



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 11TH DAY OF JULY, 2012 AT 9:30 A.M.

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

Commissioner Leonard arrived at 9:33 a.m.

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

Motion to elect Commissioner Saltzman as President of the Council: Moved by Mayor Adams and seconded by Commissioner Fritz. (Y-4; Leonard absent)

Items No. 796 and 805 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 10:14 a.m. and reconvened at 10:20 a.m.

COMMUNICATIONS		Disposition:
788	Request of Mary Eng to address Council regarding make housing a human right and gender equity now (Communication)	PLACED ON FILE
789	Request of G. Buddy Bercu to address Council regarding street performing with amplified electrical sound (Communication)	PLACED ON FILE
790	Request of Kernel Moses to address Council regarding moral leadership crisis and what you can do (Communication)	PLACED ON FILE
791	Request of Felicia Williams to address Council regarding South Park Blocks loo (Communication)	PLACED ON FILE
792	Request of Crystal Elinski to address Council regarding Port of Portland (Communication)	PLACED ON FILE
TIMES CERTAIN		

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<p>793 TIME CERTAIN: 9:30 AM – Formalize governmental relationship with Tribal Government Partners and establish government-to-government consultation agreements (Resolution introduced by Mayor Adams and Commissioner Fritz) 30 minutes requested (Y-5)</p>	<p>36941</p>
<p>CONSENT AGENDA – NO DISCUSSION</p>	
<p>Mayor Sam Adams</p>	
<p>Bureau of Emergency Management</p>	
<p>*794 Amend an Intergovernmental Agreement with Multnomah County for the distribution of equipment, supplies and services procured as a result of Urban Areas Security Initiative Grant awards (Ordinance; amend Contract No. 30002186) (Y-5)</p>	<p>185478</p>
<p>Bureau of Transportation</p>	
<p>*795 Authorize the Bureau of Transportation to acquire certain permanent and temporary easements necessary for construction of the SE 122nd Ave: SE Holgate St–SE Ramona St Sidewalk Infill Project through the exercise of the City's Eminent Domain Authority (Ordinance) (Y-5)</p>	<p>185479</p>
<p>796 Enact Item #11 of the Public Sidewalk Management Plan by creating a pilot program to test a way to better manage the concentration and placement of publication boxes located on public sidewalks (Ordinance) Motion to accept amendments to directives r. and q. as stated in July 10, 2012 bureau memo: Moved by Mayor Adams and seconded by Commissioner Fish. (Y-5)</p>	<p>PASSED TO SECOND READING AS AMENDED JULY 18, 2012 AT 9:30 AM</p>
<p>797 Designate a portion of City property owned in fee title located on N Railroad St between N Lewis and N Clark Ave as public right-of-way for N Railroad St (Second Reading Agenda 761) (Y-5)</p>	<p>185480</p>
<p>798 Authorize a Local Agency Certification Program Agreement with the Oregon Department of Transportation for the administration of federal-aid capital improvement projects (Second Reading Agenda 762) (Y-5)</p>	<p>185481</p>
<p>Office of Management and Finance</p>	
<p>799 Authorize a contract with Benefitfocus.com, Inc. to provide benefits administrative services for a not-to-exceed contract value of \$2,100,000 (Procurement Report–RFP No. 113545) (Y-5)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p>800 Accept bid of Emery & Sons Construction, Inc. for the Forest Park Low Tank for \$6,106,618 (Procurement Report–Bid No. 114116) (Y-5)</p>	<p>ACCEPTED PREPARE CONTRACT</p>

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<p>*801 Pay claim of Marianne King involving Portland Parks Bureau (Ordinance) (Y-5)</p>	<p>185482</p>
<p>*802 Pay claim of Mandi Philpott involving Portland Water Bureau and Bureau of Transportation (Ordinance) (Y-5)</p>	<p>185483</p>
<p>*803 Ratify a Letter of Agreement with American Federation of State, County and Municipal Employees, Local 189 with respect to increasing the compensation of represented employees in the Surveyor classification series (Ordinance) (Y-5)</p>	<p>185484</p>
<p>*804 Change the salary range for the Nonrepresented classification of Survey Supervisor (Ordinance) (Y-5)</p>	<p>185485</p>
<p>*805 Authorize acquisition of a vehicle for use by Portland Police Bureau (Ordinance)</p>	<p>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>
<p>*806 Authorize a contract to purchase one work assist lift vehicle for \$15,970 funded by Revenue bond, archives space acquisition project (Ordinance) (Y-5)</p>	<p>185486</p>
<p style="text-align: center;">Commissioner Dan Saltzman Position No. 3</p> <p style="text-align: center;">Bureau of Environmental Services</p>	
<p>*807 Authorize an Electric Line Easement with Portland General Electric across a portion of City-owned property in the vicinity of N Columbia Blvd and N Peninsular Ave (Ordinance) (Y-5)</p>	<p>185487</p>
<p>*808 Authorize an Intergovernmental Agreement and accept a grant of \$381,000 from Metro's Nature in Neighborhoods Capital Grants Program for Baltimore Woods Connectivity Corridor Phase II Project (Ordinance) (Y-5)</p>	<p>185488</p>
<p>*809 Authorize a competitive solicitation for construction management, inspection and project support personnel (Ordinance) (Y-5)</p>	<p>185489</p>
<p>810 Amend contract with Skylab Architecture LLC for additional work and compensation for the Columbia Boulevard Wastewater Treatment Plant Support Facility Project No. E09023 (Ordinance; amend Contract No. 30001585)</p>	<p>PASSED TO SECOND READING JULY 18, 2012 AT 9:30 AM</p>

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**Commissioner Nick Fish
Position No. 2**

Portland Housing Bureau

- *811** Amend contract with Dignity Village to extend the contract terms for management of a transitional housing campground at Sunderland Yard (Ordinance; amend Contract No. 53015)
(Y-5)

185490

Portland Parks & Recreation

- *812** Authorize grant application to the National League of Cities Food Research and Action Center in the amount of \$58,500 for combatting hunger through afterschool programs (Ordinance)
(Y-5)

185491

- *813** Authorize Intergovernmental Agreement with Peninsula Drainage District 2 for work at Columbia Slough Trail Denver Ave to Vancouver Ave (Ordinance)
(Y-5)

185492

REGULAR AGENDA

Mayor Sam Adams

Bureau of Emergency Management

- *814** Authorize Memorandum of Understanding with 211 info and Multnomah County to define working relationship in preparing for and responding to emergencies (Previous Agenda 758)
(Y-5)

185493

Bureau of Police

- 815** Provide for civil forfeiture of property that is instrumentality or proceeds of money laundering (Ordinance; amend Code Chapter 14B.50)

**PASSED TO
SECOND READING
JULY 18, 2012
AT 9:30 AM**

- *816** Amend a contract with LifeWorks Northwest in an amount not to exceed \$240,000 and extend the term through June 30, 2013 to work with the Police Bureau Prostitution Coordination Team (Ordinance; amend Contract No. 30002562)
(Y-5)

185494

Office of Management and Finance

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*817 Amend the District Property Management License code to rename the Downtown Business District to the Clean & Safe District, update the CPI calculation, clarify the Lloyd Business District payment due dates and make other housekeeping changes (Ordinance; amend Code Chapter 6.06) (Y-5)	185495
818 Authorize Administrative Rule process for special permitting of for-hire transportation operators conducting return medical transportation trips from non-contiguous medical brokerage areas (Second Reading Agenda 776; amend Code Sections 16.40.090, 16.40.130 and 16.40.190) (Y-5)	185496
819 Amend vehicle age requirements for vehicles regulated under Private for-Hire Transportation Regulations (Second Reading Agenda 777; amend Code Section 16.40.190) (Y-5)	185497
820 Amend civil penalties for companies and drivers that operate or drive in violation of Private for-Hire Transportation Regulations; make operation of an unpermitted private for-hire vehicle a criminal offense (Second Reading Agenda 778; amend Code Section 16.40.540 and 16.40.560) (Y-5)	185498

At 11:20 a.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

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

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WEDNESDAY, 2:00 PM, JULY 11, 2012

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

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Caption file by xkml.

Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

JULY 11, 2012 9:30 AM

Adams: Good morning, and welcome to the chambers of Portland, city council, it is wednesday, july 11, 2012. 9:30:00 a.m. City council come into session. Karla, how are you? Did you enjoy the week off?

Moore: I did.

Adams: You did.

Moore: Well, I had a few days.

Adams: You only had a few days off?

Moore: Yeah.

Adams: Oh, i'm sorry. Would you please call the roll.

Saltzman: Here. **Fritz:** Here. **Fish:** Here.

Adams: Here. So we will proceed. Beginning with communications. Can you please read the title for item no. 788.

Item 788.

