



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 27TH DAY OF MARCH, 2013 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5.

OFFICERS IN ATTENDANCE: Susan Parsons, Acting Clerk of the Council; Tracy Reeve, Chief Deputy City Attorney; and Steve Peterson, Sergeant at Arms.

On a Y-5 roll call, the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
247	Request of Josaiah Naylor to address Council regarding scientific accuracy in the timing frequency of the community (Communication)	PLACED ON FILE
248	Request of Greg Madden to address Council regarding involvement with the Portland Development Commission (Communication)	PLACED ON FILE
249	Request of Carol Van Dyke to address Council regarding support of our homeless brothers and sisters and suggestion to help (Communication)	PLACED ON FILE
250	Request of Megan Kender to address Council regarding Tri-Met Youth Passes (Communication)	PLACED ON FILE
251	Request of Pele Warnock to address Council regarding City Budget and youth programs (Communication)	PLACED ON FILE
TIMES CERTAIN		
252	TIME CERTAIN: 9:30 AM – Accept Commissioner-in-Charge and Portland Police Bureau annual report regarding the Portland Police Bureau participation with the Federal Bureau of Investigation Joint Terrorism Task Force (Report introduced by Mayor Hales) 1 hour requested Motion to accept the report: Moved by Saltzman and seconded by Fish. (Y-3; N-2 Fritz, Novick)	ACCEPTED

March 27, 2013

<p>253 TIME CERTAIN: 10:30 AM – Amend the Arts Education and Access Income Tax code to add a definition for income-earning resident and include in the definition that a resident must have income of at least \$1,000 to be considered income earning (Ordinance introduced by Mayor Hales; amend Code Chapter 5.73) 30 minutes requested for items 253 and 254</p> <p>Motion to amend directives to make the appropriation in the Spring BMP: Moved by Fish and seconded by Fritz (Y-5)</p>	<p>PASSED TO SECOND READING AS AMENDED APRIL 3, 2013 AT 9:30 AM</p>	
<p>254 Direct the Revenue Bureau to study the Arts Education and Access Income Tax and bring recommendations for improvement for the 2013 tax year and beyond (Resolution introduced by Mayor Hales)</p> <p>(Y-5)</p>	<p>37007</p>	
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Charlie Hales</p> <p>Bureau of Environmental Services</p> <p>255 Authorize a contract for the construction of the SW Capitol Hwy and SW Vincent Place Sewer Replacement Project No. E10300 at an estimated cost of \$983,800 (Ordinance)</p>		<p>PASSED TO SECOND READING APRIL 3, 2013 AT 9:30 AM</p>
<p>256 Authorize contract and provide payment for construction of the SE Oak St Sewer Replacement - SE 10th Ave to SE 18th Ave Project E09095 at an estimated cost of \$2,000,000 (Second Reading 237)</p> <p>(Y-5)</p>	<p>185936</p>	
<p>Bureau of Planning & Sustainability</p> <p>257 Authorize the City Attorney to intervene on behalf of the City of Portland in Oregon Public Utility Commission rate case UE 262 (Resolution)</p> <p>(Y-5)</p>		<p>37005</p>
<p>258 Accept a Grant Intergovernmental Agreement in the amount of \$80,000 from the Metro Regional Government for administration of the City Master Recycler Program in FY 2013-2015 (Second Reading Agenda 239)</p> <p>(Y-5)</p>	<p>185937</p>	
<p>Bureau of Transportation</p> <p>*259 Authorize a contract with the lowest responsible bidder for the NE Prescott Sidewalk Infill project (Ordinance)</p> <p>(Y-5)</p>		<p>185938</p>
<p>*260 Authorize a contract with the lowest responsible bidder for the SW Vermont-Illinois Neighborhood Greenway (Ordinance)</p> <p>(Y-5)</p>	<p>185939</p>	
<p>*261 Accept a grant in the amount of \$76,000 from the Oregon Department of Transportation for OR99W: N Victory Blvd - N Argyle St and authorize an Intergovernmental Agreement (Ordinance)</p> <p>(Y-5)</p>	<p>185940</p>	

March 27, 2013

Office of Management and Finance		
262	Status Update Report on Private For-Hire Transportation Program Permits and Reforms (Report) (Y-5)	ACCEPTED
*263	Authorize an Intergovernmental Agreement with State of Oregon for the maintenance and repair services of State of Oregon vehicles (Ordinance) (Y-5)	185941
*264	Authorize limited tax revenue refunding bonds (Ordinance) (Y-5)	185942
*265	Change the salary range for the Nonrepresented classification of the Parks Turf Maintenance, Irrigation and Equipment Supervisor (Ordinance) (Y-5)	185943
*266	Increase contract with McBride Architecture, P.C. by an additional \$7,640 to provide additional architectural and engineering services for The Portland Building 14th Floor Roof and Penthouse Stucco Replacement project (Ordinance; amend Contract No. 30002480) (Y-5)	185944
Office of Neighborhood Involvement		
*267	Authorize nine grant agreements totaling \$33,519 for Neighborhood Small Grants within the target areas of East Portland Neighborhood Office and North Portland Neighborhood Services (Ordinance) (Y-5)	185945
Portland Housing Bureau		
268	Approve and terminate Homebuyer Opportunity Limited Tax Exemptions (Resolution) (Y-5)	37006
Water Bureau		
269	Authorize a Collection Agreement with U.S. Forest Service to contribute to the removal of the Sandy River Delta Dam as part of the Bull Run Water Supply Habitat Conservation Plan (Ordinance)	PASSED TO SECOND READING APRIL 3, 2013 AT 9:30 AM
270	Authorize Intergovernmental Agreement with the Oregon Department of Geology and Mineral Industries to conduct a landslide study of the Bull Run watershed (Ordinance)	PASSED TO SECOND READING APRIL 3, 2013 AT 9:30 AM
REGULAR AGENDA		
271	Support the efforts of the Timbers Army and supporter groups to retain trademark rights to the Cascadia Cup (Resolution introduced by Commissioners Fritz and Fish) 10 minutes requested (Y-5)	37008

March 27, 2013

Mayor Charlie Hales Bureau of Development Services		
272	Amend Bureau of Development Services Land Use Services fee schedule to establish a fee for the new Type I Historic Resource Review (Second Reading Agenda 235) (Y-5)	185946 AS AMENDED
Bureau of Police		
*273	Extend a contract with Cascadia Behavioral Healthcare, Inc. not to exceed \$40,881 to provide for additional staffing (Ordinance; amend Contract No. 30002518) (Y-5)	185947
Bureau of Transportation		
274	Create a local improvement district to construct street, sidewalk and stormwater improvements in the NE 52nd Ave and Alberta St Local Improvement District (Hearing; Ordinance; C-10045)	PASSED TO SECOND READING APRIL 3, 2013 AT 9:30 AM
Office of Management and Finance		
*275	Increase contract with Carleton Hart Architecture, PC by an additional \$13,340 to provide additional architectural and engineering services for the Police Facilities Roof Replacement project (Ordinance; amend Contract No. 30002200) Motion to revise ordinance finding 5 to correct budget fund name to Police Major Maintenance Facilities: Moved by Fritz and seconded by Fish. (Y-4; Saltzman absent) (Y-4; Saltzman absent)	185948 AS AMENDED
*276	Amend contract with G4S Secure Solutions USA, Inc. to renew contract and increase contract by \$1,625,676 to provide for uniformed security officers services (Ordinance; amend Contract No. 40997) Motion to strike ordinance finding 16 regarding Procurement Officer authority: Moved by Fritz and seconded by Novick (Y-3; Fish and Saltzman absent) Motion to strike ordinance directive b. related to the previous motion: Moved by Novick and seconded by Fritz. (Y-4; Saltzman absent) (Y-4; Saltzman absent)	185950 AS AMENDED
277	Grant a franchise to Lucid Energy, Inc. for a renewal energy project in conjunction with the Water Bureau for a period of 20 years (Second Reading Agenda 159) (Y-4; Saltzman absent)	185951
FOUR-FIFTHS AGENDA Mayor Charlie Hales Office of Management and Finance		

March 27, 2013

***278** Amend contract with G4S Secure Solutions USA, Inc. to increase contract by \$200,000 to provide for uniformed security officers services (Ordinance; amend Contract No. 40997)

(Y-4; Saltzman absent)

185949

At 12:47 p.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

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

WEDNESDAY, 2:00 PM, MARCH 27, 2013

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

March 27, 2013

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.

MARCH 27, 2013 9:30 AM

Hales: Welcome. Before we begin the official city council meeting do something fun and wonderful, which is thank someone who has done great service for the city of Portland. Somebody who has shown grace under pressure. Quick thinking. Making the Portland building in city hall a safer place for everyone who visits, a guy who is long way from his home in trenton, new jersey, but who saw fit to join the Portland community and has contribute to the safety of three administrations. He's going to be missed because this is his last week of work, and that's why we're celebrating him today, but we know that even one of the hardest working people in city hall deserves a break. So we're here this morning to thank ron jefferson for his years of service to me, the city council and the residents our city, and commissioner Fish has a proclamation to read on -- a proclamation to read on behalf of the council.

Fish: I have the great honor of presenting this proclamation on behalf of the mayor and the council. Before I begin I would like to ask our special guest, mr. Ronald jefferson if he would take his seat at the desk.

Saltzman: It would probably be ok if your wife wanted to join at the table, too.

Fish: Would like to join?

Fish: So I will read the proclamation. Whereas the city of Portland elected officials, staff, and visitors depend upon the professionalism and dedication of building security staff, and whereas mr. Ronald jefferson has served as city security for seven years, through the administrations of mayors potter, adams, and now hales, and whereas ron's service to the city built on 12 years of combined law enforcement and corrections experience and 17 years of security experience. And whereas, ron is an outstanding role model and mentor to his fellow security team members. And whereas ron is known for his generosity and enthusiasm, demonstrate by his kindness to members of the public and to city employees. And his willingness to go the extra mile for others. Including his regular delivery of doughnuts to his co-workers. Whereas ron brings great credit and distinction to his security team, his family, and the city he serves. Whereas after seven years with the city, ron is moving to new position with tri-met. Now therefore i, charlie hales, mayor of the city of Portland, the city of roses, do hereby proclaim march 27, 2013, to be day of recognition for ronald jefferson in Portland and to encourage all residents to observe this day. Ron, congratulations. [applause]

Ron Jefferson: It's been quite an honor and a privilege to serve the city of Portland, having come here just as so many others, to, to make this my home. And I truly enjoy the environment, the effort put forth to reach out to all people. I can't say enough how much I appreciate everyone. Thank you very much.

Hales: Thanks, ron.

Fish: The mayor would like to get a picture with you as we land this to you.

Hales: Let's all get out there.

Hales: Ok. Let me welcome everyone to the march 27th meeting of the Portland city council, and will the court please call the roll.

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

Hales: Here. Communications items, we have five.

March 27, 2013

Hales: Good morning. You have three minutes to state your name for the record.

Item 247.

Hales: Welcome.

Josaiah Naylor: Thank you. The truth is, that there are 13 months in a year. No one can single-handedly demolish the 12-month calendar. But, it has to go. Its faulty science, there are not 12 months in a year. But 13. Well, how might you ask, do we change the calendar? It's not all that difficult. Because it's based on the truth. What we need to do is individually, embrace this knowledge and share it with everyone, especially the highest levels of government, teachers, and children. Our harmony with nature will be restored. Ushering in a golden age of peace and prosperity. Each person in this room is so powerful, equals, in fact, and equal to this task. I implore you, let not another day go by where man and nature are divided. And you did not do everything in your power to close the gap. The implications of that are many and far reaching. God made a calendar. Of 13 months. Man made one of 12 months. Who do trust? Answer, in god we trust.

Hales: Thank you. Thanks very much.

Item 248.

Hales: Good morning, mr. Madden.

Greg Madden: Thank you, mayor and commissioners, I appreciate the time today. I just want -- I am greg madden, I own madden fabrication, which is a metal shop in the northwest industrial area. I just want to take a moment today to just talk to you about my involvement today with the Portland development commission, and some of the successes that I have had running my business and operating with pdc's involvement. Early on in 1992, when my family started madden fabrication we coordinated with pdc to coordinate underneath the steel bridge to improve the area around the pearl and the old town chinatown area. Pdc reached out, specifically, to a local firm that were size right for this project, and fortunately, they selected madden fabrication. We work alongside pdc to develop and fabricate 400 lineal feet of, security fencing for deterring camping and illegal activities under the west side of the steel bridge. Working with pdc, we created an area also security and free storage for the city of Portland for the, for the retaining walls around the sea wall for flooding issues like, like what happened in the early 1996. So, it was very, a very successful project but also helped my business get started in the early days, and pdc was a crucial element that. Over the years we also work on many projects throughout the Portland area, and developed by the development commission, the urban renewal areas, and those created work for my metal fabrication company, including canopy and is storefront improvements, as well as many other construction firms in the Portland area. And about five years ago, sam adams required that the liaisons from each of the bureaus attend the monthly northwest industrial neighborhood association meetings, and other northwest, or other neighborhood association meetings throughout the city. Pdc liaison kevin johnson brought pdc programs and development resources to the monthly meetings, and kevin continue to do that to this day. Over the years, kevin has introduced many fantastic pdc programs along with the storefront and renewal-area projects. Pdc has been instrumental in organizing a much needed program for manufacturers called the northwest career expo. It is a cooperation with local manufacturers, pdc, work source and Portland high schools. This annual event connects Portland youth and manufacturers seeking out additional employees interested in their safety, interested in their safe rewarding and well paid manufacturing jobs in the Portland area. They have been instrumental in orchestrating this event and the success for both the job-seekers and the manufacturers who have, have these, these jobs in the Portland area. Hopefully, you have seen or heard about the resurgence manufacturing in the u.s. And the lack of skilled resources we're experiencing. I can tell you that after 22 years in fabrication, and construction, I have seen the reality of a diminishing skilled workforce. It's affected my businesses and many other facilities in the Portland area. Thanks to pdc's effort they are planting the seeds required. In early 2008, kevin

March 27, 2013

johnson also introduced me to the city of Portland. And a program that was instrumental, or developed by, by, by randy leonard, it was the Portland loop. And thanks to that, we have seven in the immediate area. And we have several either being built or developed for, for cities such as cincinnati, california, and alaska. It creates over two jobs for a monthly period, and also furnishes many other fabricators and suppliers in the Portland area with work.

Hales: Thank you very much. Need to wrap up.

Madden: Thank you. Yes.

Hales: We often hear from people with frustrations about what's not working at the city. It's nice took the time to let us know about something that is.

Madden: They have done an excellent job so I wanted to thank you for your time.

Hales: Thanks for coming.

Item 249.

Carol Van Dyke: There is my first time --

Hales: Just have a seat, and all you have to do put your name on the record. And you have three minutes to tell us what's on your mind.

Van Dyke: All right. Well, carol van dyke, and i, actually -- I didn't realize it was only three minutes until the other day, and, and it takes me three minutes to read one side these 38 suggestions, and so I can leave the rest?

Hales: Yeah, you can leave it for us and we'll make sure that everyone gets copies.

Van Dyke: I would like to do that. And actually, I presented this to, to sam adams, on june 11, 2008, all in paper form, and it was misplaced and lost, and then I lost my impetus to follow through.

And I didn't circle things that were of any major importance to me, so we'll just -- i'll just read them, and this will be a brief cause, and, and --

Hales: We can make sure, if you have a written document that's long and takes longer to deliver, then we can certainly make sure that everyone gets copies and they won't be lost.

