



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 27th DAY OF DECEMBER, 2000 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Saltzman and Sten, 4.

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Harry Auerbach, Senior Deputy City Attorney; and Peter Hurley, Sergeant at Arms.

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

1868 **TIME CERTAIN: 9:30 AM** – Recognize recipient of the Lowenstein Trust Award (Presentation by Mayor Katz)

Disposition: Placed on File.

***1869** **TIME CERTAIN: 10:00 AM** – Grant Specially Attended Transportation permit to Broadway Cab, Inc. (Ordinance introduced by Commissioner Francesconi)

Disposition: Continued to February 14, 2001 at 9:30 a.m.

***1870** Grant Specially Attended Transportation permit to New Rose City Cab Co. (Ordinance introduced by Commissioner Francesconi)

Disposition: Continued to February 14, 2001 at 9:30 a.m.

CONSENT AGENDA - NO DISCUSSION

Mayor Vera Katz

***1871** Authorize contract with Regional Financial Advisors, Inc. for financial advisory services (Ordinance)

Disposition: Ordinance No. 175186. (Y-4)

***1872** Authorize agreements to implement amended Visitor Development Initiative (Ordinance)

Disposition: Ordinance No. 175187. (Y-4)

***1873** Authorize contract with Ater Wynne LLP for bond counsel services (Ordinance)

Disposition: Ordinance No. 175188. (Y-4)

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***1874** Authorize contract with Preston Gates & Ellis for bond counsel services (Ordinance)

Disposition: Ordinance No. 175189. (Y-4)

***1875** Lease for warehouse, office and staging area at 3345 NW Front Avenue (Ordinance)

Disposition: Ordinance No. 175190. (Y-4)

***1876** Contract with T.S. Marshall & Associates, Inc. to purchase a site license with QUEST for Performance training seminars and for trainer certification of City employees to provide training under the license agreement (Ordinance)

Disposition: Ordinance No. 175191. (Y-4)

***1877** Amend contract with Lockheed Martin IMS to provide photo radar services for Portland Police Bureau (Ordinance; amend Contract No. 40229)

Disposition: Ordinance No. 175192. (Y-4)

Commissioner Jim Francesconi

1878 Accept contract with J.P. Contractors, Inc. for Mt. Tabor Park improvements as substantially complete, authorize final payment and release retainage (Report; Contract No. 32466)

Disposition: Accepted. (Y-4)

***1879** Authorize agreement for the conveyance of donated properties to the City for addition to the natural area park inventory and authorize acceptance of deeds and payment of expenses (Ordinance)

Disposition: Ordinance No. 175193. (Y-4)

***1880** Authorize agreement for acquisition of the McPhee property in southwest Portland adjacent to the Marquam Nature Park Trailhead in the Marquam-Terwilliger Local Share Target Area (Ordinance)

Disposition: Ordinance No. 175194. (Y-4)

***1881** Renew contract with Multnomah County providing City funds for Aging and Disability Services Department district senior centers (Ordinance; amend Contract No. 32024)

Disposition: Ordinance No. 175195. (Y-4)

***1882** Contract with J.P. Contractors, Inc. for the construction of Jamison Square for \$2,623,112 and provide for payment (Ordinance)

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Disposition: Ordinance No. 175196. (Y-4)

- *1883** Contract with Multnomah County providing City funds for Department of Community and Family Services, Schools Uniting Neighborhood, initiative (Ordinance)

Disposition: Ordinance No. 175197. (Y-4)

Commissioner Charlie Hales

- 1884** Declare the purpose and intention of the City to construct street improvements in the Lents Town Center Phase I Local Improvement District (Resolution; C-9986)

Disposition: Resolution No. 35952. (Y-4)

- 1885** Declare the purpose and intention of the City to construct street improvements in the Lents Town Center Phase II Local Improvement District (Resolution; C-9987)

Disposition: Resolution No. 35953. (Y-4)

- *1886** Authorize execution and acceptance of the Settlement Agreement and Deed for the purchase of land for the Lower Albina Overcrossing Project (Ordinance)

Disposition: Ordinance No. 175198. (Y-4)

Commissioner Dan Saltzman

- *1887** Authorize a contract and provide payment for the construction of Insley/Taggart "A" basin relief and reconstruction, SE Raymond, Project No. 6618 (Ordinance)

Disposition: Ordinance No. 175199. (Y-4)

- *1888** Authorize agreement to conduct psychological evaluation to candidates who have successfully completed all phases of testing and have accepted a conditional offer of employment for the Emergency Communications Operator Trainee position. (Ordinance)

Disposition: Ordinance No. 175200. (Y-4)

Commissioner Erik Sten

- 1889** Confirm the appointment of Aloha Palmer to the Housing Authority of Portland for a five-year term to end December 10, 2005 (Resolution)

Disposition: Resolution No. 35954. (Y-4)

- *1890** Agreement with Multnomah County Health Department for \$640,587 to provide lead poisoning prevention services for the Portland Lead Hazard Control Program and provide for payment (Ordinance)

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Disposition: Ordinance No. 175201. (Y-4)

- *1891 Contract with Clark County Department of Community and Family Services for \$63,610 for the Clark County Transitional Housing Program and provide for payment (Ordinance)

Disposition: Ordinance No. 175202. (Y-4)

- *1892 Amend agreement with JOIN by increasing the amount to \$170,000 for the Homeless Outreach Program and provide for payment (Ordinance; amend Agreement No. 33136)

Disposition: Ordinance No. 175203. (Y-4)

REGULAR AGENDA

- 1893 Amend Title 32 Signs and Awnings and Title 33 Planning and Zoning to rename Title 32, to move sign regulations previously in Title 33 into Title 32, and to clarify regulation of certain signs (Second Reading Agenda 1828 introduced by Mayor Katz and Commissioner Hales)

Disposition: Ordinance No. 175204 as amended. (Y-3; N-Sten)

- 1894 Amend Code to provide consistency with Title 32, Signs and Related Regulations (Second Reading Agenda 1829 introduced by Mayor Katz and Commissioner Hales; amend Code Titles 10, 16 and 17)

Disposition: Ordinance No. 175205. (Y-3; N-Sten)

- 1895 Update fee schedules for electrical, sign and awning permits, establish sign registration fees and replace fee schedules adopted by ordinances 174721 and 174722 (Second Reading Agenda 1830 introduced by Mayor Katz and Commissioner Hales)

Disposition: Ordinance No. 175206 as amended. (Y-3; N-Sten)

Mayor Vera Katz

- *1896 Authorize payment to Multnomah County for additional costs incurred for the Justice Center roof project (Ordinance)

Disposition: Ordinance No. 175207. (Y-4)

Commissioner Jim Francesconi

- *1897 Authorize acceptance of a conservation easement from Steve Lockwood for a property in northwest Portland adjacent to Forest Park (Ordinance)

Disposition: Ordinance No. 175208. (Y-4)

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- *1898** Authorize acceptance of a conservation easement from Marian O'Reilly for a property in northwest Portland adjacent to Forest Park (Ordinance)

Disposition: Ordinance No. 175209. (Y-4)

Communications

- 1899** Request of Paul Maresh to address Council regarding the Portland Police Joint Terrorism Task Force (Previous Agenda 1815)

Disposition: Placed on File.

- 1900** Request of Mike Dee to address Council regarding the Portland Police Joint Terrorism Task Force (Previous Agenda 1858)

Disposition: Placed on File.

At 11:39 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 27th DAY OF DECEMBER, 2000 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales, Saltzman and Sten, 5.

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Peter Kasting, Senior Deputy City Attorney; and Peter Hurley, Sergeant at Arms.

Mayor Vera Katz

1901 Adopt and implement the Kenton Downtown Plan (Second Reading Agenda 1823)

Disposition: Ordinance No. 175210 as amended. (Y-5)

1902 Adopt and implement the Kenton Downtown Plan (Resolution; Previous Agenda 1824)

Disposition: Resolution No. 35955 as amended. (Y-5)

Commissioner Charlie Hales

1903 Amend Code to change the prohibitions relating to skates and skateboarding (Second Reading Agenda 1867; amend Code Chapter 16.70.410)

Disposition: Ordinance No. 175211 as amended. (Y-3; N-Francesconi and Katz)

At 2:07 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland



By Britta Olson
Clerk of the Council

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

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Closed Caption Transcript of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

DECEMBER 27, 2000 9:30 AM

Katz: Steve lowenstein lived in my neighborhood, and I was very fortunate to know him when both of us started our careers, though I think he was a little bit ahead of me in his public career. He was an attorney who was active in the civil rights issues since 1960s. And he helped established the legal services for the poor here in Oregon. A huge accomplishment, because prior to that, legal services were not available. He also authorized the history of jewish communities in Oregon, and he did much, much more for his community. Steve, then, came to the city of Portland and was the executive assistant from -- for mike lynnberg. It was at that time in his later years that the doctors discovered a brain tumor that eventually took his life. In his will, steve established a small trust to make an annual cash award to some very important citizens in this community. And part of the agreement was that the city council honors that award and brings the recipient and family members and friends to the city council chambers to talk a little bit about steve and to talk a little bit about the recipient. The trust was established to honor a person who would be working for the community and who currently is working for the community to improve the quality of life for the disadvantaged in the city of Portland. The past awards were significant. They were \$5,000. This award this year, because I think the market was so good, was \$7500. So it's quite a nice award for somebody to do some wonderful things with it. Today we recognize miss cassandra garrison. Cassandra, come on up. [applause] mrs. Lowenstein, come on up, because I want you to say a few things too. I was fortunate to meet mrs. Lowenstein, and chris, her grandchild. Mrs. Lowenstein -- before we get to cassandra, mrs. Lowenstein worked for mayor koch, so we were talking a little bit about the mayor. Let me say something about our recipient. Cassandra is a native Oregonian, a single mom of a 13-year-old daughter alexandra. You're a very important part of this story. Cassandra now works for the Oregon food bank as a policy advocate working on poverty and hunger issues statewide. She understands these issues, because she herself was on welfare. And she raised a child, and later went on to community college. She got her bachelor's degree in sociology -- you can't ask me what that would get you, cassandra. You should have, as one who received one too. A bachelor's degree in sociology, and then she went on for a master's in public administration at Portland state university. So she didn't stop there, she continued her work. Along the way, she was a recipient of the nancy rile scholarship, a wonderful woman who served in the legislature and was a colleague of mine in the Oregon legislature. Also died of a brain tumor, and so she received an award from the rile scholarship. Throughout all this time, what cassandra's job was, was to try to break all the barriers that we and others set up in our bureaucrat I can ways so that poor people could get the help they need, whether it's food, or shelter, or health care. And hopefully getting them back on their feet. She now provides training to families in crisis on how to successfully navigate complex scary bureaucracies, unresponsive bureaucracies. What makes her very special, she doesn't take no for an answer. And not only does she take care still of her daughter, but she works morning, noon and night. So she's a type "a" personality as well. She helped resurrect the Oregon human rights coalition during their difficult times in the '90s, and that is a grass-roots community-based organization advocating for low-income families. And more important for cassandra is that low-income families make the decisions themselves about their lives, rather than having others make their decisions. Cassandra is doing exactly the kind of work that steve lowenstein had in mind when he established the trust. Fixing things that don't work and improving the lives by

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empowering poor people to get back on their feet and make a meaningful contribution to their own families and to the community. So cassandra, congratulations, and we honor you this morning with the steve lowenstein award.