Adams: Mary eng. You can just hand it to the clerk. You can just hand to the clerk. That's our protocol. So, if you have handouts for the city council, just please give them to the council clerk, and she will give them to us.

Mary Eng: Hello, I am here today to talk about the homeless crisis and gender equity. Surely, the homeless crisis in Portland deserves more than 1.5 minutes, as does gender equity. What I would love to propose for the Portland government is to express a lot of leadership in our country. And I brought to you, brought to you handouts about different kinds of housing alternatives like, the million program in sweden, which builds very sufficient, beautiful housing for the entire population. Where homelessness is considered a crime against humanity. I also brought for you issues pertaining to rape. Rape is an issue, which faces homeless women, and sentencing women to a life on the streets is sentencing them to unfair risks, which involve crimes against their person and their dignity. And the humanity of homeless women is something that you should address. I also brought for you the, the rio 20 gender equity outcome. In terms of what the norwegian government is looking at. I brought to you examples of the gender equality page from norway because I think this is a very strong point of leadership, in this part of the country, and we could do a lot more to, to express to, to the city what we are doing to have women involved in our government, and this becomes a very strong point of leadership for young women. So, that they can go, grow up knowing that their government cares. I also brought nicholas christophs article, is "is rape serious." with the incredible domestic violence, crisis we're facing with this economy, as well as rape crisis on the streets Portland, it's very important to look at what's going on with the criminal logical aspects of the dna evidence. It was found that new york city and los angeles were failing to assess dna evidence that was taken at great invasion to rape victims' persons so I want a full accountability and publishing of that information for the city of Portland. What we are doing in terms of the rape crisis, and what our commitment is to rape victims. And I also brought to you some beautiful religious material regarding the los angeles catholic workers who do a lot of activism with the aclu in los angeles. On homelessness, so that could be inspiring, but I think that nothing short of full

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housing rights. For all human beings, is ethical at this time. And I hope that, that you enjoy that, and I thank you very much for this opportunity to, to speak, and I hope that you will encourage others to speak because I think that, that it's very hard to do, this but I think that women need visions of power, they need beautiful people supporting us, so we can show that we're very committed to gender equality. In Norway in the 1980s they provided quotas as a temporary measure. What they found is that the possibility for the human mind to conceive of women as fully human was really expanded, and they did not even need to renew the quotas because people were so accustomed to women in positions of leadership. And, and they are doing very positive things. What if we said, like Norway, we will not have a boardroom which enforces discrimination and say we'll have 50% equality, otherwise the government subsidy is cut off? That would be really novel. Thank you, guys.

Adams: Please read the title for item no. 789.

Item 789.

Adams: Welcome, good morning.

G. Buddy Bercu: Good morning. If I had known that there would be so many of my Indian brothers and sisters, I would have worn my ribbon shirt, my Yakima ribbon shirt here. I learned just about everything I know, if I know anything at all about music from my Native wife. Up in the Flathead Indian reservation. At any rate, welcome. Music is how I communicate. It's how I connect with other people. My neighbors and friends. I've been doing this here in Portland for 11 years. Should this make me a target for elimination or banishment to the wilderness? Through music as a vehicle, I try to get people just like you to feel something. To hopefully for just even a few precious moments, form a bond between us. Does this make me dangerous? How is this threatening? And on the 13th of June without warning, on the 10th and Yamhill, my instrument and my battery pack was confiscated by the Portland police, that was quite an escalation of enforcement. I am not the enemy of, of the law enforcement. I am here to express concerns, however, for my safety. To our record, to affirm that I am friends with private and public sectors. And I believe that we can work together. I trust to come to a mutually beneficial place where all our contributions be at city planning, law enforcement, or entertaining children and adults, tourists and native Oregonians are validated and affirmed. Where I don't have to feel like it's me against you or us against them. Because, because we have music, the great equalizer, it's what soothes the savage beast in us all, this is, if nowhere else, a place that we have in common. Let's preserve and focus on our similarities and not put a spotlight on what we don't share in common. I am here to work towards this goal. Thank you, council. Thank you, mayor.

Adams: Thank you can you please read the title for 790.

Item 790.

Adams: All right. Can you please read the title, for item no. 791.

Item 791.

Adams: Good morning. Welcome.

Felicia Williams: My name is Felicia Williams. I am the chair of the board of directors of the downtown neighborhood association, and my board has, is split evenly. Half of them like me to talk about things they are unhappy about it and the other parts. Instead of the loo, I would like to talk about National Night Out. Our event will be August 7 in the South Park block next to PSU. We're expecting 750 people. Could get as high as 1,000, so it will be a big turnout, and I want to give a thanks to the ONI staffers who have done an outstanding job. We have the usual suspects playing. Some of you might be familiar with them. They are not the Blue's brothers but I hear they like to drive around in cop cars, and we are hoping to get an encore presentation of Mustang Sally from Commissioner Leonard. We have great photos of Mayor Adams, Commissioner Fritz and Leonard. And we will be using all the photos from our National Night Out event in our calendars so, we brought you copies of those so you could see them. I hope you enjoy them. We also want to, send

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a thanks to commissioner Saltzman, for your work on the children's levy. We have a lot of grandparents and parents in downtown, and they really appreciate the work that you have done with that. Commissioner Fish, the board of directors has, instructed me to extend a formal invitation to meet with us so whenever it's convenient we would like to have sit down and discuss a lot of the things that happen in downtown. Your bureaus have a large footprint in our area so there is a lot of opportunities available to us. So, I believe that you have my contact information. Please feel free to email me or the board. And I would also like to thank you again for your time, and hope that you join us for national night out. You might end up on the calendar next year. Thank you.

Adams: Thank you for your leadership. Appreciate it. Can you please read the communications item 792.

Item 792.

Adams: I need you to take your place at the table, and you can do that afterwards. We have a whole room full of people.

*******:** Am I on?

Adams: Yes.

*******:** All right. Oh, wait, so, we have a mass suicide going on in front of city hall right now.

Adams: You can take your seat, please.

Crystal Elinski: Thank you. My name is crystal elinski, and I represent 10,000 people. I'm very lucky to be able to be here, and as I said last time, I have the pleasure of arriving or leaving Portland every wednesday, so I will make it, an effort like I did years in the past, on a regular basis, to let you know that the homelessness issue still a major problem. I came to your offices in person on the 19th day of cameron whitten's hunger strike, which was the last day before he had physiological -- that statistically, physiological damage occurs. The very next day. And I was not happy with the reaction I got from your offices, from your staff, or you in person. I passed out information about palestinians because there is a huge hunger strike going on in palestine now, and I am sure that some of you have heard it in the news because it is, it is so dire when people start having a hunger strike, that means that there are problems. There are huge problems. And when I came here five years ago, when I was homeless, I saw that. I don't have to give you statistics how bad it is here. We are not giving our youth the chance to succeed, in, and be a part our society. I am spending half of my summer with small children and I can get concepts across to them much easier than I can to many people in the city hall. And I don't understand how it is that we can let our children suffer like this. When they have no promise if they graduate, they are not going to end up in the prison system, our prison system, and i've been in it. It's horrible. And the sit lie issue, you have the city hall full of 100 some odd people all testifying, not only that they did not want that any more, but that it's unconstitutional in three district courts, but that we have other ideas. Yes, yes, we have other ideas. And it is all very clear to me when during a break at one of these points when I was a kboo reporter, that one of you told me that Portland business alliance would not like this, if we got rid it, and I said well, you know, why don't you send them to us. Now we have the occupy, there is no more excuse. Thank you for your time.

Adams: We'll now consider the consent agenda. I would like to send item 805 back to my office. Please read the title for 805.

Item 805.

Adams: So done. Any other item to pull from the consented agenda?

Moore: 796 was requested.

Adams: Thank you. Can you read the title for 796.

Item 796.

Adams: All right, that's been pulled, all right. Please call the vote on the consent agenda.

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

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Adams: Aye. Consent agenda is approved. We'll consider the time certain resolution. Item 793. Would you please read the title.

Item 793.

Adams: I am co-sponsoring this with commissioner amanda Fritz. Commissioner Fritz.

Fritz: Good morning. We are honored to have many tribal government partners joining us today in the historic resolution. It is an exciting, and I will say it again, a historic day. The city has a long history of working with the tribal partners on a variety of issues. Our outreach, though well intended, has not always appropriately reflected the relationship that we wish to share with our tribal government partners. This resolution marks a significant change as we begin to give structure and shape to those relationships. And looking forward to learning from our partners about how best to build our relationship. This resolution sets that process in motion. Mayor Adams.

