlement, we entered into this agreement to resolve the additional grievance.

Adams: Any discussion of this element of the agenda item? All right. Anyone wish to testify on emergency ordinance number 909?

Moore-Love: Wait, one person signed up. Dan Handelman.

Adams: Thank you, sir. Take a seat. We'll hear from the public. Welcome back.

Dan Handelman: Thank you. Good morning, Mayor Adams and commissioners. Dan Handelman with Portland Cop Watch and I guess this ordinance is a little confusing. What I just heard sounded

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as though the labor agreement that got signed triggered these payments. But the way I read it, it sounds as though this ordinance is going to be modifying the agreement. So I guess I'll be careful how I phrase this, but my main concern it seems to me if that was the case, that this has to modify the agreement that Portland's spent four months hammering out and cost the city \$62,000, if I made a mistake that cost Portland cop watch \$62,000, we wouldn't be able to operate for 12 years. It's not a lot of money in the big picture but \$62,000, because what seems to me was a disagreement about language in the contract. Now that contract, I went to every public meeting, every hour and minute, and read in the "Portland mercury" a lot of the negotiations were done outside of the meetings. They were done over phone calls or emails and meetings that the public wasn't invited to. After we made a big deal about having them. The public asked it see how the sausage was made on the public side, we didn't ask for the other ingredients. I find that to be cynical. We wanted to see what was going on. This contract between the union and city is one of the most important things as police accountability activists we've run into over the years as a reason that the city can't do this or that and can't have a full oversight commission. We attended every meeting and then they got pulled behind closed doors and when I saw when the council finally passed the agreement, was more like a grocery list. Just said, we're going to agree on this, this, this and this and no specifics about what those things -- specifics and no idea what they meant after led to confusion that made this ordinance necessary.

Fish: I have a question. The public record contains both financial impact statement, the agreement and the language. Backup material. And you've raised a concern about the process of bargaining. But do you have a concern substantively with the matters before us today? The actual recommended outcomes on the matters?

Handelman: You know, we support the right of people to collective bargaining -- collectively bargain for their rights and these people need to be compensated for the time they spent doing thing. We'll not argue with that, but I think the process is just as important --

Fish: I understand, but what we're voting on the specific matter of incorporating agreed upon changes into the agreement and you have no -- you have no objection to those?

Handelman: Not specifically, no.

Adams: Anyone else wish to testify on 909? All right. Call the vote.

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

Adams: Aye. [gavel pounded] 909 is approved. I would just note for the record that this -- I would -- from my view and it had a lot of help from a lot of people, this particular labor agreement with Portland police association contains some of the most significant reforms in the way that the police bureau is able to do its business I would say in a generation. So I wanted that to be part of the record. That gets us to -- can you please read the title for emergency ordinance item number 910.

Item 910.

Adams: Commissioner dan Saltzman.

Saltzman: Well, it gets us to what the today's theme of youth and police and interactions. Pleased to -- pleased the city council has agreed to ward in its process, \$30,000 to the police activities league of greater Portland. Pal, otherwise known as pal and offered a sports camp to under-served and at-risk youth since 1992 and uses sport instruction and competition to enhance self-esteem and promote education and promote healthy active lifestyles and federal funding was cut in 2005. Causing the program to shrink from 250 sites nationwide to only seven today. This last year, we -- Portland being one of the sites, we had 361 youth participate in pal's summer program. So the ordinance before us does authorize a grant approved during the budget process of \$30,000 to help pal with the national youth sports program. I urge adoption.

Adams: Any discussion with council? Anyone wish to testify? Karla, please call the roll.

Saltzman: Aye.

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Fritz: I particularly appreciate the documentation in the ordinance that this is serving under -- folks in the communities of color and those on preschool lunches and those who go to Portland area high schools and I appreciate commissioner Saltzman bringing this forward. This was a item I helped get into the budget the year before the last and glad it see the special appropriations continuing. Aye.

Fish: Aye.

Adams: Aye. [gavel pounded] thank you, commissioner Saltzman. Two items pulled from the consent agenda. Please read the title for 897.