*****: Thank you very much. [applause]

Katz: This is what we do next. You talk to us a little bit about why you did what you did, and then i'd like to invite mrs. Lowenstein to -- you don't have to, but just a few words about steve so we -- you didn't lose your voice. I heard you a few minutes ago. And art alexander, if there's anything you want to say, and I want to invite friends and family members who were in the audience, I see charlie williamson, hello, charlie, to come up and say some nice words too. Cassandra --

Sten: Could I very quickly -- I also wanted to offer on behalf of the bureau of housing and community development, and myself, a very strong congratulations. This is very well deserved. Cassandra was an intern at the bureau of housing and community development, and i've been the recipient of numerous e-mails from just about everybody who works there asking them to pass on their hello and congratulations, and as I was walking in she mentioned that it was thanks to that internship she got going, and I actually didn't buy that at all. I think it was thanks to her being able to work there that we got going. She really has spurred a long relationship with the Oregon food bank and we always knew about it, but the work between bhd and the food bank is much more direct and we're taking part in things we never would have taken part in without you opening our eyes up to it. We're just delighted to see an alumnus go this far and expect a lot more in the future. I think this is the perfect choice I want to say to the trust.

Cassandra Garrison: Thank you very much. I don't do my work in a vacuum. Behind me and beside me are a lot of organization and community groups from the Oregon center for public policy to the Oregon law center, to legal services of Oregon, to everybody from Portland impact, human solutions, ama -- I am an outfield station worker, I am a trench runner. I've been to many drug ridden seedy motels to find families that could have gotten help, ended up in apartments. It's been a long seven years i've been doing this work full-time. The ship is slow to turn, and what scares me the most is this next legislative session that if we can't get our representatives to understand the emergent need that we have in this community, i'm really worried about our families. I was a lucky welfare mom in that I came through the administrative system at a time when we believed in human investment. And i'm sorry to say that's not there anymore. And I have a product of a quality of human investment, my daughter, who's now a tag student at hosford elementary school. She spent a lot of time at a shelter, and without that support of the state and the county and the food bank, and the federal housing authority helping us get, you know, housing and food stamps and employment-related day care and education-related day care, I wouldn't have made it this far. Now as far as my own tenacity, I think that came from my mom. But, you know, the thing that I will do with this money is continue the work that we've done. And I ream eyes we'll never have enough money to meet all the needs of our families, but there are families that are not -- that don't need to go into crisis, and those are the ones i'm looking for, because those are the ones that if we can keep them maintained and keep them afloat, then they'll be able to go on and be productive citizens in our community. No one is -- no one is dispensable. At one point someone could have looked at me and said, well, you're a welfare mom, look at -- you're in a shelter, you have no home, no family, no job, and what would you have to offer us? And somebody saw, and it was nancy riles. The foundation of nancy riles saw something in me that maybe I didn't see in myself that made me move forward. And that's what I want for will the families that I see, that we continue to have them move forward, because in the wake of welfare reform, we're beginning to see that there are some areas that the safety net's not holding. And this money will go toward that, to make sure that we educate about the outcomes and effects of welfare reform in the state of Oregon. So I want to thank you for having me here.

Katz: Thank you, cassandra. [applause] mrs. Lowenstein? Come closer to the mike.

Evelyn Lowenstein: I'd like to get farther away from it. I have really not very much to say. Because

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I think you've known steve, and therefore anything I say would be -- he did it all. But I would like to say to the person should get up here and speak is chris. I used to have a very deep voice. Now I have none. So you'll have to bear with this squeak that i've got. Anyway. Chris is very much like steve. In terms of his ability to organize, to continue to work, despite our, despite hunger, despite all kinds of forces that come upon him that he has to respond to as well. And so I would like everybody to know chris. Does anybody here know chris?

Katz: They will in a minute. [laughter]

Evelyn Lowenstein: I would like to tell you that when we were I think in india together, chris and i, he said, grandma, I want to change the world. And I said, that's what your father wanted to do too. But he never told me. So chris has articulated and carried through what his father always worked for. And that's what I have to say. And I think it's wonderful to be able to work in a community like this one, really in a city like this one, because I live in new york. And no matter what we do, it's subsumed by something bigger, something worse, something more exciting, so that what we do doesn't shine out. What's being done here -- look at her. She shines out. Look at that mayor. Listen to her. I just had a talk with her upstairs in her office. That doesn't happen in many places. And I think this is wonderful. I congratulate you all.

Katz: Thank you, mrs. Lowenstein. [applause] okay. Art, in a few minutes. Chris?

*****: I'm going to have -- first I want to have the members of the lowenstein trust that are here just stand quickly. [applause] all of us have known steve in one way or another over time and really enjoy this time of year very, very much. It's always difficult to make a choice. We always have wonderful nominees, and this year we are -- we're always happy with whoever we choose, and this year we're very happy to present this check for \$7500 to cassandra.

*****: I don't want you to go out and buy clothes.

Evelyn Lowenstein: I'm going to step away from the mike and have chris come up and present the other portion of the award.

Katz: Okay. Chris, come on up.

Chris Lowenstein: I'm chris lowenstein, and it's a real honor. It's been ten years, this is the tenth award, and I haven't been here for the other ones, so it just feels special to be in Portland for this. Dad just had such compassion and I see a lot of his qualities in you. I feel him in me all the time. He really cared for people and -- in a wonderful way, and it's a giving way that I don't think he cared so much what he got back, he really just wanted to give and to see people grow and he just genuinely cared for people, and I think that those qualities in you and in him are qualities that we should all strive for. I'm honored to present this to you.

Garrison: Thank you. [applause]

Katz: Tell us a little bit about what you're doing, chris.

Chris Lowenstein: I'm living in thailand, and i've been there for almost ten years. I'm working on films, producing film and directing films. I've been doing a series of documentaries for the united nations about people living with hiv and aids, and they're very hopeful, positive pieces about people who are surviving a long time and finding out what the secrets of their survival are. So it's very positive work, and we've done films in five countries now, and we're working on our sixth in southeast asia. So it's exciting work. I really do feel in all of that, all the time.

Katz: Thank you. Thank you for sharing a piece of yourselves, both of you, and cassandra, thank you for sharing yourself with the entire city.

*****: Thank you very much.

Katz: Does anybody else want to come up and say something?

*****: I'm sure they're all going to rush.

Katz: Steve? About cassandra? Come on up.

Rick Uchen?: My name is rick, i'm one of two metro services coordinators for Oregon food bank. Pleasure to meet you. I first met cassandra five or six years ago working with community action

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service providers through Multnomah county. We were doing a speaker's bureau training, and one of the people that was invited to be part of the training was a young woman who I had not met before, but who had an amazing story, and just needed some brushing up skills in terms of the whole arena of public speaking. Little did we know that that -- at that time who we were dealing with, and what a little bit of brushing up in public speaking skills would mean in the years to come. Her first public speaking was before an all-staff meeting of Oregon food bank. Unfortunately I didn't attend, but I certainly heard a lot from people who said, who is this person? Can we get her involved with the kind of project that's Oregon food bank finds most 15ingful and i'm not surprised at all at what cassandra has accomplished. I think that in regards to the team who we will never hear from, those people who some do consider disposable, who really don't have that much worth in our society, but i'd just like to say one thing. You may not be aware of this. Cassandra and some others decided to take on a project that quite frankly I never imagined could get changed. And if any of you ever saw the 15-page document that people had to fill out to get food stamps, it was daunting even for people who had filled out financial aid applications for college, it was daunting for anyone. In fact, gist feeling it made you not want to do it. Cassandra spearheaded an effort now that is being tested in east Multnomah county and other places -- five pages?

*****: We're going to get it down to a couple.

*****: That's great.

Chris Lowenstein: And now it's a document that is usable, it's something that is cutting through red tape. When folks see her coming, they know they have to respond, because truly, this woman does not take no for an answer. [laughter] and I think that she has led staff at Oregon food bank to greater commitment, to believing that we really can make a difference, and i'm extremely proud to be a part of this on behalf of Oregon food bank. But also the fact that we're coworkers. And I can guarantee you, she doesn't let us off either. So thank you for the opportunity.

Katz: Thank you. [applause] cassandra --

Garrison: I paid him to say that.

Katz: Let me tell you a story I read about the nightmare of the food stamp application. I asked one of my staff people to get an application, because I wanted to raise holy hell if what I read was true. And the application that I received was much shorter, did not ask any of those questions, so in a way I was a little disappointed, but very, very happy for recipients who have to fill out those questionnaires. It's still a little bit too long --

Garrison: It is. There's also the issue of how will families know to go, how will families know if there are systemic barriers in our -- within the agency, there's paperwork and there's work on both ends. So be politically correct, it would be nice if we would all go in and apply and we would get what we were entitled to. But that's not always the case. And that's why I fight so hard.

Katz: Good for you.

Garrison: Someone -- I did not get here by myself. I am a product of many people giving me things from educational grants, to housing assistance, and all along the way I had to fight to get them. And that made me a little bit different than the other women who wanted to sit on the couch that were so depressed they didn't know what to do. And so I really believe that if we're going to change the system and change the application we need to make sure that people get it when they go there to get it.

Katz: Cassandra, we have a button, this is the way we always do it with a slash. So if you get that kind of response, just remember that. Yes, mrs. Lowenstein?

*****: I'm evelyn.

Katz: Evelyn.

n Lowenstein: I used to work for the share croppers, and they couldn't fill out a form if they were hungry and were lying down trying as -- we sent people around and showed them. Did you ever do that?

*****: M-hmm.

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*****: Okay.

Katz: Thank you, everybody.

Francesconi: Let me just add one thing here. Cassandra, listening to you, and the represent I know of Steve Lowenstein, there may be three reasons this committee did such a terrific thing in selecting you. One is your statement, that everyone is indispensable. The second is the ability that you have that Steve had to organize people along a common focus. And then the third is that government can play a role, a productive role in investing in people, and by your example of what you said, how you lead your life, that's what Steve did. So you deserve all of this.

*****: Thank you.

Katz: Thank you. Thank you, everybody. Thank you, art, thank you trust members, thank you members of the family, Chris, good luck to you and bring some films into Portland if we haven't seen them. Let us know when they're here. Mrs. Lowenstein, thank you. It's nice to meet you. Cassandra, good luck, and good luck to your daughter, and to all your friends and people that you work with. Thank you. [applause] all right. Now to -- okay. 1869 and 1870. Let's read them together.