Adams: Thank you, commissioner Fritz. It's an honor to co-sponsor this resolution, and it's an honor to have the leadership, of a number of sovereign tribal nations to join with us today. If I could have the chair of the confederated tribes of the siletz, the chair of the confederated tribes of grand ronde, please come up. The chair of, of the nez perce tribe and the chair of the umatilla tribe, come forward, and the vice chair from the confederated tribes of warm springs reservation. If you would all please come forward. Did I miss anybody? This resolution is important so that the work that we have made together over the years continues and grows. We recognize that we have a unique responsibility to work with our tribal government partners to make sure that treaty rights, of federal trust responsibility and native american culture and religious beliefs are not just preserved but enhanced in the city of Portland. We know our work with you to improve the natural and cultural resources of the confluence of the willamette and the columbia river is a very sacred and important responsibility for this city government. We have worked hard over the years to establish those partnerships, but we know that we have much work to do to improve upon that good work. Put forward today, creates the formal, starts the process of creating the formal process partnerships. That does not rely on any one individual sitting in any position of leadership. This is part and parcel with the Portland plan, which is the strategic plan for the city, of which the city council approved earlier this year. It prioritizes prosperity, health, education, and equity. And these are the four core values that we will pursue, and in deepening our relationships and partnerships with our tribal government partners. So, we are really pleased that you are here today. And we would welcome, providing you an opportunity to, to, for think of you to say few words. You are usually not, not -- I was going to say.

Chairwoman Cheryle Kennedy, Confederated Tribes of the Grand Ronde: Good morning. This is truly a pleasure to be here. Good morning to the, to the council, to the commissioner, and to you, mayor Adams, it's pleasure to be here. I want to welcome everyone to the homeland of the confederated tribes of grand ronde, thank you for being here. And for listening to what is being said over a course of a few years. That the importance and the support of this resolution that we give is very moving and meaningful. There have been times that we have sometimes, felt like we were on the periphery of what was happening here, but thank you, council, and mayor for standing by us, and for listening to us. And a few years ago, this was only an idea. That this event would take place, and we're very pleased that it happened here today. It's clear to me that when we are dealing with honorable people, as well as being respectful that, things do happen. Hopefully, for the future of all of us, tribal leaders, as well as the great city of Portland, that we would be able to move forward and forage many other relationships. I think that the thing that, the bond that holds us together is really the earth on which we walk. And that sustains us. We have -- I personally have great concern over the way that our earth is being treated. I am concerned because this is what sustains all of us. Food doesn't come from outer space. It comes from here. This earth that we live on. And if we don't take care of it, there is disaster for all of us. So, by joining together to, look at ways of cleaning up our great rivers, our mighty rivers, our highways. That we have here, that

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native people refer to, we're doing a great thing for the future generations of all of our people. So I am here today to, to lend support and say that this is a great thing that's being done here today. I thank you for your thoughtfulness and your consideration, and that the bonds will certainly grow stronger through the gesture that's being made here today. Thank you.

Adams: Thank you, madam chair. Would anyone else like to say few words? Madam chair.

Chairman Dolores Pigsley, Confederated Tribes of the Siletz Indians of Oregon: Sure. I, too, would like to thank the city for this invitation. It's the first one that we have received ever. Been in the building for many other reasons. In the past. But it is a pleasure to meet with you today. And to be recognized, and recognizing the sovereignty of the tribes, and having our fellow tribal chairs here is really an honor. We have an office here in Portland that provides services to our tribal members. We have about, about, almost 600 siletz tribal members that live in the Portland metro area, and it's about 12% of our tribal population. So, we have a great interest in what happens in Portland. We want to be part of what happens in part of the planning, and our office provides the same services that we provide out of our tribal office in siletz. We have an opportunity to do many things together and we have actually done a lot of business and a lot of joint things. Cheryl mentioned the cleanup of the willamette river. We've been working on that issue for about 12 years. It seems like long time, but we have crossed many hurdles on the way, and so we look forward to the end result, and helping to do our share in cleaning up the river. And I did bring a couple of gifts. I brought a tribal flag, and I thought it might be an opportunity for tribes to begin to fly their flags here at the city. And I also brought some cups that I will give to your, your assistant here to share with you. I thank you for the invite. It's really an honor and a pleasure to be here with you, and with the rest of the chairmen.

Adams: We would be happy to fly your flags. Mr. Chair.

Chairman Silas Whitman, Nez Perce Tribe: I would like to thank the mayor and the commission, council for extending the invitation for me to be here on behalf of my people, the nez perce tribe. Our homeland is within a four-state area. And we like to think of Portland kind of as an adopted city, so to speak, where a lot of us have been here, and education. Back from the old BI relocation days. When we had no choice. But, we all came together here, and many tribes came together. And we found that we had a lot of common ground, and then we have lifelong friends that are Portlanders. And it's always been a place that we felt welcomed. Throughout the years. Going to school here, and then living here. Working here. The effort on trying to restore something dear and close to us, which is the Fisheries. Encompasses not just the salmon, but also the sturgeon and lamprey at the falls. And we've been very concerned during the course of the Portland harbor issues, and all of the issues that surround that, and we've been kind of on the fringe of some of those activities. Starting out, but with the support of the Inter-Tribal Fish commission, a lot of our people that came down here and came together with warm springs, the yakima tribes, we did enjoy the ability going out and, and seeking to restore hopefully, you know, a resource that we don't want to lose. So, we're heartened by the progress being made. It may have been, may have been 12 years, but it, it seems like it's been longer than that. But, we still persist yet in looking at this as a place where we can come to. Whether we are Fishing on the columbia or Fishing on the willamette. We've never been remiss in acknowledging the people here who are hopefully now going to be working very closely with us, or we with them, with you, on keeping the restoration activities alive and going forward, so our next generation of people are going to be able to enjoy the resources here and everything that Portland stands for. The beautiful city, it's one that I think reflects multi-cultures here, one that certainly reflects who we are as native people. I would like to see probably more of an aggressive position made by the city and possibly by the county as far as working with the, the local tribes. And there are many things yet to do. And I think that we can provide the impetus of helping to, to do that, and we'll continue to be involved. In something that's very dear and close to us, so, on behalf of the nez perce people and the tribe, I thank you.

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Adams: Anyone else who would like to say a few words?

Adams: Hello.

Vice-Chairman Ron Suppah, Confederated Tribes of Warm Springs: [speaking another language] City council, mayor, good morning. My name is ron suppah, my indian name means [inaudible] I guess if I look back at the history between my nation and this city, this has been a multi-step process. As the evolution has taken some patience because sometimes, we have different paradigms and different viewpoints, but it's good to come here today and witness an important event that happens. And I guess, as sovereign nations, solutions, are best made through collaborative processes. So, I think it's good to see the city extend their hand at friendship. We look forward to going back home from this place and visiting with my tribal council about putting together a, a, a confederated tribe, warm springs consultation resolution. So, that we can strengthen what you guys are, are doing here today. Warm springs has approximately 750 tribal members that live here, for various reasons. And we appreciate the city for all the efforts that they do, and the services that they provide for our people. That much I wanted to say this morning. Thank you.

Adams: Thank you, sir. Appreciate it. Would you like to say anything, chief?

Chairman Les Minthorn, Confederated Tribes of the Umatilla Indian Reservation: Good morning. My name is les Minthorn from umatilla in eastern Oregon. Just like to reflect on the intent here. Our young elders in our long house talk about relationships. It all started, you know, when the world was new. And you had to have relationships then to survive. And I think that in various forms, you still have to have relationships today. And the idea of having a government to government relationship is very good. And we were always respectful of those who know how to take care of the earth, and the land and the resources. And those who know how to gather their foods and feed others. And so, we're mindful of our responsibility to develop these relationships with our natural habitat. The animals, the air, the Fish, the water. All of those things that we all depend upon. And for our elders, that was the food chain. And survival depended upon it. So, today, in the high tech world that we live in, we're still dependent upon relationships in one form or another. And we work very hard not to destroy or break any promise that we have made. And not overpromise. And certainly not to burn any bridges. And so, our, our position in tribal government has changed over the years from being on defense to more cooperative approach, and so, your actions here today, to extend the invitation to participate is nice. I like that. And so, as we develop our relationships in the federal government, the state government, and the cities, and our neighborhoods around us we are very mindful that we now have a unique responsibility that goes beyond our tribal borders. And so, i'm thankful from, from our nation, in eastern Oregon, that, that we would like to have more dialogue relating to this government-to-government relationships with the city. Thank you very much, mayor and councilmen. That's all.

Adams: Thank you very much, all of you.

Fritz: Thank you, each of you esteemed leaders for being here today and bracing us with your comments. This resolution is an important first step in formalizing our government relationships with you and other tribal sovereigns. And acknowledging the sovereignty of your nations we express the city's commitment to government-to-government consultation and the need appropriate protocols. The details of what consultations will look like will be determined individually through conversation and negotiation with each tribal government. These agreements, in turn, will inform the city's internal protocols and procedures. We will work internally with each city bureau in achieving a consistent message and means of communication about our mutual issues of concern. I view these agreements as statements of trust by both parties about how the city will address the issues for tribal governments and the city. I hope that these government-to-government conversations will lead to deeper understandings of each government. By us and by our communities. Our shared issues and they will result in mutually agreed upon solutions. We will want to have these conversations with each tribe, and we'll be setting up individual meetings with

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each tribal chair to discuss how we move forward. Thank you for honoring us all today by joining together in this resolution.