Van Dyke: I think probably my most important thing that I would like to say really quickly is if we could make our human waste and our yard waste and, and food waste be used for, for methane and make fuel out of it, as an alternative source, anyway, I will read what I have got. And there will be a pause. Space is create and provided for all to have garden to attend, encourage urban farming, gardening as a part of, all schools' curriculum, provide folks in prison the ability to grow organic gardens to give them good food and a renewed sense self worth. And in scotland, england and france, the wild ponies liver safely until national parks, we can provide sanctuaries for our wild horses in this country. And ban all chemical pesticides as a, as the river is affect as well as the water table, permit only organic methods, and strong solution of vinegar to be used as an herbicide, and ban fireworks' displays over the river to support a clean river and, and I just mentioned about, about this, this -- the sewage waste. Gray water must be filter and reused for commercial purposes, and keep our drinking water free of fluoridation as it is a toxin. Yes. And link with port of Portland as they are implementing a porous pavement and other ways to help the environment. Focus on mass transport power by solar electric and magnetics, tax rebate for use of alternative energy sources for home and business, and affordable health and dental care provided on a sliding fee. And providing safe haven for the homeless, everyone has a home regardless of their financial state.

And new housing for groups folks built surrounding a large garden space in the middle so there is a place where all, all, where all, all maybe involved together in co-creation. I am going to skip. The growing [inaudible] as an alternative to trees for paper-making in eastern Oregon, and most of unfamiliar with it. And help minimize auto traffic folks working via computer, and they do it from home instead of having to drive in each day. Implementing a four-day workweek with ten-hour days, and two, 15-minute and one, 30-minute break, this will be beneficial for the environment and the individual's health and wellbeing, those will give folks more time with their families, and ban the use of gasoline power leaf blowers and lawnmowers, and we can use a broom. And planning

March 27, 2013

trees, the ginkgo trees provide the highest oxygen of any tree and the leaf is medicinal for human consumption. They are slow growers, so valuable gift to the city. And I am going to do this quickly. City plantings, having a dual purpose, providing food for humans and wildlife, focus on native and hardy perennials. We need more community gathering spaces for potlucks, dancing, music, and a variety of ways to exchange with one another, and I mentioned ray water already. And just continue the use of chlorine and the other chemicals added to the bull run drinking water and use filtration technologies. And there is a fungi called king safari. It has been proven to cleanse water of all toxic impurities when it passes through.

Hales: I want to stop you there because it's a great list, and I appreciate it.

Van Dyke: And I thought of many more ideas after this, and never wrote them down, and I get ideas daily and space on them.

Hales: Do leave it for us.

Van Dyke: I will, and we'll make sure everyone gets a copy.

*******:** If there is some way that you can create some sort of a little, a little committee that concerned citizens to come together and, and create more and make something happen with it, instead of just thinking about it, that will be grand.

Hales: Thank you very much. Appreciate coming in. Thank you.

Item 250.

Hales: Good morning, Megan.

Megan Kender: Megan Kender. I am Megan Kender, and I am a sophomore at the Metropolitan Learning Center. I would like to address stable funding to keep the Tri-Met youth program alive. We take the bus every morning across the river and back again after school. I spend about an hour commuting for school via Tri-Met every day as well as the hour between sports practices, meetings, volunteer opportunities, and babysitting and other things throughout the week. This commute would be incredibly expensive for our family if we did not have the Tri-Met use pass to depend on. I come from a low income single parent family. We have a little brother who will be commuting to high school in two years at Tri-Met. The cost of tickets or passes would be extremely high. My brother is a Boy Scout and I am involved in sports, which we would not be able to afford if we had to pay for a bus pass. Aside from that, it helped me get involved in my community and an opportunity to learn to use public transportation. It has given me the tools to be a successful transportation user and greatly look at my impact on the environment. I have talked with my peers about the pass and what it means to them and the feedback has been positive. Almost everyone I inquired with uses their pass to commute to school or other place a few times a week. And I have pulled quotes from others written by students. I have them here. One student said [inaudible] to become a public transportation user and having one less car on the road in the future. I hope that you will consider how the lives of high school students will be negatively impacted without the use of passes. Another quote, going to MLC we do not have a set mode of transportation such as school buses. It is not, it is a neighborhood school and people from all boundaries go here. I live an hour bus ride away, and without the pass I could not get to school. Another quote, I don't think it's fair to pay so much on a yearly basis to get to school without the free bus pass, high school graduation would become a financial impossibility for many my friends and peers. Last quote, I believe these passes raise a generation of bus-takers, taking the bus has taught me so many skills. I know Portland so much better and I know how to take the bus and interact with people. And the bus is a more green option than driving. As you could see, these passes are an important program to a vast majority of students. It creates a system that allows students to attend school without stress, and opens people up to the possibilities of sustainable public transportation. It's more accessible and greener than yellow school buses or cars and benefits students in our city and countless ways. This is not new news. To quote, Mayor Hales, having the city using the Tri-Met system and developing the habits of citizenship based on this is wonderful. And we should never lose this. We need to

March 27, 2013

keep the program. Education and youth in Portland have been getting hit hard financially. And the money is there somewhere. I am asking you to reopen the conversation on how we can continue funding the passes and recognize their importance. We need programs like there to stay off the chopping block. Thank you.

Hales: Thanks very much.

Fritz: Thank you for taking your time during spring break.

Kender: So if I could give the letters.

Hales: Please. Good morning.

Item 251.

Pele Warnock: Pele warnock, and I would like it thank the city council for hosting us and having us come in today. I would like to start with a quote from the 2013 monthly performance report tri-met. "this january is the first time the weekly bus riders have declined since july 2011," unquote. This is due to the raise in cost to the tri-met fare. However regardless of this loss, in weekly passengers, the passenger revenue has increased by 2.36% in the past year. And so, tri-met is losing passengers but making more money. With the loss of the student tri-met pass, it is guaranteed that, that the higher decline in loss riders will, will happen. And for there are close to 50,000 school students, the students include those who live in hard to access areas even with the assistance of tri-met, such as sellwood, the north Portland areas, or the west hills. The students need tri-met to get to school and to home and to get to work and their college interviews, some are like me, independent students without any parental assistance or aid. Being full-time student, affording the ticket price for the bus or max would simply not be manageable. Taking away the student bus pass would serve no one, students would be strand and late arrivals and absences would increase due to the facts some days students couldn't afford to attend school, which detracts our schools and students. Without the ppc use pass tri-met would also see a significant drop in riders, as well as have a negative connotation within the Portland public school student population. And as we get more organized, we do intend to continue to have our voices heard regarding the issues. So, many students are dependent on tri-met, myself included. I urge you to crunch the incomes and let us keep our passes. For all our sakes. Thank you.

Hales: Thanks for coming. Thanks very much. [applause]

Hales: All right, time certain, first item, please. Oh, sorry, consent. Ok. I don't believe that we have any requests to pull items from consent. If, there are none this morning, if not, let's take the roll call on consent.

Fritz: I didn't pull it but I want to note that 264, refinances civic stadium bonds saving taxpayers and spectator fund fee payers, 2.5 million, and I just wanted to thank our debt service and staff for their diligence. Aye.

Fish: Aye. **Saltzman:** Aye. **Novick:** Aye.

Hales: Aye. Approved. [gavel pounded]

Hales: Now time certain.

Item 252.

Hales: Chief reese and anyone else from the bureau that's going to assist him in the presentation. It's an important report, and an important piece of transparency in terms how the city relates to the federal government, so I am glad that the council could, could set aside a significant amount of time to hear from the report, and the community. With no further ado, take it from there, police chief.

Chief Mike Reese, Portland Police Bureau: I am the police chief of the Portland police bureau and I have with me erik hendricks, who assisted in overseeing the work with the joint terrorism task force and the david worboril, the city attorney who provides oversight from the city attorney's offers, as well as training to our officers that work with the fbi. And I want to thank council for the opportunity to present the report. It outlines our work with the joint terrorism task force led by the fbi in 2012. I want to add that the mayor and I have met with the fbi special agent in charge, greg

March 27, 2013

fowler, and amanda marshall, the u.s. Attorney, to develop a collaborative relationship on, on issues such as terrorism. The report in front of defines our relationship with the fbi, joint terrorism task force, and the police bureau's compliance with the resolution allowing the portland police bureau to participate with the fbi. And with that, I would open it up for any questions that council might have about the report.

Hales: Questions or concerns?

Fritz: I will have some after testimony.

Hales: Ok.

Novick: Actually, I have a question about item 6. And the statement that a senior deputy city attorney provided legal advice to the bureau, etc., etc., has met with all ciu members, and eligible to work with the jtff and the officers have been able to freely share information and seek advice from the city attorney. Does that mean, Mr. Woboril, that you are familiar with the individual investigations that are going on and what work the officers doing?

David Woboril, Sr. Deputy City Attorney: Yes, that's correct. They have been very forthcoming and open about what they are working on, and we have very good information.

Novick: Ok.

Woboril: There's been a concern, of course, with security --

Hales: Pull the microphone closer.

Woboril: There's been concern about, about security clearances over the years and whether the lack of clearance held by me for instance, works would limit my ability to be certain that they are complying with the council's requirements and the law. It hasn't been a problem. The conversations that we have gotten very quickly to the information necessary to decide those questions. And, and I have not bumped up against any confidential information barriers that prevented me from doing my work with them.

Novick: So you are familiar with how many types of investigations are going on?

Woboril: I am.

Novick: Ok. Thank you. That's good to know.

Fritz: If you can have that information without having security clearance, why can't i?

Woboril: The question is one of -- I think really, how the city needs to do its business best. These are just like run of the mill criminal investigations, confidential for very good reasons. It allows the criminal intelligence unit to get the work done effectively. This is always a question when you have public policy debates about the intelligence function of governments. You certainly need to manage it strictly, but also, very, very important public policy needs to keep it confidential. The work itself confidential.

Reese: I think the fbi realizes that for our participation, there has to be a city attorney involved in providing the information to our officers around compliance with Oregon state law and federal law. They would probably be reluctant to have us participate if there were more people involved in these confidential investigations. Their direction to us is to keep that information as narrowly confined as possible to protect the integrity of the investigations.

Hales: Anything else at this point? And then we'll open it up for public testimony.

Hales: Thank you. Ok. Let's take out the list.

Parsons: All right. I will call you four at a time. Please come up.

Hales: Good morning.

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

David Fidanque: Thank you, mr. Mayor, commissioners. For the record, I am david fidanque, the director of the aclu of Oregon. And I have submitted written testimony, and I will attempt to summarize that briefly this morning. This is a report, this report is virtually identical to the report that council received a year ago. And some of the same failings and lack of detail. The aclu had testified in support of the resolution two years ago, which now drives the relationship between the

March 27, 2013

police bureau and the jtff. We did so despite our continued high degree of concern over the amount of the bureau to navigate and region the great differences between the very malleable federal guidelines and policies under which the fbi operates, and the tighter restrictions of Oregon laws and the Oregon constitution. Under which the city, obviously, operates. We remain concerned that, that the interactions between the police bureau and the fbi will inevitably lead to violations of Oregon law. Once again, missing from this year's report is specific data indicating the number of investigations, the types of investigations, what stage of the fbi inquiries the police bureau was asked to work with the jtff, and the total number of hours the investigating ciu officers worked on terrorism inquiries. We believe that all of this information is important. The most critical is for if the city to disclose the number and types of inquiries in which our officers have participated. I want to emphasize the aclu has never asked the city to disclose specific factual information regarding the individual matters on which the police bureau cooperates with the federal bureau of investigation. However, the number of inquiries and the stage of the inquiry at the time of the request to the city would not disclose information that would compromise an ongoing inquiry or an investigation. In 2011, we had urged the resolution limit ppb involvement to only those inquiries designated as full investigations by the fbi. We took that position because those are the only investigations that require individualized suspicion in the fbi's work. Assessments and primary investigations account for a great deal of the fbi's anti-terrorism work, and those require no individualized suspicion of terroristic activity. If this data was disclosed, publicly, and we learned that the bureau was only involved in full investigators, a public concern about the interactions between the bureau and the fbi would be greatly reduced. Conversely, if the bureaus involved only in assessments and primary investigations, there would be a much greater likelihood the city was in violation of the resolution and Oregon law. Once again we urge the council, and particularly, mr. Mayor, as commissioner in charge, to take steps to ensure that, that logs are kept on the number of inquiries and the stage at which those inquiries begin, and so that, that if not this year, then in future years, this type of data can be closed publicly, and finally we note the requirement for annual training of police bureau personnel, who interact with the jtff by the city attorney's office, and we strongly encourage, mr. Mayor, and other members of council to attend those trainings, at least once. And we also urge you to make the training curriculum public. Thank you.

Hales: Thank you. [applause]

*****: Good morning.

Hales: Folks, during the regular council session we ask you not applaud, we loosen up for the, the communications items, but, just, just raise your hands if agree with someone, please. Thank you.

Jim Kennedy: I am jim kennedy with the Portland japanese american citizen's league, and I would like to start by acknowledging the amount of thought and effort that the city and the Portland police bureau have demonstrated. To craft and implement the resolution and work with the jtff. The efforts put in place to ensure ppb resources are not used in violation of state law against spying without criminal suspicion are a lot of them. And for example, the chief's report mentions training and access, in excess of buying into the city attorney for, for Portland police officers to understand the Oregon laws and the civil liberties. This is good practice, and, and we acknowledge that. We also understand that, that the city feels some obligation to participate in the jtff to protect our city against threats of terrorism. However, we are dubious of the effect of having ppb resources work on the directors because of the secret, the secretive nature of the fbi investigations are an affront to the open and citizen focused government for which Portland is noted and which we are proud. While the city's report may meet the requirements stipulated in the jtff. Resolution it falls short of disclosure regarding how and to what degree Portland police, the police bureau resources were used in the jtff investigations. The absence of disclosure makes it impossible for residents to determine if the Portland police bureau resources were involved in effective activities or more concerning, involved in activities of compromise and civil rights protecting Oregonians from having

March 27, 2013

information gathered on them without proper criminal suspicion. In this regard, the chief's report offers little comfort to Portland jcl. The Portland police bureau has implemented policies, procedures and oversight mechanisms that enable us to effectively investigate threats, protect civil rights and liberties and promote an open and inclusive community. Unfortunately, we feel any endeavor with the fbi and however rigorous the mechanisms may be, the fact is, they are wrapped in secrecy due to the nature of working with the fbi. Throughout the existence the fbi has demonstrated that their priorities of enforcement, to protect the american people, override the civil rights of the very citizens that they strive to protect. Simply stated the fbi priorities do not align with the goal promoting an open and inclusive community. This remains as true today as in 1942. When japanese americans were targets of the fbi enforcements actions. In 2008, regarding the resolution to work with the jtff, Portland jcl was criticized for bringing up the violations of the civil rights imposed upon japanese americans by the fbi during world war ii. World war ii was deemed too far in the past to be relevant to the current situation with terrorism. However, in our community, we can still listen to first hand accounts those times when the fbi disregarded the civil rights of our forefathers in pursuit of their enforcement objectives, so it is still a very real issue to us. During world war ii, it was easy to target japanese americans because we looked like, we looked similar to and had sympathies with our enemy, and in 1988, the congress and the president apologized for the grave injustice of citizens, and resident aliens of japanese ancestry for actions that were carried out without adequate security reasons and without any acts of espionage or sabotage and were motivated by racial prejudice, war time hysteria and the failure of political leadership. So many years after pearl harbor and 11 years after 9/11, we hear the fbi, we fear the fbi continues to prioritize their enforcement goals over civil rights, of our citizens, particularly, of arab and muslim americans. In an unending war against terrorism. Arab and muslim americans today distrust the fbi, and the jtff resolution extends this to the Portland police bureau. The resolution to work with the jtff, however carefully craft, places in question the city's priorities to protect civil rights of the residents and unfortunately, the chief's report, veiled in secrecy to the suspicion that the Portland police bureau involved an un, in unwarranted searches and investigators. Certainly the report offers the citizens of Portland no ability to weigh the effectiveness of the jtff program, and so we are dependent upon the oversight of the city council, and specifically, the mayor as the commissioner in charge, to judge the effectiveness and weigh it against the trust and comfort of its american and muslim residents. We call upon you to not let any citizens Portland have their civil rights compromised by city employees or become disenfranchised with the city, or the Portland police bureau. By imposing this secrecy around the city sanctioned program. Portland jcl requests there is an end to the resolution to work with the jtff, and bring opens and inclusiveness back to the top of Portland's priority. Thank you.