Katz: Okay. Sorry. Consent -- any items off the consent agenda? Anybody want to remove any items off the consent agenda? Hearing none, roll call. **Francesconi:** Aye. **Saltzman:** Aye.

Sten: Aye. **Katz:** Mayor votes aye. Thank you for reminding me. 1869 and 1870.

Francesconi: We still have five minutes, mayor, and there may be a couple of others that would happen real fast on the regular agenda.

Katz: Hold on. Is Michael Tully here?

Francesconi: He's coming.

Katz: Then let's take 1893 on the regular agenda. It's the second reading.

Item 1893.

Francesconi: This is a remarkable achievement by staff and by others. This is -- strikes a balance between good urban design, the right of businesses to advertise, all within a constitutional framework. It's amazing. Aye.

Saltzman: I think this is an issue that was kind of pending before the council before I arrived here, and certainly through all its contortions I had questions about the efficacy of it, and whether this was the right thing to do. But ultimately I believe it's a lot -- deals with a lot of mundane details that I ultimately concluded those are some of the mundane details you have to deal with on the city council, because somebody has to settle these issues and somebody has to make decisions about what it is, the quality of life is, what is quality of life, and what does something like signage mean and where do you strike the balance between constitutional rights and free speech and all those other things that I felt I was thrust in here to deal with with this issue. While I may not be happy with how we came down with this, every sign on this, every dimension of everybody sign, I feel this is a solid step in the right direction that strikes the right balance between keeping a livable city, but also protecting constitutional rights and certainly a -- want to commend the staff, Stevie and all the staff of the office of planning and development review and commissioner Hales office who worked very hard to bring this to us today and Kermit Washington as well. So I'm very proud to support this today. Aye.

Sten: I'd like to join commissioner Saltzman and commissioner in thanking everybody. This is an extraordinary piece of work. I don't know how you did it. It really is -- it brought together a lot of pieces. I think it's no surprise to council, I for some time have been in opposition to the general policy. I think we're being too restrictive on signs. I tend to -- I like the murals and didn't support the ban on the murals, and as a result I don't support the ban on the banners. I also would like to see -- I think our restriction on electronic signs is too much. I think we're going too small of a size. I think a larger sign is appropriate and works well in an urban area, and I'm not a fan of now having a new fee structure for small signs. I don't think they're bothering anyone. I do think it's a nice piece of work you did to implement the policy and I appreciate it. I don't agree with the policy so I'm going to vote no.

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Katz: Well, if you recall, this was thrust upon my office and I didn't know whether we were ever going to get to closure on this issue. Because there was a divergence of opinion on the city council, the industry was even fighting among themselves, city club had very serious reservations on the signage issue, but we took the charge seriously and I want to thank betsy aims from my staff, who is sitting here, who had to try to pull all the factions together, and I remember coming to an early meeting and I could -- I didn't see how stevie or kermit, carrie, margaret, jeff rogers in the city attorney's office were able to come up with something that met the constitutional standards. That was really the first issue. We couldn't separate one banner from another banner. That's what got us in trouble the first time. And could we agree on a program that would still maintain this city as beautiful as it is and not turn it into las vegas or the sign capital of the world. Interestingly enough, there was a national news story last night on the signs all over san francisco, and the concern among san franciscans that they were going to destroy the wonderful quality of san francisco. That was the concern in the city. People got together, made some decisions. I didn't like every issue that we all voted on, but overall it's at least for now solved the problem until another technology comes to bear upon us and might create other issues for us to resolve. So thank you betsy, margaret, gil, carrie, but especially stevie and kermit, who had to make some sense out of the situation. Aye. All right. **1894. Francesconi: Aye. Saltzman: Aye. Sten: No. Katz: Aye. 1895. Francesconi: Aye. Saltzman: Aye. Sten: No.**

Katz: Mayor votes aye. All right. We are at 10:02, so let's jump over to our time certain, and let's read 1869 and 1870 together.

Items 1869 and 1870.

Francesconi: A couple introductory comments. Come on up, folks. Jim, john. In september we asked the taxi board and the bureau of licensing to develop some criteria for taxi utilization. And innovation by january of 2001. We also wanted to look at the number of existing taxi permits, and we wanted to identify some growth opportunities for smaller taxicab companies. Since september, council has approved four smaller typical sat, specially attended transportation licenses that we had put on the consent. But today we have two companies coming in with more numbers, and more creative approaches here. So we thought we should put this on the regular agenda. So if we could hear a staff report, then new rose city is going to make a presentation as followed by broadway, and then there will be public testimony, including representative of the taxi board, the taxi driver, michael tully. And there will be some opposition to this, i'm alerting council. So our choice resist to approve the applications, make some amendments or to deny applicants. John?

Saltzman: I guess I want to -- I thought back in september the directive, the commitment was to come back with broad-based recommendations to deal with all of the issues that were raised at our september hearing, including more permits for some of the smaller companies, and a lot of other issues, I can't remember what they all are. But I guess the challenge I need to be convinced of is why are we dealing with this in an incremental manner in -- as opposed to dealing with all of the changes that have been addressed? I thought it was more of a six-month time frame rather than a january time frame. Maybe i'm wrong on that. So I guess i'm stating right up front i'm probably not going to vote for this today, because I feel it's comings to us one piece at a time and that sort of erodes away issues that were brought to us by many drivers about saturation of the market. As sympathetic as I am to specialized s.a.t. Vehicles, or the need for transportation -- I guess I want to get that up front so the testimony can convince me why I should support this as opposed to saying come back to us with policies.

Katz: Why don't we start with testimony first. Okay. Who wants to start?

Jim Wadsworth, Director, License Bureau: Mayor Katz and council members, i'm jim wadsworth, the chair of the taxicab board of review, and the director of the bureau for licenses. With me is john hamilton, the taxi supervisor. Normally specially attended transportation, or s.a.t. Permittees come before council for approval on the consent calendar. However, today the two s.a.t. Applicants, new rose city cab and broadway cab were placed on the regular calendar for consideration since the applications represent a marked change in the traditional way that Portland cab companies have

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attempted to address this specific segment of the ground transportation market. In september council asked the taxi board and the bureau to look at ways the cab companies might have an opportunity to grow and achieve additional revenues while new taxi utilization criteria and measures are being defined to be implemented in 2001. Our ground transportation environment is continuing to evolve at an increasing rate. The number of s.a.t. Rides continues to grow with new grant funding for an additional 5,000 rise next year, and an additional 5,000 the year after that, and -- in Multnomah county alone. S.a.t. Rides are defined as nonemergency medical transportation. At this time virtually all s.a.t. Rides are paid by agencies. Customers requesting s.a.t. Rides contact an agency which then prequalifies the customers through reserve grant paid rides. The agency in turn reserves the rides through s.a.t. Providers. The new grant mentioned earlier adds s.a.t. Rides beyond those just for medical appointments, including trips to the grocery store, drugstore, school, entertainment, et cetera, for qualified special needs such as medical, elderly or disabled. Examples of agencies contracting with s.a.t. Providers are hospitals, tri-met, school districts, and various government and not-for-profit agencies. The s.a.t. Initial has been part of the ground -- niche has been part of the -- s.a.t. Rides are different from normal taxi rides in that they are reserved rides only. With a special clientele requiring increased driver and vehicle qualifications. City regulations require s.a.t. Drivers to have medical training such as cpr, advanced first aid, and emergency medical training. S.a.t. Drivers must provide a higher level of care and attention to passengers than is normally required of taxi drivers. The city also requires that s.a.t. Vehicles meet a sanitary standard beyond that normally required for taxis. The vehicles must contain supplies such as disposable care gloves, air sick bags, and sterilizing equipment. Since the s.a.t. Program inception, the bureau of licenses and various agencies, especially tri-met's medical transportation program, as -- as the largest s.a.t. Source of demand, have encouraged cash companies to take an active volcano in providing s.a.t. Rides. Council, in 1994, with the approval of the first s.a.t. Permits, directed the taxi board and the bureau of licenses to rely upon tri-met's medical transportation program to advise the board and bureau when demand required additional supply by requesting additional s.a.t. Permittee approval by the board and the council. Experience since 1994 has been that cab companies and taxi drivers have not participated in the s.a.t. Program, primarily due to the higher s.a.t. And vehicle standards required, and the amount of additional time per ride to serve passengers with special needs. In lieu of active cab company participation, agencies have contracted with numerous small providers, one or two-vehicle companies up to the largest provider, having 16 vehicles. Never having sufficient supply to meet the increasing s.a.t. Ride demand, which now is about a 17% growth factor per year. Agencies have attempted to refer the demand overflow to individual cab companies. Of the six permitted cab companies, only Portland taxi company now maintains an s.a.t. Permit with two vehicles, both of which are wheelchair accessible vans. Another permitted company chose not to participate in the s.a.t. Program after july of this year, and yet another cap can be company is -- cab company is no longer utilized because of inconsistent service. While cab companies accepted about 20% of the total s.a.t. Rides that 20% accounted for about 60% of the customer complaints supporting the earlier premise there's a distinct difference between s.a.t. Passengers, their needs, drivers, and general taxi services. This is not to say the Portland cab companies provide lesser service overall, but rather in that s.a.t. Initial -- niche which requires the additional time and effort. The s.a.t. Applications of Broadway and New Rose City reflect an innovative commitment to adding a new dimension to their companies through entry into an alternative market. The two applications also reflect the efforts of the bureau to assist cab companies in finding new avenues of growth that would not increase the current number of permitted taxis at this time while helping meet the growing s.a.t. Ride demand. The taxicab board of review requests your approval of these two applications. Can we address questions?

Katz: Let's clarify, how many s.a.t. Cabs are there out now providing service?

John Hamilton, License Bureau: About 80.

Katz: S.a.t.?

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Hamilton: Yes. That's right, mayor. John Hamilton, bureau of licenses. I've been -- the s.a.t. Program is a totally separate program from -- not totally separate, it's a different kind of transportation. There was a time when the taxi industry was expected to address all the transportation needs of the city -- citizens, but over time we've learned that due to the unique contracting nature of cab drivers with their companies, the companies have often found it difficult to insist that drivers do a certain kind of business. So in 1994, when this -- when the first s.a.t. Permits were issued, staff tried to -- and the board tried to use the same logic of -- that was used when cab companies would ask for more cabs. And that was to be rather reserved about issuing any more. And we did that with the first s.a.t. Applicants that came to council, and tri-met's medical transportation officials were there, and they testified that they were the ones that knew whether or not any of these new vehicles were needed. At that time the council directed us to not argue with tri-met about that, so since then we've put on a lot of s.a.t. Vehicles incrementally, one or two at a time. And council didn't notice this probably, because it came under the consent calendar, and was -- there wasn't a big stink made about it. But now that Broadway and New Rose City ask for a total of 71 s.a.t. Vehicles, that's over 30% of the entire s.a.t. Stock at this time. As a staff person, I thought it was important that I forward their applications, like I had with every other application in the past. In other words, to say it another way, I didn't think it was proper to discriminate by sending their applications to the fax I board -- taxi board with anything other than a favorable recommendation. After two hearings with Broadway, the board agreed and forwarded to the council. I think where a lot of this boils down to is with the council directive that was given in 1994. If we should be more reserved about having s.a.t. Vehicles come into the supply site, or if we should use other methods than just relying on the tri-met medical transportation program, council could certainly direct us to go back to the board and look into that as an option.