Adams: Thank you very much. Karla, has anyone signed up to testify?

Moore: No one else signed up.

Adams: All right, would you please call the vote on the resolution.

Saltzman: Well, I feel honored as a member of the city council to be here on this important, historic day. The eloquence of your words lets us know why you are tribal leaders, and I think that it is a historic moment because as was said, some of you have never been inside the city hall before.

And so, it's great to have you here, and I appreciate the leadership of the mayor and the, and commissioner Fritz to further our, further our good working relationships between the city and, and the nine tribes in Oregon. And god knows the, the past treatment of tribes by this country. By this state has been atrocious, and it's an opportunity here for us to forge positive, good working relationships based on mutual respect. That will honor not only our past, but also, recognize the foibles of that past and work to move forward and to have good working relationships. So I am honored to be here today and honored that you are here and pleased to support this resolution. Aye.

Leonard: I agree. It is an honor to have each of you here and I am honored to vote for this, aye.

Fritz: Mayor Adams noted that this resolution sets city policy regardless of who are sitting in these chairs, and indeed, it does. And the chairwoman Kennedy and I hope that we can continue our electoral relationship, and as time moves forward. I thank each of you and each of your staff for the work that you have done in bringing forward this resolution. And each of you for traveling for a very long way to be with us today. Also I thank Roy and the PSU Institute for Tribal Government. Unfortunately, he was called out of town and wasn't able to be with us today, but he had, as we all know he's been a wonderful communicator and helper. Thank you to Stephanie Mendoza Gray and the city's office of government relations for their help in today's event and the development of this important resolution. Warren Jimenez and Jonna Papaefthimiou, the mayor's office, Milena Malone and as well as Patty Howard and my staff have been very important in developing this resolution. Chairman Whitman referred to the superfund site and the harbor cleanup and the office of healthy working rivers, and I and all our staff are very committed to cleaning up on the mighty rivers and celebrating the health of the Willamette and the Columbia River as time moves forward. Thank you for your partnership and all your endeavors and for being here today. I am very honored to vote aye.

Fish: First I would like to acknowledge that a distinguished member of our Portland school board is here, Matt Morton. And we welcome Matt to our deliberations. And my colleagues have all said that you bring great honor to us, through your presence, and I will join with them in saying that. Chair Kennedy, when I assumed the responsibility of the commissioner in charge of the parks bureau you were kind enough to extend an invitation to meet with you and other tribal elders to begin the process of deepening our relationship. And what struck me about our early meetings was learning more of the history. Not just the traditions of pow-wows on public lands and in park spaces or the, the desire to reclaim history through interpretive signs and other important markers in our public spaces. But, developing procedures and protocols for us to work out long range plans. And how we do that. It was not entirely clear after I met with you a number of times what that path forward was. And I give immense credit today to commissioner Fritz and Mayor Adams for laying out the vision for how we are going to proceed with all of our distinguished tribes to formalize that relationship. And whether it has to do with superfund or our parks, or any aspect mutual concern, this gives us an opportunity to further deepen the relationship. The mutual understanding, and for us to learn from you. So, thank you again for honoring us today with your presence. Someone mentioned the county earlier, I hope that they will enter into a similar agreement with you, and I thank the mayor and commissioner Fritz for bringing this forward. It's an honor to support this resolution. Aye.

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Adams: I remember my first day coming to the city hall. And that's when the front door was, was our back door. The back door is now our front door. And I remember it was after I had taken a job up here to, to serve as the campaign manager for vera katz, and coming most immediately from salem, and I remember walking to, to the back of city hall, which is now the front, and seeing that, that there is this big, beautiful stone, boulder sitting in the backyard of city hall. And it clearly was a native american artifact. And it, if I recall correctly, a plaque on it that this, something about donated to the city of Portland, from some railroad whose name I cannot remember. And I remember thinking, my goodness, this is inappropriate. Especially when I looked into the history of it, and found that the railroad ex appropriated it and given it to the city of Portland without the permission the tribal nation on which it was taken. It was taken in 1910, and it sat on the grounds city hall for 86 years. And no one, had raised the question if it had been given to us by a tribal nation, and in fact, it had not. Mayor vera katz at the time, repatriated it in consultation with the Umatilla, grand ronde, warm springs, and a number of other tribal nations, and I think that it is now in the warm springs museum. If I recall correctly, but it has been returned and it's part of a, part of the cultural return to the cultural heritage of where it came, so the city has come, I think, a long way since then. But, we know, we have long ways to go, and I want to thank commissioner Fritz and her team. Warren jiminez who is my chief of staff and a member of the Chumash nation of central california coast. And jonna, on my staff and everyone that has been part of this resolution. This resolution, had its core, says we are no longer going to rely on the state or federal government for our relationship with the tribal nations in the pacific northwest. That our relations will be direct, and that our relations will be respectful and inclusive. We recently established the office of equity and human rights. And the work to put these words into action will be coordinated by the office of government relations, and by the office of equity and human rights. So, we mean this. And we know that we have a lot of work to do. So, we really thank you for honoring us with your presence today. And I am pleased to vote aye. [gavel pounded]

Adams: Congratulations. [applause]

Adams: May we get a photograph with all the chairs and the city council?

Adams: All right, that gets us to yours. That was great. Good work. We're going to take a quick five-minute break and, and we'll be back at 20 past. [gavel pounded]

At 10:14 a.m., Council recessed.

At 10:20 a.m., Council reconvened.

Adams: All right city council will come back to order. It is that time of year when we passed the presidency of the council, and it currently is the very esteemed president commissioner nick fish.

Fish: I have a few remarks in my farewell.

Adams: Look at the time, where is the button?

Fish: Thank you if the honor.

Adams: You are out of order. So, I nominate dan Saltzman to serve as president of the Portland city council

Fritz: Second.

Adams: So moved and second. Karla, call the vote.

Saltzman: Accept with honor. Aye.

Fritz: Aye.

Fish: I want you to know you were my first choice. [laughter] , aye.

Adams: Aye. [gavel pounded]

Adams: Congratulations, mr. President, you can give them the free parking pass.

Fritz: We wish.

Adams: I'm joking. That gets us to the regular agenda. Karla, can you please read item 814.

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Item 814.

Adams: Commissioner amanda Fritz.

Fritz: I asked for this item to be pulled a couple of weeks ago so that we could celebrate and explain to the citizens what this is, so I would like to invite the director carmen to come forward.

Carmen Merlo, Director, Office of Emergency Management: Thank you, mayor and commissioner Fritz. Carmen merlo, the director of the Portland bureau of emergency management.

I am really honored to have with me today the executive director of two one one info. They are one of our most valued partners, and this memorandum of understanding helps to formalize the relationship that we have with them and also to call them out as the recognizable and central location that the public call for emergency information. They serve this role on behalf of not just the city of Portland but really, for the entire state. And I would like to give just a few words.

Liesl Wendt, Director, 2-1-1: Thanks, carmen. I am liesl wendt, the director of two one one info, and I think what's really exciting about this mou, it formalizes the existing arrangements that we have with PBEM and Multnomah county, particularly, in the winter. And to formalize a role that we play with the housing bureau to keep track of shelter beds, warming center availability, and really serve as a public inquiry as people are worried about being outside or needing to find a place to be inside. And the mou really places some groundwork for playing that role on other issues within the city and the county, and formalizing a relationship with the other existing call centers in the area. Like city and county information referral at o-ni, with Multnomah county aging disability services and some of the other partners. So, we really look forward to working with PBEM to create a more, a better plan of how we formalize those relationships with our other partners. We play this role increasingly around the state. Recently the governor activated two one one in the coastal communities, and we're playing a role of helping people decide what to do with the tsunami debris if they find it, and kind of calming the public fears about what do I do and what's happening on the coast. So it has been a good experience for us to take what we have done in the City of Portland and take it to other parts of the state, as we expand our role statewide. We have our experience with our national network, in the fall we played backup role to our partners in vermont, who were overwhelmed with flooding and ourselves and l.a. two one one took their calls, and tracked the property damage, and gave that information to fema. So we're part of a network that really allows us to be nimble and dynamic and we can display that role for others around the country, and then we can also benefit from that if a crisis should happen in the city and county that goes beyond our scope, so I thank you for your leadership in putting this together and thank carmen and dave with Multnomah county for working with us over the last year to formalize this role and agreement.