Hales: Thank you.

Mary McWilliams: Good morning, mayor and city commissioner, I am very impressed with the closed captions. I can understand what's being said. Much better. I am mary mcwilliams, representing the league of women voters of Portland. The league of women voters believes democratic government depends on informed and active participation and that the public's right to know must be protect. We value the protections afforded by Oregon law to individuals engaging in political and other non criminal first amended activities. The resolution adopted by council in 2011 is intended to ensure our officers abide by state law and that they investigate only when a reasonable suspicion of criminal behavior exists. Although, there is some information in the report on the chief's process for making these determinations more is needed on which are considered and how decisions are made. How does the mayor provide oversight before he receives his security clearance? Should the city attorney also be consulted on each case? Whether our officers are at risk of violating the public's right and Oregon law is critical importance to the community. The league recommends requiring the city attorney an independent police review decision director to regularly

March 27, 2013

review all jttf files created with Portland police officers' participation. Any files collected in violation of Oregon laws should be purged. Periodic review by those independent parties would provide confirmation that the protections we have as Oregonians being honored. Last year, a number of questions were raised, and they remain unanswered. Have our officers participated in any assessments or preliminary investigations? How many hours have our officers devoted to their jttf assignments? To what extent is that affecting work on local public safety? In light of current budget pressures, this is especially critical. How many cases required their involvement and how many are closed. How did the mayor participate in the management and supervision of the bureau staff? We urge council to insist on more disclosure and oversight so we can be certain that this relationship, that this relationship meets the community's expectations, and thank you for the opportunity to comment today.

Hales: Thank you. Thanks very much.

Kayse Jama: Good morning, mayor. Commissioners, I am kayse jama, I work for the center for intercultural organizing. We thank you very much for your comments and commitment for civil liberties for all Portlanders that you made today publicly so I want to thank you for that. Secondly, I spent some time last night trying to shuffle through the report and trying to make sense out of it, whether this is a significant improvement from what we saw last year, and if this information being provided by the city and chief, if it's sufficient enough to put to rest my concerns about the city and the Portland police collaboration with the fbi. My agency has walked through this issue for many years. We walked into it when the city of Portland rolled out the jttf, and I think that that was the right decision at that time, also. When I read this report, one of the things that, it asked for, instead of answering the questions I have, there was more questions, and I have never understood ultimately the conclusion of this report. My question is, has not been answer. It has create more fear for me, that the residents of the city of Portland, we, actually, have no clue what the pps is doing with the fbi. There was a lot of questions, we don't know how many cases. We don't know how many times. We don't know how much money that has been spent on the city budget to investigate, and I would comment about the realities that we are dealing with is the nature of the fbi investigation under secrecy around this issue makes it very difficult to have any confidence that any civil liberties of muslim community members are being protected and for Portland residents. And, you know, my point on this point is that I agree, when I read the report, I think one of the things that I come, that came to me was that I have a great respect for chief reese he's a wonderful man, but I could not come to the conclusion beyond saying that, that the police chief saying that you have nothing to worry about. That's the conclusion I come up with, and as a resident, that is not a, not good enough. The fbi have used it, questionable both tactics, to the contrary. Included the case of mohammed mohamud, and I am not confident that we can trust the relationship is going to be more open into our public, so my conclusion, and request from is that we need to stop. We need to not accept this report, and we should also reexamine our partnership with, with the fbi, office in Portland. Thank you.

Hales: Questions for any of the folks? Council? Thank you very much.

Hales: Good morning. I think dan, you are on first.

Dan Handleman: Thank you, mr. Mayor, I am dan handleman with Portland cop watch. Mr. Mayor and council, we are deeply concerned about the jttf report, barely containing any more information than last year's version. We continue to support the ideas quoted at city council by members of the public and commissioner Fritz to make a more comprehensive report. The new report is nearly is a verbatim copy of last year's report with a few exceptions, including that after stating how revealing how many cases the bureau has helped the jttf investigate, may compromised the investigations, and that makes no sense, the chief says the bureau has worked on at least one domestic terrorism case. That's not number. Whereas last year the chief stated the officers did not work outside the city of Portland, this year, he says he assigned officers to work on one jttf

March 27, 2013

investigation outside the city of Portland, but it's unclear whether he means this year, 2012 or 2013, and in the context of the report, and it's unclear what they worked with, within Oregon outside of Oregon or if they left the state. Explaining why the officers received top secret clearance, the report states the difference would only be if the officers needed access, fbi facilities or informant source information, the chief reports he does not need clearance above the secret level to manage the officer's work but doesn't say whether I might seek to obtain that level anyway. That his clearance level might be higher than the mayor and commissioners is the main reason mayor potter pulled out of the jtff in 2005. The chief says conferred on several occasions with the fbi special agent in charge and receives briefings a few times a year, but it does not make sense why the number of meetings should be classified information. Last year's link to the operating procedure for the jtff goes to a generic page, so it's not clear whether that's standard, that standard operating procedure has been taken out of the public domain. Last year we wrote a letter outlining the efficiencies in the reports, we asked for more detailed information, particularly how many hours officers were working given the city budget, and exactly how many cases were involved. And the report does not adequately address any concerns raised in that letter. The most concerning one is the term criminal nexus is still not defined, and we believe the fbi will invoke the need for Portland police of a lower threshold than would be appropriate under Oregon law, there is several requirements in the resolution for the commissioner in charge, but the commissioner has not issued his own report so we don't know, other than a few mentions by the chief whether the commissioner fulfilled his duties. Also, the resolution requires the city attorney to check in with the Oregon attorney general each year to be sure that Oregon law is fulfilled, but no, no report is required for the city attorney, either. There is no names in the report, even though we had people come up to the table, and identify themselves, the names of chief hendricks and the city attorney are not in the report. It does not make sense why those are redacted, perhaps, from this report. And just as a quick note since my time is up, the communications workers of america, provided the written testimony which I have given and the national lawyers guild was unable to prepare testimony due to the short amount of time the report was available. And their absence, it underscores the testimony from last year urging the resolution require the, or february this year, urging the resolution require the reports issued for weeks before being presented to council.

Hales: Thank you. Good morning.

Greg Kafoury: Good morning. The Portland police department's organizational bonds --

Hales: Put your name into the record.

Gregory Kafoury: Gregory kafoury. The Portland police department's organizational bonds with the fbi should be terminated. The fbi's law enforcement functions are, basically, a front. The fbi is our domestic secret police. From, from -- [applause]

Hales: Please, please, let him finish. Let him continue, please. Ma'am, let him continue. He's here.

Greg Kafoury: From the tyranny and witch hunts of the mccarthy era to the vast majority of terrorism prosecutions today the pattern is clear. When real enemies are scarce, potential enemies are targeted, and from there it is a step to creating enemies. Today, the fbi has paid infiltrators attending mosques across the country trying to inciting muslim men to say or do something stupid. Every major city, some 57 in all, has ultimately knuckled under to the demand that the fbi have a foot hold in local police departments. How important is it that one city, even just one, declare and maintain its independence, and consider the history of the black panther party. Black panther rhetoric was incendiary but their programs were health clinics, free breakfast programs for hungry kids, yet in the early 1970s there was a wave of murderous and military style police assaults on black panther party headquarters, and they were falling like dominoes across the major cities. And critics cried the fbi was behind it, but that was denied all around. We were assured it was just local. Federal agents came to the mayor of seattle with a secret proposal for an attack on his city. Seattle's mayor not only stopped them cold. But he went public and told what had happened. And

March 27, 2013

after that, there were no more military style attacks on panther headquarters. Consider the fbi's project for burglaries, black bag jobs and illegal wire taps. How do suppose that went unrecognized for more than ten years? Let's put it in the form of a question. If tomorrow a lawyer's office or an activist's office was burglarized in Portland, and the burglars were caught by our police, would a phone call invoking national security lead to the burglar's quiet release and the cleansing of the files? Or would the agency be told to tell it to a judge? How important is it? That one city maintain its independence.

Hales: Thank you very much.

Mary Eng: Testing. All right. My name is mary eng. I propose that the ah-ha foundation be brought to the Portland police and jttf and fbi. A representative has agreed to train them in islamic cultures. I was saddened that the fbi's alienating approach, which will sever our ties to immigrant and islamic communities, the desperate need to stop female genital mutilation and honor killing and violence in religious communities is an immediate need, which the fbi have continued to sabotage on a local and national level in favor of their male entered object sectionalism, a waste of precious resources which may contribute to the further suffering of women in at-risk communities. I have presented the work of [inaudible] to you all, city council, before, and I am thrilled that she, a somali woman refugee has agreed to help train the fbi of Portland to become less racist and start to see the big picture about the human rights of women. And I am sorry to report to you, a disturbing conflict of interest revealing that indicting attorney holden with text message from the fake bomb hoax and was promoted to fbi after indicting fbi's chosen target. Holden must be reported to the american bar association and for misconduct. Another saddening aspect of the case is that notorious prosecutor ethan knight has decided to sit on the indictment to respect the outcome of the mohamud case. Such conflict of interest was highly suspicious to the judge who let him go on bail as ethan knight has let the indictment kick around for two months while he wait on the outcome of the mohamud case which he served on. This professional misconduct must be reported to the bar, and firstly, to you, fluoride cancer city council. I am honored to speak to you today about the joint terrorism task force, oppose the 9-11 way the fbi has sought to regain the loss of reputation that they endured post-9/11. Don't be fooled by monkey courts and arena circuses or witch hunts. The fbi is lacking for professionalism and code of conduct. The destruction of evidence in the case of mohammed is but one folly. The fact that the previous non consensual previous movies were considered as evidence without secret tech expert witness reputation of the methods, the means of producing the fbi bomb show reality series is of deep concern. I must point out to you, Mario golindo, spoke about the, we got a lot of woodies up here when they honed in on their target, mohammed, who another fbi agent, issac, said was too vulnerable, too young, too drug addicted. Too drunk. Too high. Too vulnerable and too conflict to get involved in a fake bomb hoax of which we are the victims. We are the victims of the hoax. And I would like to point out to you that, that, that the rape dna is not being tested, the data base errors -- we don't have enough police to trust. They are sexually harassing like crazy and we have nazis on the police. This is ridiculous and look at the oakland bomb case, they are preying on a mentally ill man with a pronounced mental illness record and saying, we got your fake bomb, you know why, because san francisco put their foot down and said, no fbi. We're not taking t and look at cspan and see how he does not see what's going on. We need to get more integrated services for women, anti-discrimination, civil liberties, I commend and you thank you hales for talking about the siphoning off of our friends, for their budget shortfalls. Moller is trying to do it across america. Thank you, and I do want an appointment and I have been denied by your assistant.

Hales: Thank you for coming.

Hales: Good morning, joe.

Joe Walsh: I am joe walsh, I represent individuals for justice. And we have taken a different direction on this. As we looked at the report in total and, and agreeing with dan, that the report,

March 27, 2013

itself, very similar to the report last year. And ambiguous. You don't learn anything from the report. My understanding, and correct me if I am wrong, that you are going to make a decision today, whether to accept this report or reject it. And our position is, you should reject it. Because it does not give the information that we were guaranteed a year ago when the aclu and other organizations said ok, we're safe. We're not. And you know it. So, say to the chief of police, go back and do your job. Tell us what went on. Don't tell the public if it's a violation of some secret, but, all of you, should know because you are our representatives. And we want a report to understand how much the fbi is controlling our police department. Thank you.

Hales: Thank you.

Hales: Good morning.

Mark Sherman: Good morning. I'm mark sherman, and I will just give a few anecdotes about my experiences in my interactions with the fbi over a long period of time but I want to thank whoever did that for just changing the date, it probably saves a lot of money. In these times that's important. And the fbi, when I had first gotten involved or had contact with them, I asked them, or there was a discussion that we had about recruitment, who gets to be in the fbi. And it was very clear that you get to be in the fbi if you believe like the fbi believes. So republicans were in and democrats were out. There is a couple other things that I found out about the fbi. You take an oath to the constitution, but for them, that means to the superior who is giving the orders because ultimately that comes from the president. So, an oath to the constitution means an oath to the president. So any directive, whether it's legal or not, is within the constitutional bounds to do so. And when you see that, and ask well, how was it that the fbi could do, I guess, all the things mentioned before, and why did a single agent not stand up and say, what we're about to do is illegal, against the constitution and we cannot do that? You don't hear that. Because that's not part of that mentality. So, if something is going to happen illegal in the city of Portland, I guarantee you no fbi agent is going to come to mayor hales or anybody else and say, guess what, this is something that need to put your foot down and stop because it's not right. That does not happen. The agents that I knew were involved in spying on anything that was quote progressive. Anything that was progressive was considered potentially subversive, and they were assigned to places where they could follow people who were doing whatever, I guess, the government was not happy with, in opposition to, for whatever the current dominant philosophy was that the administration or whoever the administration was. So, my experience is, my, my kind of, might shed some light on why you don't have a report complete and why they are not giving access to non secret information to, to any of the safeguards you think might exist, don't exist there. I think that, that involvement with the jtff is wrong, and that should be, you should reconsider that. If there is a terrorist threat in Portland, it's the fbi's obligation to notify. They would have to do that, whether you are members or not, if they knew of a threat they would have to take action and if there was a local issue only, you will have to take action, but thrilled have to communicate, so there is no need for the jtff. Everybody does their job right. We should all be safe. I thank you for your time. And it's actually been a pleasure. This is my first council hearing, and I think you guys are great, and I appreciate your opportunities here.

Hales: Thank you.

Jason Kafoury: I was not next but I will start. Ok. This is jason kafoury, an attorney and also speaking on behalf of the Oregon progressive party. I think commissioner Fritz started the conversation off correctly, why can't she know and we know what is really going on underneath this cloak of secrecy? Another question that jumps to mind, that hasn't been debated and what was really part of this, what have we gained as a city by being a member of the jtff? Nothing has been illustrated for us. Nothing in this report about the benefits to us as a community over the last two years since we joined. And a lot of speakers have pointed out that we have no idea what's going on, we don't know how many cases being involved. And if we don't know how many hours, and we

March 27, 2013

don't know what type, they just say we're doing an investigation, and it involves terrorism. Well, is it an occupy person? You know, we have no idea what the context is, and as the city council, I think that guys have a right to demand, let's have an identification of at least what type of investigation, who is this person with and what is their organization and the structure, and we have nothing. Now, before we join the jtff, some of may not know this, but, we did depositions in joe walsh's case, and a false arrest claim and we found out by disposing the head of the Portland police, criminal intelligence unit that the criminal intelligence unit went undercover two peaceful demonstrations and dressed as plain clothed people. We as the public didn't know that. It took a deposition of a ciu head person to find that out. And you the members of city council may not know. That, that happens. So, that happened before we joined the jtff, and now, we're part of the jtff, and we have no idea what's happening. Basic message, trust us. For following the law, and well, apparently, an independent evaluation was written by the city attorney who we heard from, and why is that not public? What is the reason that if they wrote a thing saying yes, we are following the law here, that we, the community, can't look at that, and say ok, here's what exactly what happened. And here's why they are following the law. It's 100% just trust us and give a stamp of approval. And that's not what city council in this context and such an important issue to our civil liberties and our rights as a community should be. Just a couple of quick points. The one chance, the one chance that the fbi had in the last year to show who are their informants and how do they conduct business, and what is really happening, was the public trial of mohammed, and what did they do? We, the community, and mohammed as the defendant never got to find out who the informants were, and the top secret clearance for the police chief, according to, this he does not, he does not know who they are, and we have no idea how the fbi is operating on this, and what's really happening. And bottom line, democracy ends where secrecy begins. And we don't have control, as citizens over our police. And we certainly don't have control of the fbi. Thank you.