Wadsworth: I might mention as well that the taxi board did look at the s.a.t. Granting process and -- in a special subcommittee about two months ago, and came back with some changes to that granting process that are in place in what we brought forward to you last month and this month as well. And we're following those. As I mentioned in my comments, the board and council, since 1994, has relied on our largest ride -- tri-met's medical transportation program as being a barometer for this -- the supply and demand. It's not something that the city and staff in the city have kept track of that demand and supply and done the measurement that we do around the taxis. Tri-met has been the -- our source for that.

Francesconi: So we really haven't analyzed the s.a.t. Market to know whether it can handle this number or not.

Wadsworth: Commissioner Francesconi, that's correct in one sense. We have not fully analyzed it the way that we have the taxi demand. What we have considered is the total demand number and what effect that might have on the cab companies. There are some comments, a good number of comments in the biennial demand study about the s.a.t. Business, but only as it would affect the traditional taxi service.

Francesconi: And what's the conclusion as to the -- what the number of these s.a.t. Vehicles would do to the taxi --

Wadsworth: Since these are a different type of ride and since as I mentioned, the number of cab companies that actively participate in the s.a.t. Business has been very, very limited, they have not been a strong impediment to the taxi business. They haven't had a strong impact.

Francesconi: For the spirit of full disclosure, I've had in -- and my staff has had conversations with Broadway and with Rose City just because my instincts are that this is a whole lot of s.a.t.s. On the other hand, I don't have a way to compare, you know, what the right number is for the reasons you just heard. So people coming up here to testify both Broadway and Rose City, can contradict me, say I'm wrong, if you want to. My understanding from Rose City, they may be willing to live with 15 more in the next -- in the near future as opposed to 30 as recommended by the taxi board, and that Broadway needs 30 in order for this thing to pen criminal out. So my recommendation at the end of this -- pencil

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out. My recommendation, unless I hear otherwise from people testifying, that we should scale this back somewhat as we analyze the s.a.t. Demand with tri-met.

Saltzman: What are we -- were the numbers again?

Francesconi: 13 and 30. People should respond, and people could say that my understanding was incorrect. Including my own bureau. If you think that --

Katz: Just a minute. Let me ask the question with regard to these cabs. Are these cabs will also used for regular passenger trips?

Wadsworth: No.

Katz: Are -- do they look different?

Wadsworth: That's a question that will probably come before you in testimony.

Katz: I want to get to the fear issue. The fear is that we allow additional cabs to do specialized work, but they look like, feel like, inside look like regular cabs and could be used on the street for regular cab business. And that then in turn throws everything else off balance. Am I correct in that analysis of the fear factor?

Wadsworth: That is a fear factor that we're hearing, mayor Katz. Please bear in mind that one of the processes that's in effect -- that's working right now at the taxi board is putting identification on the permitted taxicabs for the city. So they would have at this point in the -- and the board decides next week, but it appears we're going to mutt a metal plate -- put a metal plate visibly on each one of the 1 hundred --

Katz: If there's a meter inside, and it can be used for regular cab business, it could very easily be used for regular cab business. And I think that's the issue that I wanted to cut through all the, you know, rhetoric that you're -- you presented to get to that.

Wadsworth: I believe that both companies can probably address the meter issue for you.

Saltzman: I guess we're probably going to hear testimony, but we've received correspondence from one of the board members, I think to make sure there isn't any crossover of s.a.t. Vehicles into the regular cab mix, I agree with mayor Katz, a metal, whatever, notwithstanding, if it looks like a cab, it can easily slip into the cab fleet. So I would like to have these really addressed by you and have these probably dealt by us as a -- in saying these s.a.t. Vehicles would have no top lights, no meters in them, would not have the words "cab" "taxi" or "taxicab" appear on the vehicle, have the words "not for hire" be permanently affixed. That would make sure these are not cab and they are used for this specialty market. So I would toss that out for testimony, but I would like to see us add these amendments to this particular permit application, and to do the reduced numbers that commissioner Francesconi has put forward.

Francesconi: You've identified the issues, and the mayor actually helped us. So there should be testimony on that point. I have not had much discussion at all with rose city on this question. I have with Broadway. And they have some reasons that they would like to address on this. I do believe that some restrictions should be in place. I was going to suggest some too. Not all of those that Michael Tully suggested. I'm not sure we suggested all of those. But I think we need some testimony at this point.

Hamilton: I'd like to add -- John Hamilton, Bureau of Licenses. I just wanted to let the council know just before you hear the testimony from the companies that the Bureau of Licenses personnel have been encouraging cab companies to establish s.a.t. Fleets because they have the capital and the ability to do capitalization that would allow them to make a meaningful difference. We have two companies that are coming forward to do this, and I just want to say that I appreciate their doing that and I know you'll listen to their testimony with an open mind and an open heart. But it is also I recognize that this is a lot of vehicles all at once and we've never had to deal with that before. So I did want to give them credit for taking the initiative to step forward and -- in a meaningful way. Thank you.

Katz: Okay. I think we got to the nub of the issue. As we hear the testimony -- how many people want to testify on this issue? All right. We have a considerable number. All right. Why don't we start.

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Tesfaye Aleme, Green Cab: My name is test -- I think that I was going to say, or -- was said by commissioner Saltzman. So I don't know what to say now, because things I want to do or to say is that there should be a different --

Katz: Ignore us. Say what you planned to say.

Aleme: The thing that I want to be done is, there should be a clear distinction between the cabs and the s.a.t.s. I have no problem with the number. If the identification or the way these vehicles are identified, I don't care, and we are planning to apply for s.a.t. Permits as a company, because there have been a problem between the regulated service of the taxi and the outside -- the link of the company because of the -- the taxis cannot fulfill or cannot be out of the rules, and serve as other cab - - other service providers. So we're trying to form a company for -- and go from there so that -- and I believe there should be a difference, color, top light, mirror. So that, you know, top light usually is considered a taxi. And that's -- if there is a color, there's -- the flag, somebody can flag you and say, well, who knows if I take that person and it's some -- let's say it's green, and nobody knows whether that was a s.a.t. Cab or a taxi, regular taxicab. So those things should be cleared up. That's my things that I want to say. If there's clear distinction that makes them, I have no problem, a company can have 200, 300 cars on their fleet of, you know, s.a.t. Or -- in any kind of transportation service providers. That's all the things I want to say. I'm not opposing the addition of the service that --

Katz: You just don't want them to look like cabs.

Aleme: Yeah. There should be a big difference, or -- showing that they're different. Than cabs.

Gary Kahn, attorney representing Ken Love: PO Box 86100, 97286. Good morning. My name is gary, i'm an attorney in Portland and I represent ken love on whose behalf i'll be testifying today. He is a retired taxicab driver and s.a.t. Provider and monitors what's going on in the industry. Mr. Love is concerned for many of the same reasons that the council has expressed today. He is concerned that there will be confusion by the similarity of the cabs, the s.a.t.s to the cabs, they'll have the same top light, a meter, they will be the same color scheme and the same name of the company. This is bad from a couple perspectives. Number 1, it will be confusing to the public. People will wonder why cabs they're hailing aren't stopping or why there's two different processes going on within the same company and the same type of cabs. Secondly it may be a black eye for the city. The s.a.t.s are not supposed to be subject to being hailed down on the street, and I would suspect that people in Portland, particularly businessmen or tourists and particularly in the downtown area may hail what they -- what may look to be cabs. The cabs may be empty and may ride right by them which may not react well to these people. Maybe -- they'll think maybe people need to rent a car. Those are two reasons the cab should be differentiated. I'm aware mr. Tully, his proposal that I believe commissioner Saltzman red from. And numbers 3 through 7 prohibit top lights, meters, prohibit the use of the words cabs, taxi, taxicab, require the color scheme to be neutral and separate from the color scheme from the existing cabs and have the words, not for hire, affixed to both rear doors would be appropriate. Mr. Love would support that. However, mr. Love would also support number 2, occurring before number 1. Number 2 states there should be no increase in the vehicles until the taxicab board of review adopts criteria for determining need. Based on commissioner Francesconi's comments, it's my understanding there hasn't been any kind of analysis to the need. So mr. Love would urge that you do not authorize any additional s.a.t.s until a need analysis has been completed. It may show there's a need for it, in which case, go ahead with the restrictions as listed in numbers 3 through 7, but don't put the cart before the horse. Don't approve any new s.a.t.s without knowing whether there's a need for it. Thank you.

Michael Tolley, Taxicab Board of Review: Michael tully, member of the taxicab board, southeast Portland. The concerns I have are around the numbers of vehicles and the identification. No one this year as we have added approximately 31 cars to the ones existing at the end of the last year, a step forward, with any imperial -- empirical data or any evidence that reasonable and adequate service is not being provided in the s.a.t. Market, which is the benchmark the code specifies. I do realize that there is -- has been -- there are 5,000 new trips per month projected through tri-met through fund that's

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are earmarked for residents of Multnomah county. But if those 5,000 rides were dedicated just to the 71 vehicles that Broadway and New Rose City are applying for, it would work out to 3.2 rides a day. If they were spread out among the entirety of the S.A.T. Permitted, it would be less than one ride a day. A reasonable number of permits probably need to be determined, but I'm not sure it can be determined without doing further research. When new -- when cab companies want to put on additional vehicles, they have to submit a proposal, it has to go through public hearing, comment is invited, and we -- invited, and we've -- just sort of a willy nilly addition of the S.A.T. Vehicles -- I would hope that using your experience and insight that you would find some smaller number that would be acceptable to them, but that we put some sort of freeze on any additional ones until we have some sort of criteria. The other big concern is, as Mr. Love's attorney expressed, is the similarities that the ordinance as it is written allows for between the cabs and the S.A.T. Vehicles. Portland city code lists as number of things that taxi cabs are required to have. 164520 requires the display of the name of the taxicab company, the cab number, and telephone number of the company, also the use of the word "taxi" or "cab" on both sides of the vehicle and requires a uniform color scheme that cannot be used by another taxicab company. 164710 requires a taxicab meter and 1647 c requires a top light. Just on the top light, the top light is the basic identification of a cab. It is -- it's sort of the heart and soul of what makes a cab. And some of these other ones that really define a cab I think should be specifically removed from other types of transportation. We don't allow cars to go out and dress up as police cars, or ambulances, and because it would be confusing and maybe even dangerous to the public. The same could be said for -- the concerns that were expressed about visitors coming in and hailing a cab and thinking we were cab unfriendly. I put the part in about the neutral color because yellow, which is Broadway's color, is particularly problematic. If you asked the average American to tell you what color is a cab, they would say yellow. So to have a whole bunch of yellow cars with Broadway in big letters on the side and no top light going down the street, it would be confusing with a whole bunch of yellow cars with Broadway on the side and a top light going down the street. Would I hope there would be some clear distinction between the two of them, and I hope that you all will consider such.