Merlo: I will close by saying that two one one not only helps us to get emergency information onto the public. They also kind of serve as our eyes and ears on the street. They identify certain trends, and that we can help update our emergency information frequently asked questions, and so it's really a very symbiotic relationship, and we are pleased to have this before you for adoption.

Adams: Questions from council? All right. Anyone wish to testify on this matter? All right. Can you please call the vote.

Saltzman: Well, this is great. I am really pleased to support this. I had a chance to, to sit along recently out of 2-1-1, so I have better idea and understanding the valuable services it provide. And so, I am really happy to see a further good working relationship with our bureau of emergency management. Just like you said, the ability to sort of use 2-1-1 to help us see the emerging trends or concerns as a great example of why we need this memorandum. Pleased to support it, aye.

Leonard: Thank you, aye.

Fritz: Thank you to director merlo for setting this up and for being here this morning. For the services that you both provide. And it's important for folks to know that 2-1-1 is operating number that you can call to get services. Right now. And it's not only for emergencies but this

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memorandum of understanding, will deepen that don't call 9-1-1 when you can call 2-1-1. I'm working on a 3-1-1 system with the city working with the bureau of emergency communications and the office of neighborhood involvement, but that's not live just yet. So, especially for social services, 2-1-1 is a great number to call if you are needing information during business hours, please call 823-4000. That is our all purpose city/county Portland development commission information and referral system that's run out of the office of neighborhood involvement. That's great number. I used to remember all the other ones or numbers which, there are numbers that you call a lot, but if you don't automatically remember those, 823-4000 or 2-1-1 are great options. The other issue that the mayor and I are working on is for folks who are having mental health crisis in our community. And again, as I mentioned a couple of weeks ago, we encourage people to call 800-suicide or the lines for life, oregon partnership numbers. There are a lot of resources available in our community. And we need to publicize them so that people are not calling 9-1-1 when there is really better resources elsewhere. And people don't necessarily know that the, the city's non emergency line 823-3333, also, is answered by the 9-1-1 operators, so it's, so it's part of the whole community care system, that 2-1-1 is a great resource people can call 24/7, right Liesl?

Wendt: Monday through friday, 8:00 to 6:00.

Fritz: So that's a good resource and another reason we're developing the 3-1-1 system to cover those other pieces. So, it's important that you are here today, and I also have to take this opportunity to, to educate the folks watching on cable of all the other resources available because we care about people in this community, and that's what the office of emergency management does, its what 2-1-1 does and each of our city bureaus do, so I appreciate you being here, aye.

Fish: I want to thank both of our presenters. Carmen, thank you for the work you are doing to bring, to help our nonprofit partners in the housing world, develop even better plans to deal with an emergency and bring the expertise that you and your bureau have, on that subject, and I appreciate that. And liesl thank you for a great partnership with the city, and I am pleased that in the mayor's, in the final adopted budget we continue to fund 2-1-1. And that was another reason why it was terribly important to fund the safety net in this budget cycle. And the good news is, 2-1-1 does great work. The bad news is we're having to turn too many people away who are calling and saying that they have hungry child or unsheltered or what have you so in addition to supporting your good work, I think that we ought to send a shout out to the public to say, this is a desperate situation and this is a time to write a check to your food bank or donate food or clothing because your operators do a wonderful job but we don't have the resources to meet the need right now. And then just a little plug for liesl, an award-winning documentary team, has spent the last year filming her operation and actually tracking some of the families that they serve. And they have done a rough cut of a film called american winter. Which is going to tell the story of 2-1-1 and how it is making difference in people's lives. So, congratulations on that. Aye.

Adams: Good job. Thank you for your partnership on this. Aye. [gavel pounded]

Adams: So approved. Can you please read the title for 814. 815. Forfeiture.

Item 815.

Adams: Hello.

*******:** Good morning, mayor.

Adams: Good morning, and welcome back.

Eric Hendricks, Assistant Chief, Portland Police Bureau: I am assistant chief eric hendricks, good morning, mayor Adams and commissioners. And thanks for the opportunity to address council today on this proposed ordinance. In 2010, the legislature enacted a new state civil forfeiture law, ors131a that created procedures and rules to seize and forfeit property that represents profits and/or proceeds of crimes. The state law pertains only to drug crimes but contains a provision that allows local governments to expand forfeiture to additional crimes. In june of last year, the council passed an ordinance that added prostitution related offenses to crimes where the

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city could seek to seize profits and the proceeds. Commissioner Saltzman was the initiator of this ordinance. And we know from commissioner Saltzman that his intent of the ordinance was to seize profits from prostitution related crimes and apply those funds for the services of victims of prostitution. Last year at our request, through the legislature, the state forfeiture law to allow local governments to use forfeited funds to pay for drug treatment cost pass. This change in state law allows the police bureau, for the first time, to use seized funds to assist in this year's budget for the downtown service coordination team drug treatment programs. Unfortunately, the funds we seize every year will not provide for the entire cost of the service coordination team treatment programs. The bureau believes that adding a money laundering ordinance to the state asset forfeiture law will provide additional help to the, to defray costs of the service coordination team drug treatment programs. We thank the council for your support for the service coordination team, and look forward to the continuation of this important program that has helped to reduce crime in our downtown neighbors. Thank you.

Adams: Questions from the city council? Go ahead.

Saltzman: I am just curious to know with respect to the forfeiture of assets related to prostitution, how much, how much resources have found its way to, to support some of our programs for women?

Hendricks: Mayor Adams, commissioner, I anticipated this question as I was walking over to council today, and unfortunately, I don't have the answer. I would guess it would be relatively small. The cash, on the suspects, is usually in the hundreds to perhaps few thousand dollars, but I can get you those figures.

Saltzman: Do we expect forfeitures related to money laundering to be much larger source of forfeiture dollars?

Hendricks: Yes. Money laundered crimes usually come from white collar crime case, real estate fraud, and crimes related to the distribution of controlled substances. One example in march of this year, officers from the drug advice division spoke to a gentleman getting off an amtrak train at union station. And, following the consent search we found nearly 200,000 in his luggage related to the distribution of controlled substances. The evidence was not strong enough to arrest that person for the distribution of controlled substances, but we did make an arrest for money laundering. Many times those cases are related to the federal government, through the dea or the fbi or the irs. But, in some cases, they are not. And when they are not adopted by a federal agency, the adding of the ordinance would allow the police bureau to seize those funds and if, if the appeals process is, the city, is successful in the appeals process, those funds go into the state asset forfeiture account, and we can bring those next year to the cost of the service coordination team.

Saltzman: So I would like to know as we move forward if money laundering forfeiture assets are, you know, sufficient for service coordination teams. I guess that would beg the question, can some of those moneys then go towards prostitution victim services. So, I think that's something that I would like to follow-up on and update us maybe in six months.

Hendricks: I can get you that information. It's certainly worthy of a discussion.

Saltzman: Yeah, ok. Thanks.

Fritz: Following on from that, thank you, I would like to see that as a line item in next year's budget, the proceeds from all the ordinances that we gather money from because the ordinance before us doesn't talk about directing it particular to the service coordination team nor the prostitution services that we do. It just says for law enforcement purposes. Since that's clearly the legislative intent, I would like to know when doing next year's budget how much is specifically dedicated, we have available to them the council making the choices of which law enforcement purposes to use this particular pot of money.

Hendricks: We can do that.

Fritz: Thank you.

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Adams: Any other discussion from council? Anyone wish to testify on this matter? Karla, can you please call the vote.

Moore: This is a non emergency.

Adams: Moves to second reading and further council consideration next week. [gavel pounded]

Adams: Can you please read the title for emergency ordinance item no. 816.

Item 816.

Adams: Welcome back.

Mark Kruger, Captain East Precinct, Portland Police Bureau: Good morning, mayor, and commissioner, I am mark kruger, the captain of the east precinct. This ordinance as read will amend the contract to provide an additional \$100,000 to city funding to continue our relationship with lifeworks northwest in our prostitution coordination team. The Portland police bureau and our prostitution coordination team can be very effective at arresting and interdicting prostitution crimes.

However, without this, the assistance of life works, to provide the social services, that the, the prostitution victims require in order to work themselves out of the lifestyle, we are not affective in addressing the overall problem, and lifeworks has provided us with substantial support in addressing our prostitution issue in the city of Portland. Presently, during the course of our relationship with lifeworks northwest, between november of 2008 and march of this year, they have seen and treated 173 women, and assisted them in moving out of prostitution. And we request this be supported to continue that good work, and help to reduce the prostitution problem in the city.

Adams: Questions from the council.

Saltzman: What was the time period?

Kruger: We began in november of 2008, and presently through march of this year. It's 173 individual women have been treated.

Adams: Amazing work.

Saltzman: Yep.

Adams: All right, does anyone wish to testify on emergency ordinance 816? All right, Karla, please call the vote.

Leonard: We have somebody.