Hales: Good morning.

Charles Johnson: Thank you, councilor. I am charles johnson. And I am a bit distressed that the chief of police, mike reese, is not here to get live input from the citizens at this time after delivering such a despicable and incomplete report to you. And so I think it's important that we say, steve novick, amanda Fritz, charlie hales, dan Saltzman, nick Fish, we, the people, elected you to be mature and responsible adults who demand responsibility from your underlings. You are not doing that. What you are supposed to do is say, there report is inadequate, a bunch of baloney. We don't need the jtff. That's all you need to do. You could stop my testimony right now and say the jtff doesn't need to be in Portland. It's a thespian organization. They allow kids to do fake bombings. We do not need the jtff. That's all that's going on. There is terrorism in the world and it is danger. The police and the fbi can handle it without partying around telling you if you play this jtff game we'll give extra money. You look like prostitutes and whores taking money for the program and spinning it around the police department so you can say we're placating the fbi and keeping the people safe. That is not happening. We are having a shell game, money from the feds comes around and goes in and out under different names. Portland will get the same amount of federal money whether tell the jtff to go down the toilet or not. Your job is to be mature, responsibility leaders of the community, and to say, no. Do not need the jtff. Also, the report should talk about, if you were going to keep it, it should have a report says, the feds moved this much money into the budget and paid for this many police hours, and they are never going to do that, they are paranoid freaks getting money from you. That's all that's going on here. It's that simple. It was nice to sit beside the younger kafori. His father had it right, we don't need it, stop, and do the right thing by your citizens. And have confidence in the ability of the police, and the fbi to keep us safe without this silly thing. There is a reason it's called a joint terrorism task force. Its purpose is to terrorize certain people. The government put young people in solitary confinement. We don't know how much amanda marshall was involved in that, but for many months, they kept young, and people

March 27, 2013

with black clothe and is in solitary confinement across the board in the state of Washington, and we probably were dirtied by that. [inaudible], maddie phifer, mady o, those people are probably involved in the jtff crap. That's why it's a white wash report. You people should be able to get specific answers about that if the police won't do that, you need to tell them story, we're not financing or sanctioning this game. Thank you very much. Please do the right thing.

Hales: Thank you. Good morning.

Theresa Roberts: Good morning. I am theresa roberts, before I begin, I would like to thank the students who came to testify about youth fares. And I would like to congratulate them on their self-control in not pointing out that while their fares were being cut, tri-met ceos and executive staff voted themselves raises. It's unconscionable. And now to begin my part. Mayor hales, commissioner steve novick, commissioners Saltzman, fish. Amanda Fritz, I call you sent se and [speaking in another language] you are doing the right thing. Fight for us. You are the only person on the council that I know that I can trust. Although you are on the wrong side on fluoride. I believe it's an honest mistake. You had just come back from europe and you did not realize that democracy was being subverted on your watch, and as soon as you realized what that council was doing, [speaking in another language] you called it out, and for that, I compliment. I also compliment you for calling attention to the travesty of mike reese's joint terrorism task force report. I would like to follow dan handelmann's points, and I would also like to talk about what is, what happened to my friend. On dan's point number one, after stating how revealing and how many cases the bureau has helped the jtff investigation, compromise their investigation it, makes no sense. The chief says the bureau has worked on at least one domestic terrorism case. Please correct me if I am wrong, you will remember last year I represented the scorecard, sorry, you were not here for that, and so on that card, Oregon got an f in public access to information. So, if anything I say is incorrect, stop me. But, in looking at things that make no sense, I am called to mind that this is the same cop who lied saying that occupy event disrupted a rape call and was later forced to recant. And looking at dan's point number four, questioning the level of clearances, I want to remind that this is a cop who confused us all in 2011 with a hazy mayoral bid. I want to remind our current mayor that the former mayor got thrown under the bus by the feds who claimed he told Portland police to go easy on occupy, and basically, through our mayor, threw him under the bus after he cooperated with them. Which the republicans took the story coming out of Portland and spun it to say that obama was easy on terrorism. So, you could see that article in the Oregonian. I found it most edifying to look at the documents, and I highly recommend if you have not been following it, that you do it. It's quite entertaining reading. All my life I have work -- I was lucky because I grew up in a higher socioeconomic circles and went to private schools. I never had to ride public transportation. We had maids. Security guarded our homes during the civil rights' movement, and our neighborhood. And because fear of riots. I grew up to teach, to volunteer. I grew up to be an artist. I am now a mother and a grandmother. I am highly educated. I have a high i.q. I believe that our city attorney and our council members likely also have high i.q.s, however, I am painfully aware, thanks to my, to michael moore's documentaries, and such, that this is not true of our police department, which function with an i.q. Range of 85 to 120. Now, the idea of, of someone with an i.q. Of 85, a badge, and a gun in combination frightens me. What could go wrong? And we promote from within. So, my fear is we have no one with an i.q. Higher than 120 to run the department. Last year, I watched my fellow activists who are students, teachers, social workers. Nurses. I watched them get pepper sprayed and hit. I don't go to the marches as a general rule. I will watch and cower from home fully coerced by our police department, and the joint terrorism task force.

Hales: I have to ask you to wrap up soon.

Roberts: What I am saying is I would like -- I used to be very angry at mike reese but now I consider the possibility that he really doing the best that he can with his i.q. Not to insult him

March 27, 2013

because I don't know his i.q. But I know we have limits on them, we don't have limits on you, I am impressed our city attorney is extremely intelligent. I am not comfortable with them being the only ones with access to information or having a higher security clearance than. I believe that the only thing that we get out of jttf is that they militarize our police. We do not need our police militarized. We do not need them held to lower standards than the geneva convention. And we do not need our police department turning to the, turning into the nypd with office this is england and israel and having problems with constant stop and frisk, especially of minority populations.

Hales: Thanks very much, thanks for coming. Good morning.

Sarah Hobbs: Good morning. My name is sarah hobbs and I am a member of our local veterans for peace, Portland chapter 72, and something that I wanted to touch on has actually, been touched on, but I wanted to elaborate. And that is, often, how investigations for terrorism are used against progressives. I, myself, have been out on the street marching in the actions, and looked up and seeing that I have gotten my, my, literally having my picture taken by, by Portland police and the department of homeland security Personnel. It's a result of this that the secrecy going on, it has become very concerning to me, personally, and to a lot of other activists, whether they are people like myself, who take a totally peaceful approach, people that I know are going, are more apt to be vocal or tend to be on the radical left, and it's the radical left right now that I am seeing especially being targeted. By, by terrorist investigations. Whether it's been said and I agree with, it's ok, don't spill the beans to the general public. I get that, but the fact that commissioner Fritz is sitting in front of us going why can't I have this information is very concerning. Correct me if I am wrong but my understanding is there is a chain of command within the police department, and my understanding is the mayor is the police commissioner, and the fact they are withholding him from you all is, is distressing. Because I am going to wonder, I have my picture taken, where is this going? And what's being done. Ok. I may never know but the people who should know are not being told. That is extremely distressing. What about the people have touched on, as well, we're having massive budget cuts, kids are looking at having no way of getting to school, to getting an education and pulled out from under. This money could be better spent. Thank you.

Hales: Thank you.

Nancy Newell: I am nancy newell, a descendant an investigated mccarthy person. It's my mother who is the city treasurer of white bear lake, and they put her on the black list, so I have a direct experience from the time of ten years old of what that means so this issue to me is personal. And it's also through my own life experience related to me, I am on several lists still because of my actions against the vietnam war, and in the 1960s, and I did nothing violent or that was unconstitutional. And I feel that, that this particular task force is a money driven task force. The intent is not to protect the public, but to generate tremendous amounts of money and take it away from, from educational arts programs, I mean, all of the things that we need, I mean, if you want to look at it truthfully, what terrorism is, we are a terrorist country because we are using oil at a horrible rate, and we are burying islands all over the world, and if you look at it from the perspective of what others think about the united states, and its ability to look for oil and to perpetuate it, who are the true terrorists in the world? So, as far as i.q., I thought that was an interesting commentary because animals, we're in the animal kingdom, and the elephants are far more intelligent than we are, when an earthquake happens because they disappear. They go up into the hills. They are smarter than we are. We have to have all these instrumentations. Well, I think it can be well said, your instruments on protecting us is not what the problem s and I would like it readdressed the jttf, my daughter was in the square when that incident happened, and I don't need the jttf to protect my daughter. I can fully protect her in many other ways, by acting as an activist citizen, protecting the constitutional rights of this country. Thank you very much.

March 27, 2013

Hales: Thanks for coming. Ok. We covered the list, of public testimony, and I think chief, and chief hendricks, and there is council questions. I believe that there are council questions so come back up.

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

Reese: I think we should clarify a misperception, the police bureau is not a member of the joint terrorism task force. We participate on an as needed case-by-case basis. And in terms, of oversight the mayor as police commissioner, mayor adams and now hales are briefed by me on our involvement in cases involving the joint terrorism task force.

Fritz: Thank you, that's an important clarification, and jason Kafoury asked what have we gained, what do you see is the benefits after two years from that collaboration?

Reese: Sharing of information about terrorism activities in Portland. And collaboration on cases where it's appropriate for our officers to be involved. Using resources, both with, that the fbi has and the police bureau have in a collaborative fashion.

Fritz: Do we get any money from the jtff? For our officers' work on it?

Reese: No, I don't believe so.

Woboril: We accept federal grants.

Reese: We accept federal grants as part of our participation and a number of task forces. The fbi will reimburse overtime costs to the city for the personnel assigned, and in certain situations. In other cases, not involving our joint terrorism task force participation. They would provide vehicles or other support, but they do not do that for our officers in this case.

Fritz: So for its not all for jtff participation can I get that number as to how much we've been reimbursed for our overtime?

Reese: Certainly.

Fritz: That would be helpful. Part my concern here is we're making painful budget cuts. Can we afford to have two officers and is a lieutenant spending time on this issue. So, if I could get that number that we've been reimbursed and if I can get any numbers for how much time we have spent. As part of the budget process, that is a decision that, that I am interested in. And the mayor was quoteded in the recent arrest of mr. Kahn that we were not consulted on that case, is that correct?

Hales: I was not consulted.

Fritz: You were not consulted, ok. That's an important clarification.

Reese: The fbi did not ask for our assistance in that investigation.

Fritz: I hesitate to ask for your inference, isn't that exactly the kind of thing that we thought we would be getting that information when we, when I said that we should go into collaboration with them? So we would know what they are doing? In Portland?

Reese: I cannot get into the details about what information was passed on but we were not asked for participate or provide assistance.

Fritz: So, going through, and I am not going to ask you again some of the questions that I asked last year, although, I would still like to get some of those answers, the league of women voters suggests the independent police review division director could regularly review all joint terrorism task force files. Is that something that would be legal and possible?

Reese: The city attorney has access to those files, and that's the oversight component that the city council has proposed through the, through the resolution. I think that's in, an effective oversight, and my reporting back to the police commissioner and the mayor also provides that oversight.

Fritz: Would it be possible, does the ipr director have the potential to get clearance?

Reese: I would have to ask the city attorney, I do not know the answer to that.

Fritz: Colleagues, part my concern is that the city attorney is responsible for risk management for the city, as well as various other parts of it, and I am not sure that there is anybody who is wholly looking out for the civil rights of the citizens in this case because the police bureau is, and is

March 27, 2013

cognizant that, and you have affirmed in the report that you are looking out for that, and you are also committed to collaborate with the joint terrorism task force.

Reese: Committed to provide resources on case-by-case basis when I feel it's appropriate for those resources to be committed. And I do take very seriously my responsibility as a police officer to uphold the rights of all citizens and our constitution.

Fritz: And I believe you do. And another suggestion from the league of women voters, to add a provision allowing at least two weeks for a public review, is that something that could be entertained?

Hales: It will be entertained.

Fritz: Thank you.

Fritz: A suggestion from the aclu, was to keep a log so that sometime in the future, there could be a five-year or a cumulative impact assessment, is that something that might be willing to do?

Reese: It is. Again, our participation is very limited with, with the cases, and it is important that we not divulge information that might allow people to understand that pace and tempo and the work assignments, we have very few resources committed to that collaboration.

Fritz: You could, perhaps, after five years tell us the previous, you know, like in 2017, you could tell us the 2012 numbers, perhaps.

Reese: It would be up to the mayor at that point as police commissioner to delegate that, or direct us to do that.

Fritz: Do you know if the city attorney keeps a log of how many requests and meetings they have with the staff assigned to the collaboration?

Reese: I don't know. I think that dave is still here.

Fritz: Could I get that answer to that, please?

Woboril: I make regular visits, and some spontaneous visits when I get calls on different subjects.

Fritz: And you have records of when you met with people?

Woboril: Not -- I don't keep a formal log, no. We could put it together, I suppose, from my calendar and other sources and my memory.

Fritz: And from now on you could do so?

Woboril: I could.

Fritz: Thank you. And then my final question from the aclu is if we could make the training curriculum available to the public.

Reese: I don't see why not.

Woboril: It's straightforward. Certainly.

Fritz: Thank you.

Hales: I have really, a question, sort of a basic question for the council members that were here other than commissioner steve novick and I when the april 2011 resolution was passed, and that is, are we getting the kind of information that you intended when that was passed?

Fritz: From my perspective the answer is no, that, that's part of why I voted for it was that I hoped we would get more information on what the jtff is doing here in Portland. And whether I know it or not, at least you would know it. You said you didn't know about the recent investigation. That's of great concern to me.

Fish: Mayor, since you pose the question, I deeply respect the fact that a lot of people have come before us today and have in essence urged us. The question before us is whether to accept the report or not. And a number of people have come before us and are saying, go revisit our original decision. It was flawed. And that was the position many people took then and take now, and I respect that. The question is whether or not we accept the report. The thing that I'm not clear about as I listen to Commissioner fritz's questions is whether we have a problem with the report or a concern with the underlying resolution. My recollection is, in trying to strike a balance, the council

March 27, 2013

unanimously adopted a resolution that provided two individuals would seek a particular enhanced security level. That is the police chief and the commissioner in charge, by tradition that has been the mayor. And that we would have an additional protection of the city attorney's office reviewing, that meant some level of security clearance. It was not my recollection that it was our intention that everybody in the council would seek some kind of security clearance and duplicate what the commissioner in charge was supposed to do as sort of the watch dog on this. Chief, would you like to respond to is that?

Reese: Again, I work directly for the mayor as police commissioner on this, I brief the mayor and did so with mayor Adams on all of our investigative collaboration with the joint terrorism task force. The mayor has, I think, a keen awareness of our participation in investigations.

Fish: Again, the point is, I'm not discounting concerns that have been raised, but the resolution provided a chain of command and system of oversight. We did not debate and argue at the time that every member of council should seek a certain enhanced level of security, and function in concert with the commissioner in charge. We delegated that function, is that correct?