Item 897.

Adams: Mr. Handelman, do you want to come forward and tell us why you pulled it so we do this as expeditiously as possible.

Handelman: Good morning, again, mayor and commissioners. I'm dan handelman, still with Portland cop watch. I pulled this partly because of the substance of it, which is that again, people spend a lot of time pouring over documents and trying to be specific and yet somehow this illegal gun hot spot extended two blocks into gresham and nobody noticed until now. It's a process issue where we're trying to do good things and yet things get rushed through with mistakes. I also missed the opportunity to testify when the illegal gun ordinance committee spoke a few weeks ago because it wasn't -- I didn't notice it on the council agenda and I read the substance that said there's no discrimination in the illegal gun ordinance. And yet, there are only three out of 13 people excluded so far are white. That's 23% in a city that's 75% white. I'm not necessarily saying that makes it discriminatory but raises a few eyebrows. This is similar to other ordinances in the past. The drug-free zones and everything -- all of the other statistics that show african americans are disproportionately affected by laws and policies like this and I see the mayor shaking his head. But it's true. The majority are african american. I can read the statistics. And then beyond that, the question comes up of how is this enforced? Are the officers going up to every person in the zone who they think has a probation for an illegal gun and asking them if they have a right to be there? Which then makes this a pretext law, like the sit-lie and other policies so those are the issues I pulled this about.

Adams: Thank you for your testimony. Anyone else wish to testify? Karla can please call the vote.

Saltzman: Aye.

Fritz: I guess my thought is i'm glad we spotted the error and correcting it and you might want to watch the tape of the hearing when we had the report from the citizen committee which is just forming because we had a discussion about profiling and what statistics do or don't show. So its certainly something council shares your concern about, dan, and we'll continue to work on. Aye.

Fish: Aye.

Adams: The significant number of african american Portlanders are the victims of murder by gun in this city. The significant number of african american Portlanders are being murdered by african american Portlanders and there's a racial aspect to the illegal use the guns in this city. It is awful. Tragic. And we're trying to intercede and stop the killing and stop the injuries. Unlike previous efforts, this city council approved that oversight group to ask these tough questions. And -- and we want to be fair and we want to be balanced. And we want to save lives, that's what this is about. I'm glad as well that when we find a small mistake like this, we bring it forward and correct it, and pretend it doesn't exist. Thank you for doing that. Aye. [gavel pounded] so approved. What's next?

Fish: 898.

Adams: 898.

Item 898.

Adams: Who pulled this? Come on up.

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Handelman: Good morning, once again, mayor and commissioners. I'm still dan handelman with Portland cop watch. I pulled this item as I pulled the joint terrorist taskforce in 2000 when it was put on the consent agenda, because this is an agreement between the police and the federal government that has questionable aspects to it and should not have been put on the consent agenda. It's disturbing to me after 11 years of debate about the taskforce and how police officers interact with the federal government, that chief reese's public involvement section of this says it's a routine and non-controversial item that should not require public involvement. He checked the no box. I know he's been in the city for the last 11 years and I don't understand how all the debate about joint terrorism task force did not lead him to think this is worthy of being put on the regular agenda and that none of your offices caught that and put it on the regular agenda. The good thing, it invokes the two sections of Oregon law with regard to the joint terrorism taskforce and political spying, ORS 181.575 and .850. But it does not talk specifically anywhere about ballot measures 3 and 53 which has to do with Oregon state law and asset forfeitures and while it talks about Oregon and federal law, I think it's confusing their mission is to develop criminal investigations and forfeit assets with ties to illegal activities which is the language we ended up with in the joint terrorism taskforce resolution and doesn't explain what kind of criminal activities were talking about and says they'll decide whether to prosecute in state or federal court. In other words, if there are cases that -- that might violate Oregon laws, sounds like they'll just make a federal case of it, literally. So it's very confusing to me as a member of Portland cop watch who follows these things closely. And there's also nothing -- there's -- you know, in terms of the process, again, we're supposed to be a city that believes in community policing and the idea that the chief, again, thinks we should enter into an agreement where we assign police officers to help the irs, which according to this document doesn't have the resources to investigate these crimes and again, doesn't specify the crimes, mentions one place of the violation of tax code but doesn't say that's necessarily the only types of crimes they'll investigate. Just because the irs doesn't have the manpower/personpower to do it, does that mean that the city of Portland does? Is that our priority as a city? We haven't had that discussion, that's why I pulled it off the consent agenda.