Adams: Yeah. All right. You can go ahead.

Mary Eng: Thank you very much for this work. This is impressive to me, one thing I thought I would bring up as an alternative way to look at issues of sex work are in sweden they have criminalized the purchasing of sex work, and they found a dramatic reduction in sex sales on the streets. And it's a very novel in terms of analyzing how netherlands deals with it and sweden deals with it. One of the pitfalls of sweden's approach is that it says to push sex sales off into the periphery where people leave the municipality go outside and they often engage in riskier behaviors with more demanding clients who have a propensity for violence. But the more that we can do to encourage international comparative law and looking at ways to really assess this, I think this falls direct with the problems that the dna evidence for a rape crime and what we're doing to analyze that because often, the sex workers are victimized by, by theft and rape and domestic violence, so I thank you very much for your work and I would love for you to, to look at sweden's approaches towards reducing that because any kind of impairment in that regards is an impairment on women's abilities to proceed, and participate in government and education and their human rights. Thank you.

Adams: Karla, please call the vote.

Saltzman: I am very pleased to support this ordinance. Lifeworks has been, as was noted a critical partner in the Portland police bureau's prostitution coordination team. If not for lifeworks, adult trafficking victims would not be getting the services or the connections that lifeworks can provide. Such as housing and service partnerships with join. Lifeworks has been a strong piece of the anti-

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trafficking continuum. That spans from serving children to young adults and onward. So I appreciate chief reese and the mayor for making this happen and pleased to vote aye.

Leonard: I think it's probably important to remember that there was quite a showdown, if you will, in 2008 over this approach versus prostitution-free zones. And I and others felt strongly that the prostitution-free zones moved it from the area being targeted to another area. It did not resolve prostitution, so I appreciate greatly the embrace of the council to this approach which gets to the core root of the problem and helps treat women who are the victims in prostitution so they can find another way to lead their life. And I appreciate the work you captain kruger and our police bureau have done on this issue. Aye.

Fritz: I also appreciate the partnership, \$240,000 is funded with \$140,000 grant from the u.s. Department of justice, and 100,000 which the council appropriated as a special appropriation from the general fund in this fiscal year. And I thank all the women who wrote in during the budget process telling us their personal stories of how lifeworks has helped them to, in their recovery process. That made a huge difference, and I think that it's one of the reasons that we are able to pass this ordinance today. Clearly we have more today, and I appreciate mary eng's discussion. We did make some changes in the legislature, and last year, and more need to be made and there is more that we can do to make it clear that this is a crime, this is not a, something that we should be taking lightly and, it's not -- it's something that the city council is committed to solving the issue of sex trafficking. Human trafficking in our community. Pleased to vote aye.

Fish: Aye.

Adams: Well, I want to acknowledge the work over years that have led up to the renewal of this contract, as, as both commissioner Saltzman on his work on human trafficking issues, has been years in the making, and also commissioner randy Leonard. He mentioned a little bit about his work to add more services and to the victims of human trafficking, and to change working with, with commissioner Saltzman to change the city's approach, that has yielded real results. Not only for the neighborhoods in which this problem has plagued the city, but also, for the victims and the families impacted by it, so really, I want to take this opportunity to thank you both for your great work on this. And the police bureau that, that we have got, I think, one of the most dedicated, passionate group of folks working on ending the crime of human sex trafficking, I have ever seen. It's really very inspiring so thanks for your work. Aye. [gavel pounded]

Adams: So approved. Read the title for item no. 817. Emergency ordinance.

Item 817.

Adams: Welcome.

Thomas Lannon, Director, Revenue Bureau: Good morning, mayor and city council. I am Thomas Lannon, director of the revenue bureau.

Adams: Director Lannon welcome back.

Lannon: Thank you. Karla, there are some documents that we had provided earlier. There are two reports coming up to you shortly. One of them is the capture of the feedback that we received about the downtown business district. It's the thinner of the two. The covers look very similar. The second report is a thicker report having to deal with the final recommendations that we are bringing forward today. And joining me today are lynnae berg of clean and safe and also terri williams, my license and tax division manager. In april of 2011 city council passed resolution 36857 directing the revenue bureau and clean and safe to evaluate the costs and benefits of district expansion and to review the formula used to calculate the fee assessed on the condominiums in the district. And we have completed that work. The bureau invited nearly 10,000 stakeholders to participate in a broad public process to review district expansion, and the condominium fee formula. Approximately 500 people chose to participate. The bureau held focus groups, solicited written feedback and conducted targeted polls for people living within the district. The results of the feedback received are captured in the report before you, the thinner of the two, and pages six and seven you could see

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some of the poll results that we received regarding the district, and I would draw your attention specifically to figure 8 on page 7, which gets into talks about the fee formula and whether people would support a simplified fee formula based on a rate per square foot versus the, the current fee formula. So you could see that people were very split on that issue. The focus groups also made it very clear that the views were not only pervasive against joining the district, but that they were also very deeply held. We also heard from stakeholders that they wanted to simplify the fee formula. The council's direction last year was to maintain the current contribution level paid by existing condominium owners so any changes to the fee formula will be a reallocation of the fees paid between the various condominiums. So, given that limitation, there was a, no clear consensus as to how to simplify the fee as you could see from the results in the report. So, for these reasons, we're recommending that the district not be expanded at this time, and we're recommending that, the condominium fee calculation remain as it is. So, the ordinance before you today really concerns number of housekeeping changes that Terri Williams can walk you through, the two principal ones being the changing from the downtown business district to -- correction, what's -- enhanced services district called the clean and safe district, and recall we have two such enhanced service districts. The Lloyd district, and we have the downtown, current name of it is the downtown business improvement district. So Terri will walk you through some of those changes.

Terri Williams: Good morning and thank you, Terri Williams. The -- as we said, a number of housekeeping changes. One of the most important and the reason for the emergency ordinance is the changes that are being made to the CPI calculation. That's the consumer price index calculation. And the way it's written now, number one, the numbers are no longer published by the Bureau of Labor and Statistics. So, that's the first problem. Two, the city council, on previous ordinance approved three years of zero CPI increases, and so we have to set that calculation at where it is to incorporate the three years of zero increases, and restart it again to get back on track with the CPI calculation, so, those are some of the main -- we have to do that now on an emergency because we have to send out bills on August 1. Which is only few weeks away, so we need the new CPI calculation language in code in order to do that. Of the other change to the CPI calculation is providing the clean and safe board with an opportunity to request that council set a CPI calculation different than what it would normally set out so that's a new process. So those are, in my opinion, some of the critical changes that are going into this housekeeping and probably more than that. In those areas. And additionally, some of the other changes include correcting some name changes that haven't been corrected in 10 to 15 years, so the Bureau names the change. Again, as Thomas mentioned, changing the name of the downtown district to the clean and safe district. That's something that they are trying to, to identify and market that out so we want to have that reflected in their portion of the code. Additionally, to, we need to change a lot of our administrative processes because we're not doing things exactly as the code says so we want to get those in alignment. And other grammar errors. And we need to clarify the due dates for the Lloyd business district. Because it came in after and kind of picked some different times to make, make those billings out, they don't match with the downtown but we want their section of the code to reflect what is, actually, the billing dates and the due dates for them. So, that's kind of the summarization of the code changes before you.

Adams: Questions from council? All right. Ms. Berg.

*******:** Good morning, Mayor Adams and members of the council.

Adams: Can you push your button on. There you go.

Lynnae Berg, Executive Director, Downtown Clean and Safe: Good. Good morning, Mayor Adams and members of council. I am Lynnae Berg, executive director of clean and safe, and I am a, appearing on behalf of clean and safe in the Portland business alliance. I want to thank and compliment Director Lannom and the Bureau of Revenue staff for their thorough and professional work bringing there ordinance before council. In February of 2009, council adopt changes to the

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clean and safe code to ensure that all recipients of clean and safe services contributed equitably to providing those services. And in response to the community input, the council at the time asked that the clean and safe board of directors and the board of revenue examine two questions. Potential expansion of the district, and potential changes to the clean and safe fee formula as it relates to condominiums. And the clean and safe board has worked with the bureau to examine both these questions in detail over the past year. We have provided the bureau and stakeholders with cost estimates for providing services in the potential expansion areas, attended meetings with stakeholders, and answer questions, and facilitated meetings and discussions among condominium owners. The bureau of revenue has conducted extensive outreach to both the potential expansion area and to condo owners within the district to gauge opinion on the questions of expansion and potential changes to the fee formula. We believe that the process that the bureau undertook was very inclusive, open, and incredible. The clean and safe board does not think that there is sufficient support in the potential expansion area to justify moving the district boundary. We also do not believe that there is sufficient consensus among condo owners within the district to make changes to the fee formula. We support the proposed changes to the ordinance to clean up our archaic language and to officially change the name of the district to clean and safe. Thank you for your time and consideration of this ordinance. On behalf of the clean and safe board of directors I would like to again, thank director lannom and his staff for their hard work.