Francesconi: You've been a tremendous addition, and your testimony here is already carrying a lot of weight as you can tell from people referring to it before you even testify. Including me. If they don't have meters, though, they can't, for example, let me just pick one, they can't really function as a taxicab. Right? So they can't provide competition -- unfair competition to other cab drivers. Yet you've added a bunch of other things, like the color of the cab, which really has nothing to do with creating unfair competition or not. I think the business folks will tell you that they want to -- they want a brand -- if they're going to make this kind of investment in these vehicles, in a risky market, I added the word "risky" -- they want to brand their product, which is legitimate business function. It happens all the time. And so you're suggesting that we regulate that, and I'm not sure it's necessary, frankly, if we've covered your basic concern. Unless you're really -- unless confusion of the public is at the top of your list. Do you understand what I'm saying?

Tolley: I would defer to your judgment on that -- judgment on that, but I think that there is -- the branding, when that issue was brought up, it was specifically compared to Nike's swoosh. But Nike's swoosh is readily identifiable in red, yellow, green, blue, whatever color that it's printed on. And I would say that part of the reason for suggesting a neutral color is the competition aspect, but part of it is also the confusion of the public. I was not going to bring out my little prop here unless necessary, but if you were to see only this much of a vehicle sticking out with a vehicle number here on the side, I think it would be instantly registered in your mind, taxicab. And also if you've got this vehicle with the name of a taxicab company, even if the word "cab" or "taxi" has been removed, it will still strike you as a cab. I think it removes not only confusion from the public, but the opportunity for what -- for mischief, for taking advantage of situations. I can't imagine --

Francesconi: What does that mean? What kind of mischief are we protecting the public from? Not confusion, but mischief?

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Tolley: Drivers of s.a.t. Permits, of s.a.t. Vehicles acting as taxicabs, and taking advantage of the confused person who flags it. I can tell from you my heart that I believe that anybody who flags at a vehicle that provides transportation services to the public, or walks up to it and asks them to take them to the airport, is not going to feel overly bound by the restrictions on the permit that they don't have, that their company has. You put \$20 in front of somebody who provides transportation to the public, and -- especially s.a.t. Vehicles aren't going to be paid in cash by and large. So you have cash-paying fares, and -- it just -- I defer to your judgment on this, but in -- unless the vehicles are already in service and are already this color, it doesn't seem like it would be a major hindrance to -- maybe have a yellow stripe, or a red stripe, depending on the company, on the car that would help for their product identification, but not to look exactly like the cab.

Francesconi: You answered my question. Thanks.

Saltzman: And your proposal -- nothing we're talking about in terms of your proposals take away the name of the company on the vehicle.

Tolley: No.

Saltzman: The color, the light, the meters. And the not-for-hire --

Tolley: Right. I would like to say it's nice to know my mail is read.

Katz: Yes, your mail is read by everyone here. Let me ask the question with regard to no increase in vehicles. If the council chooses to place some restrictions on them, are you still opposed to adding a number of vehicles? You know, this council has talked about the notion of, go ahead and put out as many vehicles as you want, survive or suffer. And we have study this and -- studied this and come to the conclusion -- i'm not sure it's a unanimous conclusion, but have come to the conclusion in those markets where that has happened, things really didn't work out favorably to the cab companies, and in some way government is here to protect your future. But in this particular case, you are -- it is almost an attitude like that. We don't know how many are needed, put out 30, 40, 50, if you survive that's fine, unless of course you're going to use them for other purposes, which I think is what the fear is. So why not just allow 50 or 60 of the s.a.t.s and see what happens in an environment like that? I raise that question.

Tolley: If I could address that, i'll try to do -- be brief about it. I think I counted 54 companies that stepped in to do this service. There's -- I gave a list in my letter of I think it's 11 one-car companies and eight two-car companies, and these folks I think deserve some consideration. They've been doing their share of this service, and i'm certainly not opposed to Broadway or Rose City having some permits. I have sort of opposed any new company permits consistently through the year because I felt like that code language about applicants demonstrating that -- reasonable and adequate service was not being provided is what we should go by.

Katz: And that code language is for s.a.t.s as well.

Tolley: Specifically for s.a.t.s. But I would think that some -- I think I used numbers there that refer to the three-month range that both Broadway and Rose City had in their implementation schedule, both of them had windows I think Broadway's was from 10 to 20 and Rose City was eight to 12. Somewhere in there if you could find a number that was reasonable. I certainly don't want -- I don't want to see anybody go without a ride to the doctor, I don't want to see these folks not being able to expand their business.

Katz: Thank you if there's no further questions, let's continue with the testimony. I think we've honed down the issue, so if you could address the issues, that would be really very helpful to the council. Who wants to start? Grab the mike.

June Love, Pacific Cab Company: My name is June Love, my husband and I own Pacific Cab Company, we're a small s.a.t. Provider in Washington County, Hillsboro. My biggest concern is the fact that we've been in business since '95, we're going into our seventh year, and we started out, you know, and built our ridership up through Tri-Met, basically, and at one time we were billing for 500 rides a week. I'm now billing for 280 to maybe 300 rides a week and we're seeing a lot of radio and

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broadway cab out there, and it has hurt our pocket, obviously. We have 16 s.a.t.s, and there's no smoking or anything, my drivers have cpr and first aid, and I would prefer to keep our business out in Washington county, where we're -- and not have a lot of the Portland cab companies coming out, because as mr. Wadsworth said, they account for 60% of the complaints, and we listen to those complaints from people that we have repeatedly taken. I would just like the number not to increase so providers like myself and one- and two-car providers can stay in business.

Raye Miles, Broadway Cab: Good morning. Rae miles with broadway cab. I thought i'd start by talking a little bit why broadway is getting into this business. This business is needed. It's probably almost certainly the fastest growing segment of ground transportation. And we carefully reviewed service issues both within broadway and in the region for these types of contracts, and we determined one of the critical needs was additional dedicated vehicles to this type of service. We also know, as I think everybody knows, the stakes and negotiations right now with tri-met to add 5 to 10,000 rides per month in Multnomah county alone, it's not -- and it's not a Multnomah county program. It will spread out. So we're just trying to gear up and be ready for that. I think some of the things we see as a huge benefit to the community are maybe a different type of driver operating these vehicles, somebody whose income is not dependent on how quickly they perform a trip. Anybody who's done anything at ohsu knows quick is not what it's about, you need a driver who's not anxious to make a trip, pick them up and move on. We need drivers out there providing the service that are of a slightly different nature. I think it's unfortunate that tri-met isn't here today, because I think what they would tell you is, yes, additional resources are needed and really, one of the things this market needs is a stabilizing force. They need a company that has a number of vehicles that can really stabilize the market. What we've seen over the last five years are small companies going in and out of business. And while they all have a niche, I don't believe we will ever drive small companies out of business. Because this is a niche market. I also believe the market as a whole needs a stabilizing force that broadway could bring. I know much of the comment and debate has been around top lights, why do they need top lights. I want to comment quickly about that. To some extent I say why not top lights? They aren't -- there's nothing evil about a top light. And I personally don't believe the citizens will be confused by top lights on a vehicle, and I don't think they really -- the citizens of Portland care much whether these vehicles have top lights. You see a lot of vehicles out there that have top lights. Town cars have top lights, delivery vehicles, couriers, even exterminator vehicles have top lights. I don't think they are that specific to cabs and I don't think they're quite as evil as people have said. What we're trying to do is create a uniform branded vehicle that people recognize. We actually in fact think it will be less confusing to customers if when they know broadway is coming the vehicle shows up and is yellow and what -- is what they're expecting. We're trying to create a consistent fleet because we believe that aids in efficient operations. Well, we don't want to routinely move vehicles back and forth, we'd like the flexibility at times, you know f. A vehicle's no longer needed as a cab, to be able to move night the s.a.t. Fleet and vice versa. We also are hopeful down the road to, like we advertise on our cabs, to do some form of advertising on the tops of these vehicles to help keep the cost of the service down. And other cab -- other companies have been allowed to operate these vehicles with top lights without undue confusion, I believe. There are s.a.t. Vehicles out there right now that have top lights, and we would like to be one of those companies. I think -- there are a lot of concerns, and one of the things I would say is radio cab right now operates cabs within the city of Portland and what they -- in what they call suburban cabs. The only thing, my understanding, that denotes these is one number on the back of the vehicle. They have no problem regulating -- a cab driver knows.

Katz: Your time is up. Sorry.

Miles: I wasn't aware there was a time limit. I'm sorry.

Francesconi: Rae, on these suggestions that michael tully had, you've addressed the top lights issue. Will these have taxicab meters?

Miles: Yes, because we have contracts in place that require us to bill based on the meter.

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Francesconi: The s.a.t. Contracts require -- How about the words cab, taxi or taxicab on the vehicles?

Miles: Our intent was to use the same decalling we have with additional decalling to denote --

Francesconi: What if you had a choice? This isn't the best way to make policy, but what if you had a choice between top lights and taxicabs on the side? Which would you pick? And you can say I don't know. You can choose not to answer the question.

Miles: I'm not sure.

Francesconi: Color scheme, I take it you would be it yellow. Because you're trying to brand in.

Miles: Yes.

Francesconi: How about the words "not for hire" permanently affixed?

Miles: You know, I would want to think about it, probably. We have envisioned, you know, we're -- I think we're trying to be progressive. We're envisioning a dynamic operation, and one of the things we've contemplated is these vehicles would also be able to provide nonregulated service, which would be a delivery and could be service outside the area. Out of area service. If we have a call, somebody needs to be picked up in albany or something, we would like the flexibility for this vehicle to be able to do that.

Francesconi: Okay.

Saltzman: Can I ask a question on that, a follow-up?

Katz: Sure.

Saltzman: What was my question? Oh. Does tri-met's contract require metered fares?

Miles: Yes. In the contract the billing amount is based on the meter. There are multiple contracts that would fall under this. It's not just -- one of the contracts is with tri-met lift, and it is different from the medical transportation program. I think the medical transportation program does not require a meter, but tri-met left --

Saltzman: These programs for the most part are fee for service as opposed to some sort of a negotiated payment?

Miles: Are lift -- our lift contract is based on the meter fare.

Saltzman: Do you agree with that?

Miles: We don't have meters. What I was told --

Katz: Identify yourself for the record.