Adams: Thank you sir. Anyone else wish to testify?

Fritz: May I ask a question. Is this a new assignment of the officers to the taskforce?

Adams: No.

Fritz: How long have we been assigning them to this taskforce?

Adams: Come on up, sir, and while he's coming up -- we have to follow state and federal law. As we do the work here. So that's very clearly part of this. Including the ballot measures, the laws -- the ballot measures that became laws as well.

Jeff Kaer: Mr. Mayor, council, i'm jeff kaer, a lieutenant with the Portland police bureau and sitting in for the commander. I'm currently sitting in for commander ed brumfield. We've been a part of this organization for a couple of years, at least, to my knowledge. These are the types of cases that the irs just doesn't have the capability to work because they don't meet a high enough threshold for them to invest resources. We have one dedicated detective that works in conjunction with the irs at no additional cost. This is a person taken out of our approved budget so we're just reassigning one person to work these cases. An example of the cases -- we actually have at the -- a mortgage rescue scam that's been going on and targeted the elderly and left some people homeless in our community and we work the cases that affect the citizens of Portland and the livability here, the fear of crime. We do not work cases in Washington state, do not work cases in california. We work cases within the Portland metro area that has a effect on our livability and we work cases where we have an instance where a gentleman was forced or evicted from california, if you will, in a business and he reestablished it here in Portland and started victimizing our citizens. These are the type of cases we're looking at. There's no cost to us. We're actually -- when we talk about participating in asset forfeiture, the irs is actually seizing the assets. If we're involved, we get a

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small return, a small return of that asset forfeiture. In that regard, we actively investigate crimes that affect the citizens of Portland.

Fritz: Thank you, that's very helpful. My understanding of this ordinance is that it allows for reimbursement of city expenses?

Kaer: Yes, it does.

Fritz: Is this a new agreement. We're getting money for the work that the officers are doing?

Kaer: No, it's an ongoing agreement. We get -- I think it's --

Fish: \$50,000.

Kaer: Yes, and we also in order to receive some of the asset forfeiture funds we have to have an active agreement.

Fritz: So it's continuing the previous agreement?

Kaer: Yes, ma'am.

Fritz: Thank you very much.

Adams: Appreciate it. Unless there's additional discussion, Karla, please call the vote.

Saltzman: Aye.

Fritz: I just need to take a moment to commend chief reese for his and his staff filling out the public involvement statement that is now required, I think it's exemplary and explains why this is in fact a routine investigation. I want to read this for the general public so you better understand. As a matter of course, the police bureau would normally conduct criminal investigation on the type of cases pursued by the Oregon and sw Washington financial crimes taskforce and the participation in the taskforce provides a force and resource multiplier which is of great benefit to the city and community served by the bureau. Bureau personnel assigned to the taskforce remain under the supervision of the police bureau. When statutory, constitutional or decisional law of Oregon restricts the investigative method more than federal law, investigative law employed by portland police officer working with the irs shall conform to the requirements of Oregon law. Portland police officers may not take action or exercise authority under the agreement if the action or exercise of authority is prohibited by Oregon law. For these reasons, the bureau deems this a routine and non controversial item that would no require public involvement. That's why my staff and I did not pull this item and I appreciate the discussion and it's clear to me that this is indeed a routine item and I appreciate the work that the bureau is doing.

Fish: Aye.

Adams: Well, this gives us the opportunity to show off the great work you do and thank you. These kinds of crimes -- the best way to prevent these crimes is to solve the last one and you're helping in our partnership with the irs and the federal government. Aye. [gavel pounded] so approved. And I think that means we're adjourned.

At 10:18 a.m., Council adjourned.