Saltzman: Thank you. Any questions from council? Ok. Do we have anybody signed up to testify?

Moore: We have two people who signed up. Please come on up.

Saltzman: Welcome. And if you can just give us your names, and you will each, have three minutes. And there is a timer right in front of you on the desk.

Sam Sadler: I am sam sadler, I live in a condo of, in the Portland plaza, which is in the current district, and I am speaking on behalf of myself, not the condo association. And in funding the downtown business improvement district the city extract fees from downtown property condo owners to support private businesses through the Portland business alliance and the clean and safe program. The documents before you do not discuss the fairness of the current formula or the alternate formula. They recount the elements. They say that there is no consensus, not a matter consensus but a matter of equity and policy. The final recommendation without justification endorses the continuing current unfair funding formula. One problem with the council's directive is the formula remain revenue neutral, enshrines the direct subsidy to downtown businesses by condo owners. And if the fee were based on services received by the condos, the total collected from the condos would not meet that detective. And why should any condo owner help to pay 95,000 to the downtown retail marketing program, and including fashion week, and pay 195,000 for sidewalk ambassadors, and we can find our own way around downtown, and pay 182,000 for a substantial portion of the salaries of two lobbyists of the Portland business alliance, and 138,000 for the other staff. Plus \$50,000 to subsidize the Portland business alliance, and the current formula is arbitrary, as it applies to condos, look at the elevator element of the fee is based on the assumption it captures a number of staff and customers entering a building as a surrogate for how many people are used, use the property in a day. But there is no comparison between the limited number of residents in the Portland plaza, and the number of customers shopping at downtown retail stores. There is a large discrepancy between Portland plaza condo owners pay and what the business owners who receive the benefits pay. And I note that in 2011, the condo owners of the Portland plaza had property taxes of \$655,000. That was twice nordstroms property taxes. As for the business assessments, the plaza paid almost \$37,000. And nordstroms paid \$19,000 and macy's paid a little over \$20,000. That is simply unfair for a downtown marketing program. If the city requires condo owners to continue to subsidize businesses, the rate for condo owners, it should be based on the square footage of property. It's arbitrary, and convoluted system that the city now uses, it would

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create the least disparity among those who have to pay since the city claims it as not a tax, the ability to pay is not relevant. Finally, the city created this fee to fund a business improvement district. The emphasis is business. Proposing to change the name to clean and safe district hides the intent of the fee and discredits the legitimacy of the city's actions. The city is trying to hide the fact that we pay for business marketing, such as fashion week and the ambassadors and the huge subsidy of the Portland business lobbyists and other staff. Thank you.

Ira Gottlieb: Thank you. My name is ira gottlieb. I am a retired attorney, and also a condominium, own a condominium in the Portland plaza, which is in the downtown business district. I would like to just make two points for the council's consideration. First, times change. Community needs change. We no longer can rely on precedent. To determine if a fee is, in reality, a tax. Recently the u.s. Supreme court ruled that a penalty fee is to be considered a tax, which therefore, makes the affordable care act constitutional. The downtown management fee, in my opinion, is also in effect a tax notwithstanding the illogical tortured reasoning implied by the Oregon tax court. In 2009, the Oregon tax court recognized that the management fee was not a tax, although it had to admit that previous case law did not involve issues presenting the effect if any of the condominium form of ownership when the question was raised whether the effect, if any, of the condominium form of ownership was a tax for purposes of measure no. 5. That's old town lofts versus the city of Portland. And we have the strange result that commercial enterprises can take the fee as a business expense, reducing their taxes, but a fix income condominium owner who must ultimately pay the fee is precluded from doing so. This is unjust, inequitable and unfair. I note that the property management license program handbook says that since 1988, the fee has kept the city center vital, and attractive to business, shoppers, and visitors. Not so for condominium homeowners. As this fee, the loss of fareless square and various bond measures coming up this fall may force many middle class downtown condo owners to leave the core area. And make living in downtown impossible. It is just another nail that's being hammered into the coffin making Portland housing a place for only the very wealthy, the very poor, and the homeless. Fairness and equity can only be obtained if you recognize that home owners should not be taxed to subsidize the business community. And if a fee must be imposed, it not be one that is convoluted, but one that is simple, that everyone can understand. Thank you.

Adams: Thank you both. Anyone wish to testify? Unless there is additional discussion from council, Karla, please call the vote.

Saltzman: Aye.

Leonard: Well, I do want to make a couple of observation, the first, is I am really very pleased to see lynnae berg working back to the city with all the great years experiencing they are very lucky to have you. And I do think it's important to just, for moment, to acknowledge some of the arguments that were made. So, those that made them may not be pleased with my comments, but I hope that you think about them. And I had an opportunity to look at downtown areas throughout the united states. Portland is pretty unique in that we have such a vibrant downtown. And to somehow segregate visitors and shoppers and businesses from those who live downtown, I think, is misleading. I have also got the opportunity recently to begin looking at various housing opportunities in the city. And because I plan to downsize where i'm living. And let me assure you, if you choose to sell your condominium because you don't like the fee, you are going to do rather well. There is no place in the city where the housing prices are higher than in the core area. I know that from as recently as last night. That's directly tied to the vibrancy of downtown to the number of shoppers downtown and the security provided by clean and safe downtown. The downtown core area that is portland provides a level of services and opportunities for residents that are unparalleled in large cities throughout the united states. And it isn't just because clean and safe, I think that has to do with a lot of different efforts, service coordination teams, is a factor, and the economic health of the city via the efforts of the Portland development commissioner and mayor Adams and others

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certainly is a factor, but I would not underestimate the impact clean and safe has caused if not directly, at least indirectly for those who choose to reside downtown. I considered downtown an option for myself in the future. Simply because of those facts. And there are cities I would not live in a core area downtown. I'm pleased to say with no advantage one way another agreeing or disagreeing with anything I'm saying this downtown I would live in if I could afford to do so. I think that is largely due to the housing prices downtown to the attractiveness of living in an area that provides the security, the magnet for people from all over the region come here to shop and recreate. I appreciate the work of clean and safe, I appreciate the work of thomas, lannom, and I can see he was disappointed in this outcome. I learned almost 20 years ago in the legislature that, people agree taxes need to be levied but the fairest tax are that somebody else pays, and therein lies our problem here in Oregon on number of levels from education to what we're discussing here today. But, I think that there are a lot of people that benefit from these services who don't pay their fair share and I think there are more that ought to be included in the mix. I am clearly not in the majority on that front. So thank you again for your work. Aye.

Fritz: I also appreciate the work of clean and safe and of the revenue bureau. When this issue was raised last year the bureau was in a huge amount of controversy and it looked like we were going to have a city council hearing with both chambers packed and lots of folks on one side and lots of folks on the other side. The numbers regarding the fee 115 in favor of changing it and 117 against changing it. Those are very even and the study shows it was entirely based on whether the voters would have paid more or less as commissioner alluded to. I think it's probable that there could be a fairer or different assessment. There has been a really good public process on this, and I appreciate that above all, because this is an important service that's being provided not only to businesses and residents from elsewhere, visitors, also for those downtown. The downtown neighborhood association's calendar that they gave us this morning during citizen communications and thanks to the office of neighborhood involvement and neighbors west/northwest for producing this beautiful calendar. It's evidence of what commissioner Leonard just alluded to. It's obvious our downtown is not only a great place to visit for those coming in from the suburbs or from the outreaches of Portland. It's a wonderful place to live. And part of that is due to the clean and safe, portland business alliance and indeed the residents of the condominiums and the apartments downtown. We share our downtown space, and we work really hard to make sure everybody is heard, everybody has a place, is honored. We don't always succeed but we keep trying. I appreciate the concerns. This is something that does get renewed periodically. We're not done just because we're doing this particular decision. I appreciate the fact that there's been a good public process and we've come to a fair degree of consensus not unanimity. Aye.

Fish: I appreciate the eloquent remarks of my colleagues and just want to note that, in addition to the things randy identified as contributors to a vibrant, healthy downtown, i'd be remiss if I didn't remind the public that we're also making substantial investments, public and private, in parks and affordable housing. Director park, elizabeth crothers park, the fields, three magnificent parks that are the envy of people living in other parts that don't have the benefit of living in an urban renewal district. And also this council has invested substantial funds in preserving affordable homes for people to precisely address the concerns of one of our testifiers that downtown not become just a place for the rich and poor. That is at the heart of our preservation agenda and it will be guiding in parts of our newest urban renewal district. I want to add those as factors which we think also contribute to a livable downtown. Anyway, I appreciate the good work of the revenue bureau and the consultations they've done with us, each of us individually, and i'm pleased to support this. Aye.