Reese: That is my recollection. The question today is a narrower question. The information, is the report, consistent with what the council requested? And I believe last year one of the concerns you expressed to us was a different level of detailed analysis, would have the effect of compromising investigations. Would you care to elaborate on that?

Reese: Our participation is very limited. We have two officers assigned from the criminal intelligence unit to participate on a case by case basis. We have had very little interaction with the joint terrorism task force over the past year. I briefed the mayor and Mayor Adams when we did participate in any investigations. The limited resources that we have, if we were to provide a greater detail of information might enable people to determine what those investigations are and what we -- what our interaction with the FBI is on those -- those sensitive investigations.

Fish: What I hear Commissioner Fritz saying is that she would prefer an additional level of safeguard where she could have access of information and make her own independent judgment -- is there any reason in the resolution that the opportunity to obtain a higher level of security could not be extended to any other member of the council who sought it?

Reese: I would have to defer to council and the FBI on that question. It wouldn't be something that I would put forward. The FBI makes the decision about who is appropriate for clearance to their information.

Fish: Understand. I think what we have here in part is a little bit of a catch 22. I have a colleague saying that I would prefer to have more information to make my own assessment, and at the same time the resolution is intentional about providing information of people that have an enhanced level of security, and that was unanimously supported by the council. Dave, do you want to comment on that?

Woboril: As I said earlier, clearance is not necessary to be able to evaluate whether or not the goals of council are being met. It is a confidentiality question. With intelligence functions that's always the tension in a democratic society. How do you maintain effective intelligence function while still managing it? And having it be transparent enough that you can manage it and be assured that it is not running afoul of your goals. It is not the clearance. It is the confidentiality.

Fish: Okay. Dave, you are in the city attorney's office, what level of clearance do you have?

Woboril: I have none.

Fish: You are bound by the confidentiality agreement.

Woboril: Ethical obligations to the city.

Fish: Chief, secret clearance?

Reese: Secret clearance.

Fish: Is that part of a compromise, you would have to have top-secret to participate, did we end up resolving it that you could participate on an as needed basis --

March 27, 2013

Reese: Absolutely. Because our officers are not assigned full-time to the joint terrorism task force, none of them have top-secret clearance, I have the same clearance level as all officers that participate in the investigations.

Fish: Mayor Hales, are you in the process of seeking secret clearance --

Hales: Not yet. I believe I'm eligible, but we have not yet applied.

Fish: At the same time are you bound by the confidentiality agreement

Hales: That's right.

Fish: On the question of whether more than one member of the council could have the opportunity to get the briefings that the commissioner is in charge has, that is a question that I am interested in learning more of and taking up. I don't think we will essentially resolve that today as part of accepting the report, nor do I believe that provides manageable safeguard because there are many things that we delegate of equally important significance and I am not convinced that having five versus one take responsibility and then certify to the council as an improvement. The question has been framed. I'm certainly interested in learning more about that.

Saltzman: From my perspective, I think this report is very responsive to the resolution we passed.

Line for line, paragraph by paragraph. As probably the one council member, although we all unanimously supported the resolution -- I give Mayor Adams a lot of credit for his work to bring everybody together, including me, as someone who, you know, has believed that we should be a full participant in the joint terrorism council. I think this compromised where we're not except on a case by case basis is a good compromise. I feel that -- and I know the ACLU supported this compromise as well. I know they wished for more information to be in the report. There is some point where you can't put everything in the report without compromising the basic thrust of what a secret investigation is. Commissioner in charge having any kind of special clearances -- I just don't recall that. So, I thought the report responsive.

Novick: Chief, I am curious as to why you think it would compromise your ability to fight terrorism if you did include the kind of information the ACLU is suggesting. Like what would be the problem if you said we participated in 23 investigations and 12 of them involve religious extremist organizations, six involve Unitarians, you know, four Greek Orthodox, and two Russian Orthodox, and also 11 political extremists and six of them were anarchist groups and five were right-wing groups and 11 of these were assessments and eight were preliminary investigations and three were full investigations, what would be the problem with providing that kind of information?

Reese: That would be very detailed amount of information that would allow people because of the number of resources and the limited number of resources we have, I think people could then determine where those resources were being applied, and potentially compromise sensitive investigations.

Novick: But how exactly? General categories, what would happen? I think if I discussed that in council it might actually provide information about how those investigations would be compromised.

Novick: Is it that if you gave the types and you were -- somebody who wasn't involved in one of those types, doing terrorism, okay, I'm getting away with this? Or -- I mean, can you give some indication of why it would compromise the investigations?

Reese: We have very limited resources applied to these investigations. We do very few investigations. And if you were to follow the track of the investigation through that process, you would be able to determine potentially what we were investigating or what the FBI was investigating.

Novick: I mean what purpose do you think -- do you think that this report really serves much of a purpose?

Reese: Council resolution that it allowed our participation on a case by case basis.

March 27, 2013

Novick: Doesn't this just sort of say we are complying with the resolution and -- hopefully there is an understanding that you would comply with the resolution, so do you think there is really a point to having to come before us every year and say we're still complying with the resolution?

Reese: That was council's direction, and I believe there is an oversight component to it, that the mayor and the city attorney can speak to as well, that they have knowledge of the investigations that we participate in, and the oversight process is in place.

Fish: Can I also just add, the purpose of a public forum is to allow advocates, advocacy groups, individual citizens, lawyers, legal advocacy, watchdog groups to come and tell us that they have evidence that we have not been faithful to the resolution or to its implementation, and that is one reason to have a public forum.

Novick: Commissioner Fish could we have the public forum without having the report that seems to say the same thing every year?

Fish: The council walked a fine line. These are difficult questions, some the chief has persuaded me we should not air publicly about methods and means because of the limited participation, but I think this is fair game for the council to debate. I do think a public forum with people having a chance to express their misgivings about the original action, our implementation, and to provide direct and substantive evidence of any claimed violation of this agreement is useful. I have in the -- in the time I have been involved with this, no one has come before us on public forum and said I have specific evidence of some misdeed, but I would think under this resolution, but if they did so, I think they are entitled to have a forum where they can present that evidence.

Novick: Chief, by the way, I want to apologize and thank you for not having asked these questions in advance of this discussion. And it is helpful to have a discussion before next year on these topics, because I would like to have a further discussion about why you think any of those details would compromise investigations and also with mr. fidanque as to why the aclu thinks that any of those details this particular information they asked for would be useful.

Reese: Again, I think there is value with us coming before council with the report, because you have the opportunity to question me and the city attorney about compliance with the oversight mechanisms, and certainly as you can see in the resolution, if officers brought forward to the city attorney concerns about violating state law, that would have been highlighted in the report.

Hales: Further questions, discussion, any further response to what you are here today other than what council has already covered? If not, prepare to hear motion for resolution.

Saltzman: Move to accept the report.

Fish: Second.

Hales: Roll call, please.

Fritz: Thank you for bringing this report to council. I think it is a helpful discussion and I appreciate your affirmation that the police are doing as we expected them to do. I note for my colleagues who were not here a few years ago that I did have different expectations for the report than is in it. That wasn't specifically voted on. And I feel that I was expecting and hoping for more information which we had discussion about that last year. We had another one. Various issues raised. I'm interested on what the Mayor will move forward on. I'm intrigued by the suggestion that I could apply for secret clearance and it would be worth doing just to find out whether I would get it or not. Having participated in multiple civil actions in Portland -- but that wasn't something that was discussed before. I am concerned. Not about the police or the Portland police's actions in conjunction with the joint terrorism task force, I am concerned that we didn't know that they were looking into one of our citizens actions just very recently. That doesn't go to what I was expecting when we agreed to do this collaboration. I'm concerned that there is a history of the fbi and federal government not respecting human rights and civil rights, and in particular, being discriminatory against japanese americans which we heard about, against our muslim brothers and sisters, against all kinds of people who are peaceably demonstrating, and

March 27, 2013

assembling and doing things that we as Portlanders are particularly apt to do. I don't have to accept this report and I don't. No.

Fish: When we took up this question of the proper role of the city in connection with the joint terrorist task force, we had what I thought was one of the best and most thoughtful debates on any subject, and at the outset, I thought it was highly unlikely that we would have five votes in support of a compromise. The testimony that I recall was from some groups that thought we should be full participants and others who thought we should not participate at all. We had profound debates in this chamber about civil liberties, about the extent of terrorist threats, public safety. We had a u.s. Attorney at the time who spent a lot of time with each of us of explaining his concerns. We had advocacy groups led by the lawyers guild and aclu and others who shared a lot of time sharing their concerns. I was proud of the compromise we reached. We took a lot of heat for that compromise. As I said, there were people who thought it didn't go far enough and people who thought it went too far. But there was a sincere effort, I felt then and now, to strike a balance between protecting public safety and protecting civil liberties. One of the gentlemen who testified earlier, and is a sharp critic of our approach, said there is terrorism in the world and there is violence, and so we did not begin this exercise frivolously. We did it out of a concern that we protect people's lives, protect public safety. We did it in a way that was unique and different from the other 57 cities. I remember a ferocious debate nationally about what Portland was doing and if we were somehow the oddball out of a national approach to dealing with this question. We did it differently and came up with a compromise as needed. The question before us today is not whether that was the right approach. I have not heard anyone on this council seek to revisit that question. The question today is is the report faithful to what the council directed? And I believe it is. Now, I take very seriously the concerns that are raised by my friends in the civil liberties community, while they don't have documented evidence of abuses under this agreement, they are concerned there are not enough safeguards. So that, I share that concern. We have a new mayor who is seeking a clearance. We have a new mayor who can take a fresh look and I would urge mayor haes to do that. My hope is that he will keep the police bureau. And my -- as I think a mayor should. And I would hope that you take this opportunity, charlie, to take a fresh look at this reporting system with the police chief, and perhaps even engage some of the advocacy community, and see whether there are some things that we can agree on. I think those conversations are best done in other settings. Where certain kinds of information can be shared. It is a little more awkward here, and I hope the public understands that there are some things that we are counseled not to discuss publicly because they could compromise investigations. That said, I believe this report satisfies the council's requirements, but if the sense of the council is that they want to revisit what those requirements are, I think that should be taken up at another time. Aye.

Saltzman: Aye.

Novick: So, I would like to say first of all that I commend the members of the council who approved this method of -- substantive method of the city engaging with the fbi to investigate criminal acts of terrorism. Potential criminal acts of terrorism, just like the city should participate with the fbi in investigating other criminal acts. I don't have an issue with that. I thought that the process, the conclusion was very impressive. As to this report, I feel that the police are put in a rather difficult position in that you are supposed to provide a report on participation in the jtff while feeling that you can't give anything but extremely limited information without compromising the investigations. But -- what i'm saying, is not to be a criticism of police, but I think that the report itself is problematic, and as currently constituted will simply be a source of ongoing frustration to everybody. Basically what it says we're complying with the resolution, with the rules that are set in the city's participation, jtff -- so, I don't really know what purpose it will serve to continue to have a report that will say the same thing every year. What I would like

March 27, 2013

to see in the next year is a discussion of should we get rid of the report, and maybe replace it with a public forum where people air their concerns, or is it possible to have a report with more detail. So, that is the discussion that I hope we have over the next year. Because I really -- I realize this is a very serious subject, but I can't resist saying that mark twain once wrote that when he was a boy, he started a diary and he looked back on it after a while and saw that every day it said the same thing. Got up, washed, and went to bed. I don't think there is a point to have a report on jptf that reads like that. Understanding that my vote is not meant as a criticism, but a frustration with the form of this report. One thing I will say, greg, i'm deeply disappointed you did not reuse the line you used in this issue a year and a half ago in a public forum -- the fbi has changed so much, why is it still called the j. Edgar hoover building? I personally hope the fbi has improved over the last 40 years, but it's such a good line I think you should reuse that as much as possible. Having said that, I vote nay on accepting the report.

Hales: I want to thank the council and everyone here for a thorough discussion. We have had at least one forum here this morning and we will have more. These are important questions. Some of you know that I come to the question of the relationship between the city of Portland and the fbi with some history and deep skepticism about that relationship and that skepticism remains. And I want to take to heart comments made today that I as commissioner of the police bureau should and will take a fresh look at both this resolution, and the reporting format and larger questions that still to me remain about whether it is wise, good public policy, and cost effective for the Portland police bureau to be engaged in this work with the fbi. I again, I want to restate my point. I am very skeptical of the prospect of entanglement of our police bureau, which should and is focused on peace-keeping in our community, with the work that the fbi does in addressing global terrorism. I'm skeptical of that relationship. It doesn't mean that we will have none. But it means that we approach it very cautiously. I want to be respectful of the work that the previous council did and the fact that the council did get to a unanimous resolution that set in motion today's report. I want to be respectful of that work and step carefully into this review of how we're doing this. But I think for today, and for this report of last year's work, i'm prepared to accept it and give everyone the assurance that I and the rest of this council, all of whom believe deeply in civil liberties and in a police bureau that is focused on both a climate of trust with our citizens and on public safety in our community, that that work will continue. Thank you all for a good discussion. Aye. Thank you.

Reese: Thank you, mayor.

Hales: Thank you. Next item.

Item 253.

Hales: Good morning.

Thomas Lannom, Director, Revenue Bureau: Good morning, mayor, city council. Thomas lannom, director of the revenue bureau. Two items before you. One a resolution and the other ordinance. I will speak to them both briefly. The ordinance -- before I get going, a technical matter to take care of. In the packet, substitute language for the budget portion of the ordinance, and it is a technical change to make sure that we move the appropriation to happen in the bump rather than today. I will ask each member of council move that change unless there are questions.

Fish: So moved.

Fritz: Second.

Hales: Any further discussion on the motion to substitute the new language?

Saltzman: I do have questions about it but i'm willing to vote -- I will let you make the presentation and then I will ask the questions.

Hales: Roll call on the substitute.

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

March 27, 2013

Hales: Aye. Substitute ordinance is in front of us.

Lannom: The ordinance amends the arts education and access income tax code to include a new definition of income-earning resident and to exclude from that income, from that definition rather, anyone making under \$1,000 income of any type. We had previously circulated a report which I also believe is part of the packet that discusses the impacts of this change. I will be brief about the impacts. Excluding income from under \$1,000 for purposes of this tax will result in approximately 7,000 to about 20,000 taxpayers no longer having to pay the tax. The income of the revenue impact of that change is in the range of \$277,000 to \$700,000. The range is so big and can't be narrowed any further because the data necessary to narrow that range not available. Irs, Oregon department of revenue, there is no information about individual income earners, below certain thresholds -- so, the bureau had to look to a range of other data sources to gather that information and that is why you got such a broad range in terms of the impact. The other impact, one-time expenses will increase by approximately \$140,000. The bulk of that is printing and distribution to make sure that everyone that has filed or will file incorrectly or to be able to seek a refund, those sorts of activities can begin. We expect many more tens of thousands of taxpayers to file between now and april 15th who might not be cognizant of the changes occurring here and we cannot notify them of the changes until approved after a second reading next week. We can talk more about the impacts as far as the budget is concerned. Happy to talk more about that in a moment. In terms of -- that is a one-time increase in budget -- one-time budget currently capped at \$500,000. We are projecting to underspend that budget by about \$40,000, the as today increased budget is \$100,000 net.

Saltzman: \$600,000 total for first year start-up admin?

Lannom: Correct. What we are asking for is \$500,000 was the cap, one-time expenses before. And today we need 600 because of the changes that we're considering.

Saltzman: If that is in addition to 5% of gross revenues for admin or --

Lannom: Five percent of gross is the ongoing number.

Saltzman: Ongoing number.