Love: June love, pacific cab company. We don't have meters, and our contract states it is a certain amount for a pickup and a certain amount per mile and I was also told the cab companies, over their meter get 10% more because they have to wait for the rides. We have to wait for them too, but we don't get the extra pay.

Katz: When have a conversation up here, for the record you need to identify yourself.

Miles: Rae miles, broadway cab. The -- about every two or three years tri-met lets their -- broadway is the only company presently providing that service. It will go out for bid again I think this summer. So nobody else has that.

Francesconi: How would they be distinguished, your s.a.t. Vehicles from your cabs?

Miles: You know, when we started this process we wanted the vehicles to look just like our cabs. We met the city in the middle. We had lengthy conversations with john and jim and what we agreed to was permanent decal that says reserved on the side, and a smaller top light, smaller than what's on our traditional cabs, that also says reserved on it. That was our compromise.

Katz: Here you get into this struggle. You want to run an efficient operation. If you want to do that, you probably do need to think about the flexibility of the cabs and using them for one purpose one day and maybe another purpose the other day and have a logo and an identity that's consistent. On the other hand, we're running a regulated industry here, and in some cases by regulating it we probably aren't allowing people to run efficient companies. If -- I see heads nodding. This is not an area of my expertise, but thanks for bringing all of this forward to the council for consideration. It's slowly

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becoming an area of the council's expertise. And it's a difficult one. I think we need to go back and look at that again. Sir?

Arthur J. Palmer, representing New Rose City Cab: I represent rose city cab company. Some of the issues, if you get -- some of the issues that come up, if you get so you know where i'm going, you brought up two things that concern me. That was until you put a meter a cab it's not a cab. So the medical transportation business is growing fast, and you have these -- they get flagged down all the time for -- as cabs, and I -- if there are different companies get flagged down for -- s.a.t.s from -- separating the s.a.t.s from the cab companies -- you know more about it than I do, when they come along and say what kind of government we're going to have, republican, cap listings, one thing they agreed on, it was going to be cap list based on democracy. Level the playing field for rose city cab company. that's why we're coming in here, and go for s.a.t.s, because the competition she spoke of, competition -- not having no -- we could not do what the founding father says, what they particularly said, all the citizens a chance to have freedom based on the -- equality, and the preface here, we have nowhere near equality. It's all because -- I look to you to level the playing field and allow us a chance to participate and this is what the founding fathers when they said -- we can't compete if they keep regulating us and the political powers keep us from getting the same thing we have. I can't retire, because there's nobody to take care of me.

Patricia Montgomery, New Rose City Cab: I'm patricia montgomery of new rose city cab. I want to touch bases on a few things. The taxicabs are regulated by the city by the meter, but the s.a.t. Permits that the cabs are asking for, we would be able to set our own rates for tri-met. Right now the cabs are sort of on the third level in the s.a.t. Business. That means we're the last ones to be called because we're regulated with the meter and the rates are higher. So by allowing us to get s.a.t. Permits we would be able to set our own rate and compete in that particular market. The market has to have grown because they started off with 20-some cabs a few years ago and they're up to 180-some cabs, and every month they go before the board asking for more permits, they are granted the permits. So I say is it a growing field. Rose city was willing to put our vehicles on with no top lights. We asked for meters in our vehicles because meters for different contracts, but actually it would be more beneficial. It's not beneficial for it to be acting as a cab, but as a profit for doing other contracting services such as deliveries and that type of service. Tri-met -- coming forward and as a small company we have 19 permits, these additional permits would allow us to expand in a different area so we can maintain some of our drivers we have at this time, that -- we're in fear of losing because a lot of the companies are taking drivers because we don't have the business or the vehicles to keep them busy.

Saltzman: You're saying you don't need the meter for the medical transport portion of your business, but you want the meter for parcel delivery, whatever other --

Montgomery: Other types of service. Yes. We're willing to go without top lights because I think that distinguishes a vehicle as a taxicab. An officer called one day and said I seen a car. I said how do you know it was a rose city cab? He said it had a top light. We would be new rose city alternative transportation, it wouldn't be taxicab.

Kat Wilkes, Radio Cab Co.: Cat wilkes, assistant at radio cab company. I believe this is very important to our citizens. I have a brother who takes medical transportation. I also have a mother that takes medical transportation. So it's important to me. But I can tell you that early on when we started getting all of these new permittees, new companies, I would call and say, I need to go to the airport. Is that a problem, it's not medical, but can you take me? And the answer is always yes. Now, I don't know that it's -- that it continues to be this way because at some point in time I quit calling. And I have drivers that talk to me every single day saying, I -- i'm at the airport i'm here, i'm there, and these companies are taking our passengers. Passengers that used to ride with us, now they're taking these transportations. And not necessarily to medical. So I think that it's a good thing, but I think we need to take some is -- a closer look at the issues and deal with them apart from maybe what the taxi regulations are. And maybe enhance the regulations for the s.a.t.s, and I also believe that the top light

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and the meter to me says one thing. And I think that the distinctive -- the distinction between the s.a.t.s and the taxis, I think that's a real thing, and I think that's probably what's going to maybe take away some of the fear that we're having right now.

Francesconi: So do some radio cabs have top lights that function as s.a.t. Vehicles?

Wilkes: No.

Francesconi: You don't have any top lights?

Wilkes: Our cabs have top lights.

Francesconi: I'm sorry, that are s.a.t. Vehicles.

Wilkes: The majority of them qualify to be s.a.t..

Francesconi: Majority of what?

Wilkes: The majority of our drivers already qualify to do medical transportations.

Francesconi: But when they're functioning as an s.a.t. Vehicle, do they have top lights?

Wilkes: Yes, they do.

Francesconi: So why is it then you're asking another company not to have top lights if you have top lights?

Wilkes: I think that probably because we are qualified and have been qualified to do that for all of these years, that -- and we're not necessarily, you know, qualified as an ambulance, just because via top light. But I think that because you're looking at what we've always known as a taxicab to do, say, for instance, a paper delivery, and -- for maybe a legal firm -- if it looks like it, ten years ago when I started this, and I seen something with a top light, to me it was a taxicab.

Francesconi: But what if these rules are interpreted if we remove the top lights that you're going to have to remove your top lights from the s.a.t. Vehicles? Would you still be in favor of that?

Wilkes: To remove our top lights?

Francesconi: Yeah.

Wilkes: No, I don't think so.

Francesconi: Why not?

Wilkes: Because we're taxi cabs.

Saltzman: For your s.a.t. Vehicles.

Katz: Did they get their permits as taxicabs or s.a.t. Vehicles?

Wilkes: The permits are for taxi cabs.

Francesconi: But now you have some taxicabs that are functioning as s.a.t. Vehicles. Right?

Wilkes: They're taking medical transportation.

Francesconi: And they have top lights.

Wilkes: Yes.

Katz: And they're doing other transport. Right?

Wilkes: M-hmm.

Saltzman: I should have asked this of rae, but pat, you're requesting 31 s.a.t. Vehicles. How many drivers do you currently have that are trained in cpr?

Montgomery: 25.

Kalu Davis, New Rose City Cab: Good morning, mayor. Council members. Sorry about my voice. My name is calou davis, with new rose city cab company. I'd like to testify to you on the basis of being a citizen about three years ago, my taxicab went down and it was on a repair for about 31/2 hours. And I walked out of this place of business looking for a taxicab to take me to lloyd center, so I can watch movies. And an s.a.t. Vehicle with a top light, metro, passed me and I flagged it down. And the driver stopped. When the driver stopped I asked, would they take me to the lloyd center. They turned on a meter that was inside the s.a.t. Vehicle and took me to lloyd center. I immediately brought it to mr. Hamilton's attention. He asked me to document it, but I never did. I see now three years later that that was mistake, that I did not document that. The issue of a top light on a vehicle is very confusing to the general public. If a driver can get away with stopping anywhere, whether it's in

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the city limits of Portland or beyond, and it has a top light, it will -- the driver will act as a taxicab. And I have been shown that by another s.a.t. Company. Thank you.

Katz: Thank you. All right. Come on up, gentlemen. So you have some s.a.t.s that require metering, we heard, and then you have current companies that do both s.a.t. And regular transport work, and then there is a request that we treat these differently, so that we don't saturate the market with a regular taxicab business. I think I summed it up. Do you want to comment on any of that?

Wadsworth: Jim wadsworth, chair of the taxi board. Let me just make a few comments on some of the things i've heard, and they are pertinent to some of the things that you just mentioned, mayor Katz. The issues that you're hearing today did in fact come in front of the taxi board, and the taxi board is made up of a tri-met representative from the bus side of the business, port representative that deals with some of the same issues that we deal with on vehicles picking up and dropping off out at the port, Portland bureau of transportation representative, and we have two citizens reps, one who is differently abled, and another who is a citizen that takes cabs on a very regular basis. All of the testimony that came in front of the board dealt with -- we had the color of the cabs, we had the top lights, we had the meters, we've heard basically the same testimony that you're hearing here today. We do have three non-Portland permitted cab companies that provide s.a.t. Service that drop off passengers here in Portland. And they also take them back out. Wilsonville cab company and I believe taxi in lake oswego, and one other. But they do that right now. Radio cab, up until a little over a year ago, was -- had a separate s.a.t.-type unit, medical transportation provider unit, radio assist. And they exited the business -- exited the business, utilizing the taxi rides. There's about 20% of the total s.a.t. Rides according to tri-met, our largest provider for the medical transportation program, that are referred to taxi companies now. Because they do not have the supply in medical transportation providers and s.a.t.s to meet the demand. I mentioned that in my testimony. The problem is from tri-met's perspective when you refer those to your general taxi service, who wants to get in, get out, make another trip, make another trip, make another trip as fast as they possibly can and doesn't want to wait, they want to be making trips while they're waiting for someone else, it presents a problem with the service. 60% of the complaints for -- came from that 20% overflow business that they could not provide to the s.a.t. Business. And we heard those numbers. We've heard factors like that. I think commissioner Francesconi mentioned that one of the things we haven't done is really in hip depth, the city has not done, an in-depth study of that demand and supply. We have relied as -- upon tri-met's -- tri-met as our largest customer and as a transportation provider in many different modes of transportation, for their recommendations on supply and demand numbers. So that's really where we are. That's what I can try to add to what you've heard from the taxi board's perspective. This was not a lightly taken decision for us on the taxi board. It's a nonvoting position. We have another general manager from radio cab that's a nonvoting position. But the other members of the taxi board listened to the same testimony, and we believe we got a pretty good span of looking at the businesses from a variety of perspectives.