Adams: To thomas and his team, thank you all very much. You're appreciated. The Portland business alliance, thanks for your work on this. I'm glad to get it done. Aye. So approved. Please read the title and call the vote for item number 818.

Item 818.

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Adams: If I could, just by way of privilege, i'm meeting with some of the folks that testified on friday and, if i'm convinced by their arguments, I will come back with refinements and additional amendments, but I want to get this on the books, and I want to get this reform, as it's being described to us, on the books. But I am willing to look at further changes after I talk to folks.

Saltzman: I also have met with several limousine owner/operators, and I think they make a case, that they should not even be under the private for-hire boards, scope, and jurisdiction, so i'm glad the mayor will be meeting with those folks as well, and that is something I am interested in looking at further, but these ordinances are not that issue at this time. Aye.

Leonard: Aye.

Fritz: This is a good thing. It provides a permit exemption for medical trips coming from long-distance locations. We do need an exemption for those types of needs. I also am interested in looking at the round-trip issue versus the one-way pick-up, dropoff. My staff and I looked into the legalities that were raised at the hearing and it will be open to reconsideration. At this point I support it. Aye.

Fish: Aye.

Adams: Aye. So approved. Please read the title and call the vote for 819.

Item 819.

Saltzman: Aye.

Leonard: Aye.

Fritz: I note that there is an exemption process which some of the company representatives I spoke with were not aware of so that there is a provision for appeals when a vehicle is still in good condition that the requirement can be waived. Aye.

Fish: Aye.

Adams: Aye. So approved. Please read the title and call the vote, second reading, item 820.

Item 820.

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

Adams: Aye. So approved. We're adjourned for the week. Oh, i'm sorry. We're unadjourned. We had something pulled.

Item 796.

Adams: Welcome.

Rich Eisenhauer, Bureau of Transportation: My name is rich eisenhauer, the Portland bureau of transportation. With me today is bernie bottomly of the Portland business alliance. The ordinance in front of you is to create a pilot program to look at certain area-managed placement and placing boxes. The purpose of this agenda -- it's one of the objectives of the sidewalk management plan and objective of the bus and light rail mall. The proposed pilot is to install would be three to five publication boxes in the high-pedestrian areas in the mall loops surrounding pioneer courthouse square. We're working with all the adjacent business owners in that area as well as pioneer courthouse square and portland parks and recreation on the placement of the boxes. The money, pbot has up to \$20,600 to spend for this project. The money's coming from the 2009 ordinance on the enhanced mall and loop project that goes to spend on maintenance, cleaning, and security. We're working with -- it's a partnership with pba. Pba will be working on the purchase, installation, and maintenance of these boxes. Bernie can speak more details about our partnership with the pilot program. It's a one-year pilot. We're looking at the end at how well they're used and the feedback from the publications, the cost to manage the boxes as well as the success of managing useful sidewalks in this district.

Bernie Bottomly: Mr. Mayor, members of council, bernie bottomly with the Portland business alliance. The objective here is to set up a one-year pilot project to see whether we can establish newspaper boxes or publication boxes, i've been told we're supposed to call them, where we can manage the proliferation of the stand-alone newspaper boxes in high-traffic areas of downtown.

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We've met with the local editorial content newspapers multiple times to have conversations about the kinds of things that they would like to see in this program and sort of the basic requirements that they have for continuing to distribute their newspapers. We sized the project so that all of the current stand-alone boxes on the corners around pioneer square will be accommodated in the new congregate of box facilities, so we won't have to make any decisions about who gets to stay and who gets to leave. We've accommodated everybody in those locations, including the noneditorial content papers. We've talked to all the property owners adjacent to where the boxes will be installed and have agreement from them. Actually enthusiastic support for taking this approach to try to manage the proliferation and the visual impact of the boxes. The alliance has agreed to take on the maintenance of the boxes, so our normal clean and safe graffiti-abatement crew and others will be responsible for making sure the publication boxes stay in good repair and free of graffiti. Our hope is to have a really nice-quality experience for folks who are using the publications. And then we'll also ensure that empty spaces don't become receptacles for garbage or drug paraphernalia, a problem we have with some of the boxes downtown. We'll keep track of how distribution of papers is going, how the boxes are being maintained. At the end of the year, we'll get together with the newspaper folks again and see whether it's worked for them. Have they maintained or increased circulation and would they be interested in potentially expanding the program? There are a series of issues that would come up at that point about how to expand the program and how it would be paid for and so forth, but initially we're just testing to see whether this idea of congregate boxes works for everybody.

Fish: Is this similar to what you see in other cities like new york where within the [inaudible] there's uniform boxes that are carefully placed?

Bottomly: Yes, it is. There are quite a few large cities that have these different boxes. There are different models for how they're managed. In a lot of cities, the major daily newspaper is the owner of the facility, and they lease it back to other publications. Lot of those are legacy arrangements from years gone by. We just didn't have that kind of dynamic here, so we agreed obviously with the generous partnership of the city to begin the process by purchasing.

Fish: I notice a lot of the boxes around town, either the paid or free papers run a little insert on the front to advertise what's in that edition. How do you accommodate that or how would you address that under this model?

Bottomly: Well, we won't accommodate advertising on the exterior of the box. It will be -- the window for the newspaper will be the newspaper's opportunity to advertise itself to the world. Additionally, with some language I think the mayor will offer, we will have the newspaper's name printed on the side and the front of the box in the script type that is their mast head.

Fish: I think I got one e-mail on this. I believe it was from "willamette week" saying what they had no objection. I guess it raises the question have any of the publications that would be part of this pilot objected to the one-year pilot?

Bottomly: No. They haven't objected to us.

Adams: Boy, you really know your newspaper boxes.

Saltzman: I think this is great and long overdue, so i'm glad to see that everything's aligned to make it happen. But I guess why is this just a one-year pilot? Why don't we just do it for the pioneer square area and then decide whether it expands or not? It seems like it's long overdue. It will look more appealing visually.

Bottomly: I think -- you know -- baby steps. There's been concern from the publications about how the process would work and who would control what papers go in, and so there's always the issue of how you manage it and will it work. Because the model doesn't have things like the color of the box, a lot of the newspapers, their perception that is the color of the box is the thing that people recognize, so there's been some concern that, if you don't have that color, people won't search out your publication. So it's in part to make sure that it works for the newspapers as well.

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Adams: So the amendment -- go ahead.

Fritz: I'm very pleased to hear that clean and safe are going to be maintaining the boxes. I'm very impressed with how the workers get tens of thousands of graffiti tags off every year, so this is a warning to taggers who might be thinking they'll be able to put their mark on these boxes. It will be off within 24 hours, i'm confident. That's another reason for this pilot I believe. Has there been consideration for people who are in wheelchairs or otherwise height-challenged?

Bottomly: That's a great question. I haven't researched that personally. My expectation is that the vendors who are distributing the congregate box facilities nationwide have engineered them so that -- I think the top handle on the maximum height of the box is four feet. So the top handle for publication would be somewhat under four feet. I think, for most folks, that will be accessible.

Fritz: Thank you. I appreciate that consideration. Essentially it's a condo for publications. Will there be rotation of which ones get to be on top and which ones --

Bottomly: Well, we had a discussion with the newspapers about whether they'd like to sort of rotate. The upper left-hand corner is kind of perceived to be the ideal spot, and I think the consensus was that they'd rather be in the same place so that people learn that's where they go for that publication in the box.

Fritz: Thank you very much, and I appreciate that it has been a topic of discussion at our public sharing sidewalks, good discussions that we have regulated and that you have participated in. I want to commend warren jimenez who's been very diligent about looking into all the freedom of speech issues and other considerations I know you've been very diligent about also so thank you.

Fish: It's the second or perhaps third time warren has been celebrated today. Do we have a salary renewal block coming up?

Adams: Commissioner Leonard, do you have any detailed questions?

Leonard: They've been covered three times over.

Adams: Want to thank warren jimenez? [laughter]

Leonard: I think warren's great.

Adams: He is great. I must say i've been working on this issue since the first week I set foot in this building. I was chief of staff. I'm really pleased that warren was the chief of staff that really brought this over the line with the help of rich and christina and everyone in the bureau of transportation. I move the following amendment that went out on the july 10th memo that says no third-party speech will be allowed on the exterior on any of the collocated publication boxes, however, for each collocated box the publication to whom the box is assigned may display the information of its choice limited to one display of information of no more than four inches in height on each of the following sides, the front, side, and door of the collocated publication box.

Fish: Second.

Adams: Moved and seconded. Please call the vote.

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

Adams: Aye. This is an emergency. Right? Do we need testimony on this matter?

Moore: It's not an emergency. We do have one person signed up, though. Crystal elinski.

Adams: She's not here, so council will consider this next week for a vote. We are adjourned.

At 11:20 a.m., Council adjourned.