Lannom: Right. And I was going to speak a little bit to the impact around that. This change, as I said before, will result in a reduction of revenue, and so because expenses are a function of revenue, that is to say 5% of revenue is the expense cap, it also has the consequence of reducing the amount of expenses that the bureau can administer this change with. So, that said, we have done some projections around what the new cash flows look like and we believe that we will remain under the cap on a going forward basis. However, I do need to caution the council that if there are any further unexpected decreases in revenues or increases in expenses, that cap is now threatened, because any contingency space we had on a going forward basis is largely being impacted by today's action.

Fish: Did the five percent cap on administrative expenses by law is calculated on the basis of gross revenue over a five-year period.

Lannom: That's correct.

Fish: So that the challenge here is that we may not actually -- we may not get an accurate picture of whether we are within the five -- we can project and check this annually, but the measure adopted by the voters said you look at a five-year average.

Lannom: That is correct.

Fish: Does that technically mean you could go above or below 5% during the five years as long as in --

Lannom: Yes it does. In one year you may have 6%, another year 4%. As long as you are hitting the five-year 5% average, obviously, from a good faith perspective, we could prefer to stay under 5% every year, especially the first year if we can.

March 27, 2013

Saltzman: I believe this language in the ballot was taken straight from the Portland children's levy, which also limits administrative expenses to 5% or less. We do that over a five year period as well, we pretty much -- we have met 5% or less pretty much every year. One year I think we were 5.02. Over the average, 5% or less. This language I think came straight from the children's levy. **Lannom:** Our goal will be under 5% every year. This gives us the latitude that we need and that was approved by the voters, as you mentioned, commissioner. And then I will speak briefly to the resolution, a separate matter, council is directing the revenue bureau to review the entire structure of the tax. And the bureau would do that of course in close collaboration not only with your offices but also with the office of equity and human rights. One of the impacts of that is that because there may be significant changes, we are not able to enter into a partnership this year for tax year 2013, with vendors such as turbo tax. We had modeled our compliance rates on the assumption from tax year '13 forward, due april 15th of 2014, that we would have that relationship in place and that would assist us in terms of compliance and making sure that it is easy for taxpayers to file. That effort will be delayed one year as a result of the review. So cash flows change in some of the out years. Final net number over the five-year number is about the same. It moves moneys from one year to the next. In terms of the projection. I will end my remarks there and ask if anyone has any questions and will remain in chamber until after the item is completed.

Hales: Questions at this point? Thank you both. Did we have anybody sign up?

Parsons: We have seven people signed up. Would you come up. The first four. David, anita, erik, and steven --

Hales: Good morning.

Hales: David, you can be on first.

David Wynde: Thank you, sir. Good morning, david wynde, deputy cfo and budget director for Portland public schools. I would like to start by thanking for your history of support for schools in Portland. As budget director, we are like school districts across the state, in the midst of developing our budgets for next year. I am happy to be able to say for the first time in 10 years, that someone in a position of authority in this state has actually proposed to increase the level of state funding in the state budget this year. So it does mean that some of the tenor of conversations about budgets for schools has changed. In Portland this time last year, we were looking at a substantial reduction in our budget and eliminating 110 positions in our schools. And that was only averted at the last minute as the result of a three-way agreement between the city council, Portland association of teachers, and the school district that provided one-time funding that reinstated those positions into schools and that is just one example of the city's partnership with and investment in schools which we are enormously grateful for. When we start the budget process this year, we are looking at backfilling that one-time money. Level of funding proposed by the ways and means at the state legislature gives us some stability when we look at next year in comparison to this year. Even after taking into account that one-time money. One of the key components providing that stability to Portland is the funding that comes to teachers in schools. The projections that we have, using the 500 to one ratio, is that about 45 teachers in Portland public schools would be funded with proceeds of this arts education and access tax and that is a significant thing for our school and k-5 across the district. Part of the reason that is important, because while the state outlook is better, the federal funding outlook is much worse than it has been and we are juggling a number of competing financial pressures. In addition to the fact there is a budgetary benefit here, there is also the compelling advantage that next year, for the first time, that I can remember since we started having to make budget reductions, we will be able to say every school in Portland public schools, k-5, will have an arts teacher. Because these funds that come through the arts education and access tax are very specifically directed to fund licensed arts teachers. That equitable offering of instruction is not the case at the moment. It is

March 27, 2013

much more haphazard. And in some cases supported by private funding and in some cases the result of decisions individual school committees make about limited staffing available to them. All of this is to say that the school district is strongly supportive of the arts education and access tax remains so, we support this modification that you are considering, and we think that is a fair thing to do. I will end by thanking you once again for your support, not only Portland public schools but school districts across Portland.

Eric Fruits: Hi, my name is Eric Fruits. Mayor Hales, commissioners, I'm a Portland resident. Chairman of my neighborhood association. I'm also an adjunct professor, teacher of urban economics. Last year I petitioned the court to insert straightforward language in the ballot title. That was shut down by the court. Under the quirks in the laws there is no opportunity for appeal. Some people may think that was a huge victory for this tax, instead, it was more or less the whistle got blown too soon. I argued then and I believe now that this tax violates Oregon's constitutional ban on head taxes. The constitution states plainly in one sentence 'no poll or head tax shall be levied or collected.' I think that the city is violating this constitutional rule by sending out notices saying that you owe a tax. That is the first step of levying. It is clear, unambiguous, it is as clear as saying there is a ban on slavery in the state. We can't just call a jobs program a slave program, or vice versa. For that reason alone, city council should pass an emergency ordinance that gets rid of the tax all together. Ax the tax today. Be done. Go back to the drawing board and get it right. While that unconstitutionality should put an end to any further discussion about how to collect the tax. This tweak highlights just how cancerous the tax is. There is not a single part of this tax that can work. Think about it. \$1,000 exemption. My wife is a stay at home mom. She no longer has to pay the tax. I think she would extend her thanks if she knew about it. But her extension comes at a very steep price to personal privacy. How is she going to prove that she is exempt? We file our taxes jointly. Income commingled. No way to tease her income out of the tax forms. Are you going to look at my tax form? She has no w-2's, are you going to ask for my w-2's to pull that out of the tax form to make sure none of that's hers? The other thing that is troubling, remember any money counts, and I have to now tell my wife that the gift I gave her last year for our anniversary was not worth \$1,000. What this is, we have -- I said this in the -- everyone thought I was crazy. This is the biggest invasion of privacy in the history of Portland. Because we are going to have a team of city bureaucrats pawing through food stamp applications, w-2's, all to avoid paying a tax. Saying this could be tweaked with this little thing that you are doing today is like saying we could have solved the Titanic problem by having one more life boat. This is one life boat on a ship doomed for failure. With that, thank you very much.

Hales: Good morning.

Stephen Marc Beaudoin: I'm pleased to follow Dr. Fruits. Executive director of Phame Academy. We are Portland's fine arts academy for young and older adults with developmental disabilities. We were the 2011 City of Portland Making a Difference award winner. Thank you Commissioner Fritz, for presenting us with that award. I'm honored to share this testimony this morning with one of our amazing students at Phame.

Anne-Marie Plass: Hi, my name is Anne Marie, I have been a member of Phame -- seven, six years now. I take classes in choir, theater -- I also do things like performing at the zoo, going on tour. This year's musical which will be Bye Bye Birdie, and I star as Kim in that one.

Beaudoin: You can't miss that, June 22nd and 23rd. It will be a lot of fun. The arts education and access fund supports Phame and many other critically important arts education and access programs across the city. We want to thank Commissioners Fritz, Fish, Saltzman for their support in referring this tax to the voters last summer and to the voters of Portland who overwhelmingly approved it November. Commissioner Novick and Mayor Hales, we have faith in your support of this tax and of making the structure and collection of it continuously better. We have just a

March 27, 2013

couple of essential messages for you today. First, we want to remind everyone that this tax does a world of good for community members like anne marie.

Plass: This gives me access to -- that I can only get at phame. It has given me a lot of confidence and the ability to be myself and to be challenged to do more things that I never thought I would be able to do.

Beaudoin: Excellent. Me, too. We support the mayor's efforts in common sense improvements to the structure and collection of the tax. Thirdly, most importantly, this is a tax about people. This is about real people and real Portland neighborhoods and real programs and services that are delivered to underserved communities. This is not some luxury sedan benefiting only a few. It benefits everyone in Portland. I have faith that -- will protect and defend and continuously improve this critical new source of funding, but not for me or my benefit. For anne marie and other students of phame, kids studying music after school at ethos in north portland, students in southeast Portland and Portland public schools, for the communities of color who see and share their stories on stage at milagro and Portland playhouse and many other places -- they are the real beneficiaries of the fund and they are relying on you to defend this fund and to make it better.

Plass: On behalf of everyone at phame academy, thank you for your time and your support of arts tax.

Hales: Thank you. Thank you for coming, anne marie. Thank you all.

Kevin LeFohn: Good morning. I'm Kevin lefohn, a violinist, music educator, and I have the honor of serving as the executive director of this country's first youth orchestra, Portland youth philharmonic. PYP serves 300 musicians in our community and they come from over 100 different schools. We leverage the talent of these musicians. By doing so we touch 30,000 people in our community each year. We change lives, not only those of the talents we nurture but everyday Portlanders whose hearts their talents touch. Our signature outreach program is a series of free children's concerts. We invite third through eighth graders to experience a performance in the Arlene schnitzer concert hall. Over the past two years, we've seen a 47% increase, sky rocketing increase in attendance. This year alone, we have sold out in quotes these four concerts.

Surpassed 10,000 kids coming into our city's jewel. They come from over 150 schools in our community. Clearly, there is an interest in arts education in our public school sector. Clearly, there is a need for ease of access. What will be possible for pyp with this additional art tax funding, what would it take to double our attendance? Bring our musicians and conducting staff directly into the schools to further break down any barriers that exist for access to arts? We change lives. Not only those whose talents that we touch, but the every day Portlanders whose hearts their talents nurture. The tax is good for our community. Because as of november, we are now on the brink of restoring arts education in our community. It will help arts organizations serve our community even better. At pyp, we are a double recipient of this investment. Schools receive funding to restore teaching programs, thus inspiring students to take up -- years later they may some day win a seat in our ranks. As an arts organization we compete for additional funding to support outreach programs which increase depth and breath of our programming. Let us not forget that our community has spoken with a resounding approval, 62% last november. Mayor hales, thank you for your consideration of common sense improvements to this. I support the proposal to establish an income floor at \$1,000. In the words of andrea moon, a pyp alumna, pyp is not just about the music to me. It is about the bridging of human relationships through music. Mayor hales, commissioners, and citizens of this wonderful community we call Portland, together we change lives, not only those whose talents we nurture, but those who hearts the talents touch. Thank you.

Hales: Thank you. Good morning.

Deborah Edward: Good morning mayor and commissioners. Debra edward, executive director of business for culture and the arts. I am excited to be able to help support you all thinking about

March 27, 2013

making the kind of tweaks that important to make this tax work. I thank you for supporting this at the beginning, creating a dedicated fund for arts education and access to the arts. Portland has taken a lead around the nation in finding ways to fund critical opportunities for young people to be exposed to arts. The experiences are good for kids, community, and our economy. The research is clear. Experiences with making and doing -- seeing the world from the lens of various art experience, advance learning in all subject matters, helps students to be successful in school and life. An arts rich community results in economic prosperity and can drive people to come live here, to have employers that want to locate here, have employees that want to be here, and have visitors that want to spend their money here. The tax restores arts education to our public schools and helps race and other arts organizations make arts activities more accessible to the public. We thank you for supporting this, 62% of our voters saying it is an important thing to do. We know that it is important for arts education to happen with school dollars. The fact that Portland has said we think this is so important that we will make sure it happens no matter what has been critical. The ideas that you are thinking about right now to tweak the system, sensible improvements, equitable way of collecting money and making it possible to collect money that we are expecting - what the voters had in mind when they passed the measure is really commendable. I support the mayor's proposal to establish the income floor the \$1,000 and to continue to look at ways to make this work for everybody. And, again, you are all very thought full keeping the end goal in mind and I appreciate what you are doing.

Hales: Thank you. Anyone else?

Parsons: That is all.

Hales: The ordinance will move to second reading. Then we can have council discussion and action on the resolution of course today. So any initial comments before we move the ordinance to second reading?

Lannom: I have some comments.

Hales: Okay.

Lannom: Thomas lannom, director of the revenue bureau and this is teri williams. I referred to a report that was not part of the packet but was emailed to you last friday. And just a couple of comments. One of the folks testified regarding gift income. Gift income is no longer considered income in terms of the arts tax. We removed that on march 19th by administrative rules change and will communicate that in the next mailing to Portland households. We have also changed the deadline in light of the council actions. We want to make sure that people have an opportunity to file and pay on time. The new deadline for the arts tax is may 15th of 2013, rather than april 15th. **Hales:** Good. Glad you got that on the record.

Hales: Any other questions for thomas? Thank you very much. The ordinance will move to second reading next week and we will take a roll call on the resolution, please. Unless you have questions beforehand. Sorry.

Saltzman: I would like to have a dialogue with thomas on the resolution.

Item 254.

Hales: Commissioner Saltzman.

Saltzman: Thank you, mayor. Thomas, I know I have had discussions with you in the last resolved in this resolution deals with my concern, and we discussed this many times throughout the intergovernmental agreements around this taxes. I am very concerned that non-payers not have their credit histories necessarily flushed down the toilet for nonpayment. For some threshold. That is what this resolution directs your office to come back with a recommendation about some minimum threshold. If you have an outstanding balance of \$250 or less, we will not turn your account over to private collection agencies. We can continue to collect the balances through the revenue office. I think you are much more above board than any private collection agencies and the tactics they use to get payment and in the way they can black mark

March 27, 2013

someone's credit history and I think that is not fair and that is one of the tweaks we have to consider and that's where I look forward to your coming back with recommendations in whatever time we asked you to do that. September, I think.

Lannom: We would be happy to do that. I think that is a very fair thing for the council to be looking at to ask about. Obviously there is a balance to be struck. If we signal that we are not serious about enforcement, then we will see a severe drop in compliance. However, I think, you know, the questions that you are raising are good ones. We at the bureau will not have on a going forward basis the resources necessary to really and truly actively pursue delinquent accounts on a multi-year basis. There are only 4.5 fte's for the arts tax. What we can do is to make sure that we have sensible rules in place. The reality is that because this is the first year, we haven't even begun to write the internal rules, so this ask comes at a very good time, that we can build that into the program going forward.

Saltzman: I realize there is a balance to be struck, but I also feel very strongly that we're not going to -- we don't want to do anything that will jeopardize someone's already fragile credit history until the balance -- gets over some threshold.

Lannom: Right. Let me specifically say I agree with that. We need to set a floor and come to an agreement about what that floor is.

Fish: If I could build on that -- typically we use the property tax base as a way to recover children's levy, other fees and taxes that voters have approved. As part of your package of recommendations to us, I would like to have a better understanding of how the city and county currently tackle the question of delinquencies in property taxes for people that may voluntarily choose not to pay the children's levy portion or some other portion and how we handle that collection action.

Lannom: We can do that.

Fish: Thank you.

Hales: Other direction, requests for the bureau as they come back to us under this resolution?

Novick: I would appreciate it if when you do a presentation on the possibility of not using private collection agencies, that you could see if we didn't use private collection agencies, how many additional employees you think you would need in order to assure a reasonable level of compliance?

Lannom: We can do that. Let me just flag for the record here. The city does use collection agencies across a range of different programs. Not only revenue bureaus and others. We make sure that the record is bulletproof before anything is referred. We contract with a good firm down in Springfield. It is right here in Oregon. I personally have done an on-site tour there, and had conversations with managers of that collection agency and Terry has gone down prior to the signing of a contract. To the extent a collection agency can have a reasonable approach, human approach, we do think that the collection agency that we are using is one of the best.