Saltzman: -- I want to start out with a statement. I'm very sympathetic to the need to provide service to this market. And my familiarity with this issue goes back to my days on the Multnomah county commission when I served more or less, we weren't commissions in charge, but we had bureaus we were familiar with, and aging services was my bureau. And this issue has come up over and over to me, and I guess i'm -- what perplexes me a little bit is that tri-met's record is not stellar in providing this service to start with. And we seem to be relying on them as the font of all wisdom about this business. My -- and my inclination, my read is the only reason tri-met hangs on to this service is because they get big federal bucks to do this. And frankly one of the things I was trying to explore s. There some way we could get in federal money and get it out to the taxicab industry directly? Forget tri-met. With all due respect to tri-met, they do a lot of good things well, but this lift service was not one they seemed to be doing a good job in. That was my experience going back five years. Things have changed, maybe. So i'm a little -- I have a problem with this whole issue, we haven't studied the

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demand, we're taking what try met tells us. When I think back to my own experience, realizing tri-met's record is not stellar in this service to begin with. I'm not sure exactly what their motive may be. Where they're coming from on this. So I warned to get that out there. I also wanted to ask you, back in september when we had this big long discussion this, was my first exposure to this whole world of taxicab issues, but I was very sympathetic to the need to get more permits to the smaller companies that have not had very many permits. And we requested that you develop criteria that would allow for an increase in vehicles for smaller taxicab companies. I also raised issues, maybe my colleagues did too, about having really clear information like you see in some cities like Washington, d.c. And new york, picture of the cab driver, here's the number you call if -- of the complaint posted in the back, and I guess where is all that stuff? I thought that was the stuff -- frankly, that's the stuff i'm looking for. I don't fault new rose city for going after this s.a.t. Market, because it sounds to me it's the only one being presented to them, the only option for growth they're being presented with. I don't fault broadway either. They want to grow. But I do not see anything in front of us, or hear anything on the horizon, which we asked for in september, which was to come back with a way to get more permits to the smaller companies, and given the saturation issue, to me that can only mean somehow capping permits for the larger companies. I know that's a contentious issues -- contentious issue. It's people on the board who are part of the industry, and it's tough to make those types of decisions because it's affecting people you know. I guess I need to know, where is all that stuff and that's why i'm so uncomfortable acting on this today. I feel this is a balloon. We're kind of squeezing it one way, giving, here's one option for growth, and they're going that way was the tougher issues the board needs to wrestle with, we need to too, are not here.

Wadsworth: Councilmen, commissioner Saltzman, council, in september you asked us to come back with that information, and we are coming back to the council in january with that information. Along with other pieces of information that involve the unregulated industries which are the town cars, the executive car and shuttles. We're working in concert with the port. All of the issues as we presented it at the september council hearing, are very much interrelated. It's a very --

Saltzman: As is this one.

Wadsworth: This one is in fact part of the overall regional transportation scheme. Is it a very separate niche market. And that is why the board -- the taxi board chose to bring forward the additional applications. It's also a market that according to our largest provider -- and also according to some of the other providers, which include veterans hospital, providence, will the school districts, the other folks that we talked to, that there is a demand exceeding supply issue out there.

Francesconi: The other factor we have here, the mayor has said we're trying to balance this regulatory versus nonregulatory. But the other issue is a local issue versus a regional issue, and who regulates it. And so when you put both of these together, it creates enormous confusion. So maybe it's my fault for allowing this one to go forward, but frankly, part of my desire to let it go forward is to get business to one of the smaller cab companies when I knew that there was five to 10,000 of new opportunity coming in. So that's why I decided to do that. The other piece that's are missing was the town car regulations, which we're going to present in january, as well as then we'll have the demand study. Will we by then? Plus the enforcement piece. And that is part of all of this one system. Even more than this vehicle. So I was waiting, because I want to make sure we've got the enforcement. What we're trying to do is work through with p dot that the meter people can actually enforce this. If we do that, and that relates to the s.a.t. Question, they will be able to tell the difference in these vehicles, I believe, and -- to more of a sophistication than top lights or no top lights. So I was waiting to present all this together, but I decided to go ahead and let this one go forward to give some opportunity in a growing area. On the issue of broadway, we've got to be careful here, folks, because we want some players to innovate. That does cost some money. And so do we allow them into this thing in a way that injects some competition into the system that benefits the citizens? And so i'm worried that if we

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go too far in this regard, it takes away the business opportunity from Broadway, which isn't bad from the citizen standpoint. So I don't know.

Saltzman: Does that also include the new rules for getting more permits for the smaller companies? Is that part of the January comeback as well.

Wadsworth: We're hoping to have at least one alternative. The thing we're finding --.

Francesconi: Let me answer that for you. We're not going to bring any of this back again unless the answer to your question is yes. I don't know what the plan was, but now it's going to include that. I'm not saying -- it's going to include an option to do that. Let me be clear.

Wadsworth: I might make one more clear statement. The criteria that we're putting into place, we're asking the cab companies to help us with, because what we found out with -- in talking to the first two smaller ones is that we could put these criteria in place for measurement, and they would go out of business trying to track them. So we're trying to put criteria in place that are larger -- that our larger companies can -- can provide us with more sophisticated systems more quickly, but be able to do so with smaller companies so we can track them and not put them out of business or put them at a competitive disadvantage from having to spend the money to try to track these things manually. It's a very delicate line we're trying to walk and have all the companies be able to be measured and measure the same things without putting four of them before the smaller companies at a very distinct disadvantage. The other piece that is important I believe with the S.A.T. Piece that we're talking about here is that our biennial demand study, which is normally done in the even -- every other even-numbered year, we want to try to perform in the odd-numbered year, and we do need to include these additional demand pieces that we have not really included before in such a way as to measure their impact on the overall taxi business. Telecommunications when that's going to be done? That we will have numbers beginning in January and we'll start crunching those numbers. We're going to try to partner with one of our other agencies who has most of the numbers and can crunch them faster.

Francesconi: Will we have them by February?

Wadsworth: I doubt we could have them by February.

Francesconi: March?

Wadsworth: March.

Francesconi: I think it's safer to bring this all back in March.

Wadsworth: And make it accurate. Make it more accurate where we can come with something that will give you a look at the whole picture.

Francesconi: Okay.

Wadsworth: That's what the board's been wrestling with, is one piece of the puzzle instead of the whole picture.

Saltzman: My question is, what would be the harm -- I appreciate Commissioner Francesconi's intent to accommodate the requests of these two businesses in front of us, but what would be the harm in terms of looking at the big picture to delay this action today until we have that bigger picture in front of us? I feel we don't have the bigger picture to make an informed decision with that bigger picture in front of me, and -- as I stated earlier, this issue is related to that bigger picture.

Katz: Do you want to commend on that?

Saltzman: Let's postpone this issue until we deal with the whole issue --

Hamilton: John Hamilton. One of the reasons I think this is important to go ahead and if we're going to issue these permits to do it today, because the way the -- I'd like to ask Rae Miles to address the cyclic nature of the demand. She had it in her letter. Rae, could I ask Rae to come up and discuss why it would be important to get the ball rolling asap? It's a market-driven question.

Katz: She doesn't need to come up. He read the letter.

*****: To get the investment --

Katz: Let me get a sense -- a couple of issues I need to get a sense from the council before we move on. First of all, if there is a one no vote this, will have to be delayed. But more importantly, I want to

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get a sense from the council as to the restrictions you might want if any, to place on these s.a.t.s. Let's have a discussion on that first.

Francesconi: Could I ask just one question on that point? Can you tell me more about the discussion at the taxi board as to why they did not put more restrictions and then what restrictions they did put, if any? Can you elaborate on that? And give us your own opinion.

Wadsworth: I believe commissioner Francesconi, the different top light was considered by the taxi board to be a restriction. It was a different size, it was a different color. The use of the word "reserved" was a different piece. Those were the considerations. Broadway came to the first hearing and made their presentation. They came back to the second hearing with those changes in response to the board's questions to begin with.

Katz: What's the sense from the council? Commissioner Sten, did you want to --

Sten: It seems to make sense to allow -- I don't see any reason not to allow the companies into this business. My instinct is to be more restrictive in terms of the -- i'm generally persuaded by Mr. Tally's argument. I don't feel particularly brilliant on which of the pieces, but my -- as I look at it I've heard new rose city affiliates testify that they've seen other companies misuse these things because they look like taxis, we've got -- I think Broadway is doing a good job, but a general concern that you've got a whole bunch more cabs on the street and we're waiting on action to allow some of the smaller competitors out there, so to put out 45 more cabs, I don't think -- at least for me I won't know the difference. I can't read reserved that far away, and an inch or two smaller top light that isn't needed to pick up medical people, I have a hard time figuring out why I would -- I'd look at that and say, there goes a cab. I wouldn't look at that and say, there's something I can't take. As I read the application for the permits, the application by both staff and Broadway clearly says in their materials and in our materials that this is a completely distinct business. So I don't quite understand why if it's a distinct business and it isn't going to be used for a taxi -- maybe I go to all -- maybe to go to Albany or something, it needs to look like a taxicab. So I tend to think that we ought to put some more restrictions on them. I don't see why they shouldn't be in the business and I don't see any reason to second-guess Tri-Met's demand studies. Tri-Met's the customer. If they can use more cabs, New Rose City and Broadway wants to do it, I don't see any reason not to give the permits. That seems to be overly going into the marketplace. We've got a customer and people who want to provide it. Given the tension and deep conflict over both how many cabs should be on the street and frankly at the September testimony about how many cabs actually are on the street, I think there's heavy conflict on both those questions, "should" and "are" are two different questions. I think trying to make these vehicles very clearly not taxicabs would be the wisest course.

Katz: There's the majority on the council that would like to see that. But I don't think that I want the council writing the new code language for this, or identifying which -- right now which of these restrictions really makes some sense. I want to turn to commissioner Francesconi. Commissioner Francesconi, what's your desire?

Francesconi: Well, that was helpful. I guess commissioner Sten and -- let me just -- Mayor, do you and commissioner Saltzman, commissioner Saltzman, are you saying no until March? Or might you be open if there's some restrictions?

Saltzman: I guess this is kind of where I am. My preference would be to say no until March, but if I'm going to say yes today, it would be with the restrictions, top lights, meters prohibited, the words taxi, cab, not to appear on the vehicle -- these are all cosmetic things that can be easily changed. You don't buy vehicles in Detroit that come with top lights. These are all after-market items. So I don't think they impose that undue of a restraint on the particular applicants. So I guess I'm prepared to go yes today with those restrictions, otherwise my preference -- and indeed my preference regardless would be to say no until we deal with the whole picture. I think a lot of these issues are so interwoven, we're dealing with a very -- you're asking me basically to write the code.

Francesconi: And Mayor, are you -- do you think there need to be distinctions between --

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Katz: Yes. And i'm prepared to go ahead and allow the additional permits, but I do think that there needs to be a distinction, because I can understand the concerns that have been raised, and I can understand how if you're out there to make a living and it looks like a cab, smells like a cab, acts like a cab, it will drive like a cab. And -- but i'm not smart enough to -- at least this morning to identify which restrictions to put on. I think there are people who maybe no a little more than I do on that. Harry, did you want to jump in?