Fish: If I could just add, this comes up around the auditor's work to enforce liens, and I believe the standing policy is not to use the foreclosure process, but to try every other means. City has a history of being sensitive to the impact of collections on both families generally and on credit history. I think you are getting a signal. We want to see a broad range of options and understand the impact on taxpayers.

Lannom: Understood.

Hales: Other direction?

Novick: Actually, I should mention, this is a request already made of the bureau, but I want to highlight it. One option I would like us to explore in revising the tax would be to have it be a percentage of the Oregon income tax liability, and based on conversation I had with the legislative revenue office, I think it would probably line up to achieve the same amount of revenue being somewhere in the range of 1.5% of your Oregon income tax liability. For example, if you paid

March 27, 2013

\$3,000 in Oregon income taxes, you would pay \$45. So, that is something that indicated that the bureau would be able to calculate and I hope that is one of the options that we consider.

Hales: Thank you.

Lannom: We can. We will have the conversations not only with the representatives, but office of equity, in terms of bringing forward recommendations, we can model a range of different approaches going forward. I think the most important thing for the city council to understand, that will not happen in one meeting. It will be a series of meetings. We will ask whoever your staffers are to commit to a series of meetings over a course of months so that we can make sure that all of the various trade-offs are well understood. Moving from the current structure to a new structure will have pros and cons and trade-offs as well. There are a lot of players that have an interest in this conversation, and I guess my main message here is that it is not going to be a quick one. We definitely want to have commitment from each of the offices, same person, if you can, for each of those meetings going forward.

Hales: Good. I believe we're ready for a roll call on the resolution.

Fritz: Thank you also for bringing forward the quick fix of the \$1,000 floor, but more particularly for this resolution which looks at a comprehensive look at what was passed by the voters and what was referred by the city council. A good example of democracy in action, council could have passed this tax without sending it to the voters. We chose to send it to the voters, and it was affirmed by a large majority. It was referred as an ordinance rather than a charter amendment. The council now has the authority to fix parts of it. Part of the challenge with ballot measures are yes, no, or don't vote. They are not yes but line 64 needs some corrections. That is what we are doing here. I don't know if it is line 64. But looking at holistically given that the voters do in general support this kind of tax for the purposes stated, how do we make it more workable and more fair for everybody? I appreciate the work that will be done on it and the council's engagement in bringing that back forward. And I appreciate everybody who has paid it so far, revenue bureau's work to make it available online and available by mail and other options for payment. Thank you to those who have already paid and to the teachers employed next fall. Aye.

Fish: A few comments. First, we are in effect strengthening the law of this package of actions we're taking over stages, and I think it is prudent to do. I paid the tax and found the online system less than user friendly. I appreciate thomas's and the revenue bureau's willingness to engage in further debugging. One thing I found was unfortunate, but I understand it is a cost issue -- at one point, you couldn't use a debit card. There is a lot of people in our community frozen out of the credit card market, by saying you can't use a debit card, you are presenting an obstacle to folks, where that is the only way they can access funds. I appreciate now that a debit card is permitted.

Lannom: Not yet.

Fish: Excuse me, that it is soon to be permitted. And you are continually debugging the page to make it as user friendly as possible. I was proud to refer this to the voters and pleased that the voters overwhelmingly adopted it. Commissioner Fritz said something that I think deserves a rebuttal. She said we're looking forward to having teachers hired this fall and providing services and I think it is important that we acknowledge that as long as article 9, section 1-a question is pending, there is a question that has been raised as to whether the city can distribute any funds to any third party until that issue has been resolved. One way to address that is to move expeditiously to get a resolution. And that involves making sure that the question is decided in the right forum and it is done as quickly as possible. But the companion question is if there is a -- I understand we have our view of our legal position, which we're not going to discuss publicly, but there is a question, and I want to put it on the record, that if the legal issue has not been resolved, the city may actually not have the luxury of distributing the funds and that may end up

March 27, 2013

deferring the hiring of teachers and the distributing -- my own sense of the council is that if we are liable for returning 100% of the tax proceeds in the unlikely event that we lose the constitutional case, it is highly unlikely that the council will authorize a distribution to anybody until that issue has been resolved. Legal fight that a citizen has a right to bring and the courts are the place we decide this. I want to be sure that people's expectations are in line with reality. It may end up being something that we simply cannot do until that question is decided. Today, however, we are doing a fix which I think strengthens the law and we're authorizing a process to look at other fixes, and I appreciate the good work of the bureau. Aye.

Saltzman: I appreciate the mayor bringing forward the \$1,000 threshold which we will vote on next week, resolution that does direct further refinements to the arts taxes as we uncover glitches, and there is no doubt going to be glitches we are going to uncover and that is why we it is good that we have the flexibility to make these changes because it is an ordinance. However, the emphasis should be right now on getting as many taxpayers out there aware of this and their obligation to pay and try to get to our revenue goal. I, you know, continue to be concerned about making sure that we keep our administrative expenses at 5% or less. That is a very important -- we need to make sure that we live up to that. With those comments, I'm pleased to vote aye.

Novick: Although I appreciated the previous council in supporting arts education and arts in general, I oppose this tax on the grounds that I don't think we should have something that calls itself an income tax, where somebody who makes \$1 million pays the same as someone who makes \$30,000 a year. So as a representative of the distinct minority of Portlanders who oppose this tax, I want to thank you very, very much, Mr. Mayor for asking that the office of revenue and office of equity to take a look to see if we can make that tax more equitable. And with that, I vote aye.

Hales: The people of the city of Portland have spoken. We support the arts and we support an excellent public education for all of our kids. That is the voters' intent behind the overwhelming approve mentioned here this morning of this measure. As commissioner Fritz pointed out, it was done by ordinance, so that the duly elected legislative body of the city of Portland can translate that intent into good public policy and competent administration. That is our job. That is what we are setting about to do here with the first ordinance to make one common sense adjustment in how this tax works in people's lives, and then to ask our staff to come back in fairly short order working with each of us with options for how we, again, honor that intent, but make it work effectively and fairly and legally as an ongoing program of the city of Portland and for this community. I want to thank the office of management of finance and revenue bureau in particular for their work so far on this and look forward to carrying this discussion on. In fact, it will be by July that Thomas and his staff report back. We won't have long to wait to look at the next set of questions, but this is a good first step. Thank you all. Aye.

Hales: And we are down to the regular agenda. At long last.

Item 271.

Hales: There it is. Good morning.

Hales: Another soccer fan.

Fritz: And now for something completely different. I was standing in the north end at the season opener and saw a two stick banner that said hands off of our cup. I asked my older son, standing with my daughter and me, what was that and was told about the Cascadia cup which is now resplendent before us. First of all, thank you for waiting for this item to be read. I know that numbers of the 107ists are very well versed in waiting for the kickoff for long periods of time. And so I appreciate you're being here. I want to read the resolution, or key parts of the resolution so that everybody knows why we're taking this action today. Cascadia cup was created by the supporters group of Portland Timbers, Seattle Sounders and Vancouver Whitecaps in 2004 to celebrate the spirited rivalry of the teams of the great Pacific Northwest. The cup is awarded each

March 27, 2013

season with the previous year's winner handing the cup in person to the supporter group of the team with the best head to head record of the teams. This two-foot-tall silver cascadia cup trophy was purchased by representatives of all three supporter groups and has remained in the hands of the winner of the cascadia cup each year. The cup is currently in control of the timbers army and will likely stay with it for the foreseeable future. Major League Soccer applied for Canadian trademark rights to the term cascadia cup in december 2012, stated its intent to apply for trademark patent in the united states as well. The supporter groups, as the creators and rightful owners of the cup are the appropriate entities to protect the cascadia cup's name and spirit. And the supportive groups of the three rival teams have joined together to form the cascadia cup council to ensure that the trademark remains in the hands of the fans who created it. Other fans in other cities have also created fan-based competition cups including the rocky mountain cup, brimstone cup and heritage cup -- and are facing the same issue with mls. Therefore, we, I hope, will resolve that we support the efforts of the cascadia cup council and request that major league soccer respect the trademark rights of the groups represented, withdraw the application for the Canadian trademark and abstain from applying for the trademark with the U.S. patent office. Commissioner Fish has additional comments before we invite our invited speaker to have some words.

Fish: Thank you for giving me the honor of cosponsoring this resolution with you.

Commissioner Fritz has a long-standing love affair with the game of football. And this is yet another example of that passion. Proud to cosponsor the resolution. Needless to say, we have the best fans in the mls here in Portland. And the cascadia cup represents a great sportsmanlike tradition among the mls teams and fans. We believe very strongly that that tradition should stay with the fans themselves and not with the league. I want to thank the timbers army and cascadia cup partners. This is probably one of the few times we thank the cascadia cup partners in any context, the fans of the Vancouver whitecaps and seattle sounders and i'm pleased that amanda is bringing this forward.

Fritz: I will invite jeremy wright with the 107 independent supporters of the Timbers Army to give us a few words.

Jeremy Wright: It is good to be back in front of you. It hasn't been too long. I wanted to thank you all for having us last week. Commissioner Saltzman, there has been a great response to us from that presentation and opened up some new opportunities already. Thank you very much. I'm jeremy wright, vice president of the timbers army and representative for the timbers army 107ists on the cascadia cup council, three of us who represent the pacific three supporter groups as commissioner Fish alluded to, if there is one good thing that has come out of the trademark cascadia cup issue is that we now all really get along. Previously there was some tension. There has been a great spirit of cooperation among the cascadia cups supporters group. As we have been engaged in this process with mls since the announcement, we found out about the trademark attempts, and I am happy to report that we -- there has been progress. Cascadia cup council and major league soccer engaged in a number of conversations, but the process is heading in the right direction. We have not agreed upon anything yet. I am confident with your support, the support of folks across the league and across the world actually, since this game has exploded, that we will retain our rights and there will not be a sponsor, you know, you alluded to the rocky mountain cup, what we want to avoid is what happened up there. It is now the subaru rocky mountain cup.

And we believe strongly, all three supporter groups believe strongly that there are three original sponsors of the cascadia cup and three are three sports groups. I'm happy to answer any questions that you have.

Fritz: Will you just tell folks why it's called the 107ist?

Wright: 107 independent supporters trust. 107 is our ancestral home in pge park, where we began with 12 people banging on pickle buckets and it has grown since. Concept of --

March 27, 2013

Saltzman: Section 107.

Wright: Section 107. Now we encompass 16 sections in the north end. But that is where we began. The concept of independent supporters trust is something that is worldwide -- it is a way for fans to incorporate in a nonprofit and be able to utilize the resources of the group. That is why it is called the 107ist.

Hales: Thank you. Any other questions? Anyone else signed up to testify?

Parsons: No.

Hales: Let's take action on the resolution then, please.

Fritz: Thank you, again, Jeremy for being here and the president of the 107ist trust independent supporter trust to help write the resolution along with people in my office and I'm sure I will get criticized for having city employees spend time on something which some people would consider frivolous. Every item on the agenda matters to somebody and in this case it matters to a lot of people. It came to mind as well when you gave the presentation two weeks ago about the wonderful things that the supporters group in Portland is doing in our community. Far beyond anything that I think ever happens in Europe with supporters groups. So, here participatory democracy is winning game plan in addition to scoring more goals than Seattle. I'm proud to sponsor this resolution and to say that timber supporters are known for fervent loyalty and dedication to our home team. You are integral to the Portland community. Cascadia cup exists because of your genius and hard work and it must stay in your ship. Thank you for your work. Aye.

Fish: We anticipate this will remain in Portland.

Wright: Absolutely.

Fish: You're talking about a trademark issue. While my -- I'm a little rough -- rusty on my view of federalism -- this may be the first time in opposition to a patent application you can put in your response that it would violate a resolution of the Portland city council. I think it is an important principle that we are adopting. You are doing a fundraiser this Friday at the Hollywood Theater?

Wright: Yes, actually this is Thursday. It is Thursday, April 4th.

Fish: You're raising money for the field that you are doing at the new Columbia.

Wright: It is called beating Seattle never gets old. We're showing old highlights and players involved will narrate and give their perspective.

Fish: Thank you for all that you do and Commissioner Fritz thank you for bringing the resolution forward. Aye.

Saltzman: As I said two weeks ago, I am a big fan of the Timbers, Timber Army, and 107ist. I'm still working on acquiring a taste for soccer and understanding it all. I just watched one of the World Cup trials last night, Mexico versus U.S.

Fritz: Awesome.

Saltzman: I couldn't understand why it was a 0-0 game and it was regarded as a tremendous victory for the U.S.

Fritz: We will talk.

Saltzman: Anyway, I'm gaining my appreciation and understanding of the rules of the game. Thank you for all of the good works and let's keep the cup here in Portland. Aye.

Novick: I should observe for the record, the cup is so big it obscures my view of Mr. Wright, so I am unable to judge his demeanor. In spite of that I have utmost confidence in his sincerity and honesty and I'm pleased to vote aye.

Hales: Thank you Commissioner Fritz and Fish for bringing this forward and Jeremy and the Timbers Army for what you are doing for our community. I hope that MLS will quickly surrender in this case and we wouldn't have to have Timbers Army fans raising flags don't tread on me next game. Pleased to vote aye.

Wright: Thank you very much.

March 27, 2013

Hales: Beautiful. Keep it around. All right. Item 272, please.

Item 272.

Hales: Second reading and roll call.

Hales: Come back to her.

Fish: This is the companion action to the lightning quick development of a new type one historic resource review that we previously adopted. Thanks again to dan Saltzman and bureau of development services for your great work. Through an amendment that I supported last week, we have set a fee at \$250. While this was before us does provide an opportunity for the bureau of development services to come back to council at a future date to seek to recoup any shortfall, i'm confident based on the experience that we learned in salem, and the clear direction from this council, that the bureau will do everything in its power to operate within the \$250 cap, streamline the process so that that actually is -- gets us to full cost recovery, and I appreciate that in doing so, what the council is saying there should be an appropriate fee that encourages people not to bypass the regulatory system, and recognizes there are homeowners within historic districts with whom this is a hardship. Thank you everyone for your hard work. Aye.

Saltzman: Aye.

Novick: I had some concerns about the amendment last week that I expressed, since then commissioner Fish has assured me everything will be okay, based on that assurance I vote aye.

Fritz: Aye.

Hales: Good work, aye. Okay.

Item 273.

Hales: Any testimony on this item?

Parsons: I do not have a sign-up sheet for this one.

Hales: Come on up.

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

Dan Handelman: Good morning again, mayor, members of council. I wanted to testify about this item proposing to fund two more project -- mental health workers riding with Portland police.

We are not here to address the idea of the teaming up of social workers with law enforcement, we want to raise a few concerns about this item and some broader implications. First and foremost, expanse of this program is part of the agreement with the department of justice around excessive force findings regarding Portland police and people with mental health crisis. When we cry out, what do we want just cyst and when do we want it now, we are concerned that many aspects of the agreement are being implemented before judge simon has held a fairness hearing and entered the agreement into the records -- one of the most recent of which auditor circulating job description for complaint investigators to be hired with the independent police review division. We have been supportive of the idea of ipr doing investigation over the years but suggested that the investigators be funded with dollars originally allocated to police and internal affairs to ends the decades of long practice of police investigating the police. Project respond solution could benefit from community input to address concerns. If the council moves forward with this, stated understanding if the judge approves changes to the agreement, the city will work to implement the changes rather than saying we have already dealt with that and here is how. The second concern is the now deeply disconcerting integral relationship between the service provider, cascadia behavioral health care and the bureau around a case of an officer involved shooting. Officers pulled him over because they thought he looked like a gangster looking -- driving a nice toyota, turns out it was his mother's car. Burly had been -- driver's side door trying to extract him by among other things punching him in the face. Burly is a member -- we did not realize -- I will pause here to say that she also was involved in encouraging trimet transit police to take in people by any means necessary which could have led to the death of james chasse, and she

March 27, 2013

was never investigated for that. While there is a strong argument for the police to have a better understanding of mental health issues --

Hales: Thank you. Anyone else?

Mary Eng: Hello. Members of the council. With the issue of cascadia mental health getting involved with police, I find it very interesting the way we have such a sharp dichotomy between law enforcement and medical care. A person who needs medical care, for instance, invite a target into a fbi trap trial that goes on for two years, stalked by the fbi, that kind of thing, we need rehabilitation. We have so much alcoholism and marijuana in our college systems. His parents have worked very hard. Stuff like that. He is now getting the treatment he needs. Now we're sort of like oh, we can fix it. We will put in the cascade mental health people to work with our police, but we already know we don't even have control of our sexual harassment, racist, nazis in our police force, and I would like to really see happen is something that we're more totally integrated, where say someone who is a nurse who can be a politician can become acquainted with the law. Mr. Fish, you were legally trained you mentioned the last time I saw you. I was very impressed by that. We could have a more multidisciplinary process. And what I was very concerned about the doj protocol, we totally left out racism. Alliance brought the -- why are Portlanders afraid to admit that we have racist, racial profiling on our police?

Fish: Can I correct you on that? We often hear that in testimony, and it is factually incorrect.

Eng: Oh.

Fish: The -- the doj investigation was prompted by a request from the city --

Eng: Oh, I see.

Fish: Race was in the mix. The findings the department of justice issued did not include race.

Eng: Thank you for clearing that up. And moving back into my biomedical ethics class at Portland state university, figures from -- what I found interesting, there seems to be a difference between mental illness and blackness. And the terms and definitions change over time. My father grew up in an era where the -- the association for the advancement of negro persons was the way it was called. Viewed uncomfortable addressing these issues of racism. I think you can't say blackness is a mental illness or vice versa. If we don't have any accountability about why we keep killing black boys in their 20s, how do we know we will have adequate adjudication of who is mentally ill. I think until you get justice of what is going on in the city -- I don't know what you feel about the concept -- a movement which pro -- some people previously -- asperger's, autistic, have a right to have differing neurological identities -- I think we need a more futuristic understanding when we are throwing that word around.

Charles Johnson: Charles johnson. Good to be back up here. I think mr. Handleman's concerns touched on a problem with privatized services, cascadia. It is interesting that none of the semipublic agencies, although I don't know the funding on that, problem with the way the city sometimes is stuck with providers whether when we fabricate these entities, like transition projects, or cascadia, and then -- number 276, where we give 1.6 million to g-4 secure solutions, we will be talking about having better ways to get living wages for people doing public service. Thank you.

Hales: Thank you. Anyone else? And this is an emergency ordinance. Roll call, please.

Fritz: This is something that we need to do regardless of the outcome of the department of justice settlement, it is something that we studied, the safer pdx projects, collaborating with cascadia health care, looking at all of the issues looking towards police, sheriff, 911, and other community services. This establishes two more cars where there is a police officer and social worker from project respond together and they're not responding so much to emergencies, as to looking to care for folks who have been identified through ongoing interactions, either with community members.

*******:** Yes. [comment from audience]

March 27, 2013

Fritz: You're welcome to come and talk to me afterwards. That is what the purpose of this set of patrol cars are is to get people in touch with services and so it is a good thing for us to do, and I believe it is the right thing for us to do. Aye.

Fish: The day is getting late, but I just feel compelled to make two comments. The first is to the advocates who have said somehow we're moving too quickly. It the great irony of this, since this concept of marrying qualified mental health professionals with police officers has been a rallying cry of the community for a long time, if we were to wait until the department of justice process concluded, a challenge, not brought by the city but to those who want to intervene and modify the proposal, we would be accused of foot dragging and not taking this seriously. On this argument, it takes the cake for us to be criticized for moving in a responsible and expeditious matter on something where there is no community disagreement about marrying health care professionals with police officers. Second thing -- I think that the flaw of the department of justice settlement is there is too much money invested downstream and not enough money invested upstream. I believe the flaw in the concept is that it is premised on the idea that when we solve the problem by addressing training at the street level with police officers, marrying with professionals to deal with the problem there, and I think there is insufficient focus on attention on the upstream investments and mechanisms to prevent interactions between people experiencing mental illness and the police to begin with. It is not only more cost effective, but a more rational system -- you could say that about many ever policy that we have addressing safety net concerns. That would be my criticism of the framework. On this one, it is -- to have someone testify that in moving expeditiously and responsibly we are somehow doing something inconsistent with the spirit of the doj settlement. Aye.

Saltzman: Aye.

Novick: Aye.

Hales: Good time to do the right thing. Aye. Item 274.

Item 274.

Andrew Aebi: Andrew Aebi, Local improvement district administrator. We received no remonstrances regarding lid formation.

Hales: Any questions?

Fish: Remind me, this is in connection with the planned new park?

Aebi: Yes.

Fritz: You said you were going to have discussions with some of the other property owners, does that happen later?

Aebi: Yes, commissioner, that happened during the design process when we show them what we are planning to design and also at that time, we will entertain the discussion.

Fritz: Current lid is as proposed before with only the park added.

Aebi: Consistent with the resolution and any participation financially by the property owners will be strictly voluntary.

Fritz: Will that come back to council or do they just tell you that they want to be in?

Aebi: The ordinance provides the authority for the local improvement district, administrator, city engineer to enter into agreements and design respectively for any frontage improvements that may be contemplated.

Fritz: Thank you, this is an interesting pilot project.

Hales: It moves to second reading. Item 275.

Item 275.

Hales: Good afternoon.

Michael Riscica, Office of Management and Finance: I'm a project manager for office and management and finance. This amendment is for extending construction services for a project that has already begun. This is for the replacement of the north precinct roof on martin luther

March 27, 2013

king boulevard. When the project was originally started, the intention of the project was to replace the north precinct and the st. John's training center all at the same time. There would be one set of construction meetings for both projects, and, however, after contracting took place, the roofing season was quickly ending, so it was decided to start the north precinct roof this year, and they could postpone the st. John's project until next summer. By doing that, that separated the two projects and created more meetings, and created more paperwork for the two projects. It was also decided to -- we began the north precinct and walnut park project, and this amendment to extend architectural for- breaking it into two construction seasons.

Hales: Thank you for the explanation. Any other questions?

Fritz: The ordinance says the cost of \$13,340 is included in the budget for the union station facility project? I'm wondering if that is an error.

Hales: It may be an error.

Riscica: Yes.

Fritz: We need to get that amended before we vote on the emergency ordinance, number 5.

Riscica: That's a typo

Fritz: Where is the money coming from?

Riscica: Project budget.

Fritz: But which line item in transportation budget, or is it the police budget?

Riscica: This would be the police budget, I believe.

Fritz: So I would need information from the budget office.

Hales: It's OMF. We're going to have to bring it back, I think. We'll set this over for a week unless anyone has a suggestion on how we can fix it more quickly.

Robert Kieta, Facilities Services: We'll have to make the change. It's actually from the major maintenance reserve for that location which is part of police major maintenance for their facilities.

Hales: I may have a fancy footwork suggestion myself. These are council findings. Can't we amend them on the spot?

Fritz: Police, major maintenance facilities budget. I move that amendment.

Fish: Second.

Hales: Roll call on the amendment.

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

Hales: Aye. Roll call on the emergency ordinance as amended.

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

Hales: Aye. Thank you. Item 276.

Item 276.

Hales: Good afternoon.

Robert Kieta, Facilities Services, Office of Management and Finance: Robert, facilities services here to-- first off we have two items on the agenda. Due to an issue in processing they are a little out of order. I want to go over both briefly so you understand the differences. 276, which we're looking at now, is actually a one-year extension of funding for the existing contractor g4 s, for security services for the city, 278 is simply a \$200,000 amendment to finish off this year's contract with them, which expires at the end of this month. With that clarification I would like to go into the city looks to provide continuity and security services by current contractors -- funding for this contractor one more year. Security service provides vital role in protecting the employees, visitors, parks, buildings, fleet, treatment plant and infrastructure. Continuity and stability in the security team is helping achieve over all professionalism and effectiveness of the program. G4s has performed exceptionally well and continually surpassed the city's airports for fair wage an equal opportunity employment. Exceed the amount the city requires in most cases. They offer 100% of employees their health benefit plan and they do have a participation rate of about 24% in that health plan. The original contract was first awarded in 2006 through a competitive process and the

March 27, 2013

original contract included language allowed for up to five years. At the end of that contract term we recommended continuation of that contract for an additional four years at one year intervals where it would come forward each year to council. Today we're requesting funds to support the third year of this contract extension. Due to the proposed budget reductions we expect significant reductions to this contract within the next six months. So the amount we're asking for today will likely be going down both in near future and then as some construction projects at the water treatment plant - wastewater treatment plant and new ec complete we will be reducing our security at those locations. At the point that all the reductions are implemented we feel we will be better able to provide more accurate specification for contractors to participate in the competitive procurement process. With that I would also we had one typing error on the package number 16 in the findings. We would like to, if it's okay with council, strike the portion that is also recommended chief procurement officer be authorized future amendments to extend this contract. We do not feel we will be extending this contract any further so we would like to strike that.

Fritz: So moved.

Novick: Second.

Hales: Motion to amend. Roll call.

Fritz: Aye. **Novick:** Aye. **Hales:** Aye.

Fritz: How would the contract amount go down if what's the mechanism by which it comes back to council?

Kieta: I'm sorry --

Fritz: You said there may be changes based on our budget decisions based on the level of security.

Keita: This contract is a not to exceed contract. We do not have to spend the money. We have a 30-day cancellation that we can exercise at any point in the contract life.

Hales: That 30-day clause also applies to modifications. We could decide in a situation given remodels to a building that we need less security services in that facility and so you could do that on a 30-day basis?

Kieta: That's correct, mayor.

Hales: That's a very real situation that's likely to happen because of the changes.

Kieta: Absolutely. We know we have two significant reductions both at the wastewater treatment plant and ecc. We have construction security that will end in June and October.

Fritz: Tell me again when you might be putting out for bid for a new contract?

Kieta: About December of this year.

Fritz: Going into the next fiscal year?

Kieta: Yes.

Hales: Other questions for Bob?

Novick: Just a clarification, we struck item 16, but I just overlooked it, I apologize, item b says. Chief procurement office is authorized to approve future amendments. If we strike that too --

Kieta: That's fine.

Novick: I move to strike item b.

Fritz: Second.

Hales: Discussion. Roll call. Getting ahead of you.

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

Hales: Aye. Does anyone want to testify on this item?

Parsons: We have three people. Lightning, Charles Johnson and Mary Eng.

Lightning: My name is Lightning. An ordinance 276 it states that G4s has continually surpassed the city's requirement for fair wages and equal opportunity employment. The one problem to that statement is that within the last two weeks large number of G4s people employees conducted a rally and march addressing concerns about low wages. It's my hope that if it is awarded the contract that they will address those concerns with those workers and come to a reasonable resolution. I

March 27, 2013

understand city of Portland code authorized the renegotiation of existing contracts with incumbent contractors when it is within the best interests of the city although with a \$25 million budget shortfall having several competitive bids may be considered in the best interests of the city. It's my belief that it is always considered the more equitable and fair process. Pertaining to the certificate of liability insurance which city of Portland is added as an additional insured at least \$1 million coverage should be increased to 2 million. Although I would prefer to see the amount no less than 5 million due to the nature of the work being performed, it is my understanding that 1 million coverage limit was the set amount on the original march 23, 2006 contract. I feel that amount is outdated. It should be reviewed and possibly like I say increased. If I have a few more seconds I would like to talk about that historic review process, if I may.

Hales: Let's stick to this agenda item. Please.

Lightning: Thank you.

Hales: Mary?

Mary Eng: I appreciate the three minutes allotted to me and the two minutes allotted to lightning. I would like to apologize to novick and hales. I do not have for you the memos provided last june when I presented on the severe human rights violations, g4s, particularly asphyxiation and the death of jimmy in heathrow airport. [audio not understandable] g4s workers were encouraged and bonus based on how many people they could deport because one of their specialties is deportation services and immigration detention. The death was very disturbing to his family. There have also been serious human rights crimes with g4s. In deciding to allocate this money to them I would like to know from Fritz, Saltzman and Fish, who received immense stacks of paper about g4s human rights violations what follow through and what research is done about those human rights violations and how we can be assured g s will comply with a higher standard, perhaps higher than the Portland police.

Hales: Thank you.

Charles Johnson: I was pleased city staff did a good job letting us know about the standards. I'm charles johnson. I do want to point out that it's other than the hat i'm wearing I think we have a bad environment in the city. We're really talking about money not going to unionized public workers. The city I think through your leadership has done a fair job. Some of the people I see here are during hours you're not here. I notice that the city council has got a pretty good working relationship with g4s, but I think you should set a higher standard and consider the possibility I don't know if you use organizations like kelly services but some of the people you have are so good that they should become city staff and you should maybe think about a way to not rely so much upon out-contracting to para military organizations as ms. Eng has described.

*****: They operated in Guantanamo, may I add.

Johnson: Thank you for your input. That's characteristic of Portland, that we're always striving for the most humane standard. One thing that I hope you will look at in the future, and i'll talk to you outside this environment is looking at how much of that contract is really overhead. How much leaves Oregon. Is there a better solution? I'm glad it's not securities, down the street, but I would appreciate in some remarks you could indicate who spoke and addressed city council from the city staff and exactly what department this falls under when we do these quasi-police services, how is that arranged. Thank you.

Hales: Anyone else? If not, emergency ordinance. Roll call, please.

Fritz: I appreciate that testimony. That's been my experience that our security officers are extremely diligent. That's why i'm voting aye on this ordinance. I'm also voting aye because if we are going to go out for bid in december we will be able to look at those issues of local contractors and who else may be able to provide the service. Thanks to the security personnel here. Aye.

Fish: I associate myself with amanda's remarks. Aye.

Novick: I also associate myself with commissioner Fritz's remarks. Aye.

March 27, 2013

Hales: Aye. Thank you. 277.

Parsons: Shall we vote on 278?

Hales: We can. That is also an emergency ordinance.

Fish: Regular order. Why don't we take them in order. We tripped a wire here. [speaking simultaneously]

Hales: Let's do 277 on second reading.

Item 277.

Hales: Roll call.

Fritz: Thank to patti howard in my office for community technology and the water bureau for answering my questions. Aye.

Fish: Aye. **Novick:** Aye.

Hales: Something new under the sun. This is something new under the street. Aye. Item 278.

Item 278.

Hales: Did you want to ask a question?

*******:** I apologize, I just caught it.

Hales: Put your name in the record.

Matt Read: I'm matt read. The question which I hope I can ask because it's related to 276, someone from facilities said that g4s has performed exceptionally well. The sentence just after that says it's exceeded the requested security budget reduction target with no noticeable change in service without reduction of employee wage or benefits packages. I was curious, I was hoping to have some clarification on what that last sentence is referring specifically to. Thank you.

Hales: We have been able to call on them less under this on-call contract.

Read: Thank you.

Hales: Any further testimony or discussion? Let's take a roll call on 278.

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

Hales: Aye. We are adjourned.

At 12:47 p.m., Council adjourned.