Harry Auerbach, Senior Deputy City Attorney: Well, mayor Katz, you asked me whether it would require a code amendment. My understanding is it would not. Nancy, who is more familiar with the taxi code than I am, can probably address that.

Katz: I need to know whether it would require an amendment or this is just a rules and regulation policy issue. Nancy?

Nancy Ayres, Senior Deputy City Attorney: Nancy airs, city attorney's office. The code has specific requirements for top light and meters for taxicabs, but there are no such requirements for other types of vehicles. There are safety standards and other kinds of rules and regulations, but no code language that says you may not have a top light or you may not have meters. In terms of a code amendment, my first thing would be imposing restrictions on these permits, but not on the already existing permits.

Francesconi: Let me -- based on the will of the council and the good discussion, let me prepare some language that will try to satisfy everyone. I can't succeed that I will, but i'm going to try.

Katz: Okay. So if it's all right with the council, will let's put this over until next week. Can you get that? And nancy, I didn't understand, do you want code language or not?

Ayres: There are many other s.a.t. Permitted vehicles that are already operating.

Katz: Right.

Ayres: Without restrictions. The board at least should probably issue rules and regulations as to what the vehicle would look like and then have it apply to all as opposed to just these two.

Saltzman: I would agree to that. I should apply to all s.a.t. Providers, not just broadway and rose city.

Francesconi: That's what I was assuming.

Ayres: The board could issue regulations, certainly. Or it could be done.

Katz: The council can do it too?

Ayres: Yes. And we've been working on code amendments for the future.

Katz: Tim?

Wadsworth: I wanted to remind you we have three non-Portland permitted taxicab companies that provide s.a.t. Service.

Katz: We can only do so much. We haven't merged with all the other governments yet.

Sten: Can I -- if you could just take a look, it's not as a legal matter, but a policy matter, it is not self-evident to me that we need to get into this whole new regulating -- these are mostly very small operations. Only one -- one has over three that I can see. Two. A couple -- so I just -- i'm not sure, you've got a bunch of companies that have one car that drive around and pick people up that we want to get into saying -- the issue is -- to me is we have a small number of regulated taxicab companies, and we want to make sure if they get into a different business it's not a back door to being taxis, which is different than saying, I want to make sure every entrepreneur out there follows city mandated guidelines for what color their car is, and whether or not -- if there's evidence that those folks are using their cars regularly as a taxicab and we had one -- that's another story. But it's not immediately obvious to me that put something restrictions on our regulated players means we have to make everybody else regulated. That's a lot of time and effort that may not be for much game.

Katz: I tend to agree with you. All right. Let's do this. Let's bring this back next week with language that deals with the regulation. Right?

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Sten: I guess if I could just say, I don't know enough right now to feel very confident, but I guess I can see if the regulation were stricter on what it looks like, sour not getting hailed down and, you know, I -- I think I hear a legitimate business reason to allow a meter in these things. Because there's other metered services that people provide and there's other types of medical transportation and it seems to me if it's a metered car, and at some point in the future you want to repaint it because have you a new permit, if you get new permits, you want to switch it over, having the meter I don't think bothers me. But if it doesn't look like a taxi.

Francesconi: What I think I was going to do is present a couple options to the council. I'm not sure it's going to be ruin form. One is not going to have -- is going to allow the meters.

Saltzman: Can I make one comment on the meter is that is -- I understand exactly what commissioner Sten said and I understand the testimony. There are other services these s.a.t.s could provide. But I think one of the issues we heard back in september from many of the drivers is there is not enough business out there. And they can also provide these services. Every company I know advertises message document delivery too. And they have all -- all have meters too. Getting back to the saturation issue, I think that needs to be factored into the recommendation about meters or no meters in the s.a.t.s.

Francesconi: Does that mean you want no meters in these things?

Saltzman: That's where I am.

Francesconi: Here's what i'm going to do. It's okay. I appreciate -- i'm going to have one with michael tally's amendments. I think it goes too far. But i'm going to present that because you're asking for it, commissioner Saltzman. I'm going to present another amendment that's not going to go as far.

Katz: And we'll discuss that next week. Harry?

Auerbach: In terms of implementing it, you'd have at least three choices for how you can do that. You could have the council adopt general regulations, you could have the taxi board develop generations or because you're dealing with two applications you can make them conditions of approval.

Katz: Right. Important those particular applications. And not reach back.

Auerbach: And those would all be legitimate rational choices for the council.

Katz: If you gentlemen think you want to bring this, take this back to your taxicab board, hearing the council, you have that option as well. But the council's ready to act with some restrictions. And listening to the options that harry just outlined. Okay? All right. It's up to work with commissioner Francesconi, and make a decision how you want to proceed. If you make a decision you want to proceed, we'll see you next week. If you can't do it by next week, we'll see you the week after. Thank you. All right. So we'll hold those two items off until at least next week unless we hear differently. All right. 1896.

Item 1896.

Katz: Anybody want to testify? Come on, ron. Tell us what you found.

Ron Begman, Interim Director, Bureau of General Services: Mayor Katz, commissioners, i'm ron bergman. This is an approval to authorize additional payment to Multnomah county for some additional work on the justice center. The original project was budgeted at a particular level. Our condominium agreement with the county requires us to pay a pro rata share of this particular project. Once the project was underway, there were some complications with the way the mechanical equipment to do the window cleaning and the exterior building maintenance was there. That particular system had to be totally replaced in order to do a much more secure kind of roof system to keep the rain out. There had been considerable leaking in the roof. The delay in bringing this request to you was the result of delayed billing from the county for an exact accounting of what the -- our share of the payment was.

Katz: Questions? Does anybody want to testify? Roll call. **Francesconi:** Aye. **Saltzman:** Aye.

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Sten: Aye. **Katz:** Mayor votes aye. **1897.**

Katz: Anybody here want to testify on this item? If not, roll call. **Francesconi:** This is a good thing. Aye. **Saltzman:** Aye. **Sten:** Aye. **Katz:** Mayor votes aye. **1898.**

Katz: Anybody want to testify on this item? Roll call.

Francesconi: This is another good thing. Judith, thank you for all this, and thank you for waiting this morning. Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. Before we take our communications, I just want to remind those that are going to communicate with us that I did read the early -- the early draft of the definitions and all the question that's people wanted me to respond to. We're almost complete with the entire report with the exception of one or two questions. So I wanted everybody to know that. And then i'll report that to the council and i'll make that available to the media, who's been asking for it. All right. **Item 1899.**

Paul Maresh: Good morning. Paul maresh, I reside at 7425 north portsmouth. Mayor, council members, a few weeks back -- excuse me, it's been a couple months -- I wrote some of you letters expressing my concerns about the growing militarization of the police department and my concerns that somehow or other there seems to be an evolving us versus them philosophy within the department that is demonizing the citizens of Portland both within the department and in the media. In the '60s and '70s there were many antiwar marches and demonstration was thousands of protestors here in Portland. Many of those demonstrations dwarfed the little demonstrations or marches we've seen in Portland by a factor of ten or more. At no time did I see police presence on the scale we've seen at the last small marches we've had here in Portland. Those were much more turbulent times, the police would never have thought of shooting at unarmed citizens exercising their constitutional rights. Now police start shooting at citizens at the drop of a hat. What is wrong with this picture? What would today's police department do if 10 or 15,000 of our children started peacefully protesting like we did in the '60s and '70s? Or they -- would they bring out machine guns and mow them down by the thousands? Now comes the latest escalation by the police department. Like a sneak peek in the night, an emergency ordinance or resolution assign bid achieve kroeker two months before you saw it. What was the big emergency? Why did it have to be passed outside of regular channels denying us citizens who elected you, deny comment? We were all working to keep the economy vibrant. We weren't worried about the gestapo creeping in here to set up their big brother apparatus. We've elected you to protect us from such things. What was the terrorist threat? At the fbi briefed your staff on some terrorist plot that would so bad the citizens of Portland would be policed to in fear to hear of it? Any group of two or more people that one teams to be a threat, some people think the radical white ring extremist who's wanted to destroy any form of government by denying funds to operate, ie tax examples, have hijacked a republican party. Sounds like a decision. Are you going to plant spies in the Multnomah and Washington county republican parties? Some people might think that appropriate. Now the only group I know in the last quarter century that maybe a terrorist organization are those people who think god is on sabbatical and has left them in charge. You know the ones I mean. They think that killing people and -- in bombings are the only way to main feign the right to life. However, last time I looked, law enforcement community was using starch quite effectively to keep them in check. There was a group a few hundred miles south of here that did manage to topple a high transition electrical tower. Funny thing is, it was the fbi informant that taught them how to use a cutting torch and showed them how to bring the tower down this. Is after the informant could not -- talked them out of the -- we the people elect you the council to act as trustees to keep our city functioning. Viable and a good place to raise the next generation of citizens. I do not think the working people of Portland elected you so that the police and fbi could infiltrate and spy on their unions.

Katz: Thank you. All right. **1900.** [Mike Dee did not attend.]

Katz: Is he here? All right. Thank you very much and we'll stand adjourned until 2 o'clock. At 11:39 a.m., Council recessed.

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Item 1901.

Hales: Do the kind of collaborative effort that was made here as -- and we get great results. Aye.

Saltzman: Aye.

Sten: Good work. Aye.

Katz: Good work, community. We still have the piece on the design, historic design element, specifically to kenton to work on. I've made that as a work program note for the bureau. And when we complete that, then we'll start looking at the action plans. My hope is that as the commissioners put their budgets together, whether it's parks or transportation, or anything else before us, that expense funds that we begin looking at these plans and trying to check off the action items over the next couple of years. Aye. **1902. Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. 1903.

Item 1903.

Francesconi: As parks commissioner, my job is to provide safe places for kids to play, including more skateboard parks. Inviting children to skate on mcloughlin, 82nd, 39th, at night, or any time downtown, does not fulfill that duty. And it does not make common sense -- meet common sense tests. No.

Hales: I'm sorry there's been a division about this change in what we penalize, not what we encourage, what we penalize. And i'm sorry that happened, but I look forward to having the whole council work together, and jim, I appreciate your strong support for that, and others, to do more work in skateboarding to create more state parks, to create more trails and pathways where inline skaters and bicyclists can move safely around the city. So there are a lot of great opportunities there, I look forward to unanimous votes on those proposals when they come forward. Finally I want to say on this particular issue, both on the agenda of building more skate parks and on this proposal, I want to thank mark zolton on my staff and -- for understanding a need in the community and finding the ways and means to make progress against that need. So mark, thanks for excellent work. Aye.

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

Katz: Well, as mayor of this city, my role is to protect the safety of our citizens, and this is not our finest hour. No. Okay, everybody. We're going -- we're adjourned.

Francesconi: For the new year?

Katz: Have a happy new year. When we come back, we pass the mantle of the presidency of the council to somebody else.

Francesconi: I think it must be commissioner Hales.

At 2:07 p.m., Council adjourned.