COMMISSIONER MC CREADY:
The Police Department representatives left right after
that and they are expecting it to be two weeks.

373 Ordinance No. 137814, entitled, "An Ordinance repealing
Ordinance No. 115157 and 115236, which granted and amended a revocable
permit to Southern Pacific Pipe Lines, Inc., to lay and maintain pipe
lines in and under certain northwest streets pending negotiations
of a franchise with the City of Portland, and declaring an emergency", was introduced by Commissioner Anderson and read twice.

MAYOR GOLDSCHMIDT:
Is there discussion?

The ordinance was then read a third time and declared
passed by the following vote: Yeas, Commissioners Anderson, Ivancie,
McCreary, Schwab and Mayor Goldschmidt, 5.

374 Ordinance No. 137815, entitled, "An Ordinance amending Ordinance
No. 114850, which granted a revocable permit to the Northwest District
of the Lutheran Church-Missouri Synod and C. Elmer and Anabelle M.
Carlson, to convert a single-family dwelling on Lots 18, 19 and 20,
Block 27, Irvington, located at 2638 N.E. 17th Avenue in an R5 Zone
to the Church District Headquarters Office, under certain terms and
conditions, so as to eliminate condition b, which required 5 off-street
parking spaces, and to add a new condition to allow a 20" x 30" double-face
sign, and declaring an emergency", was introduced by Order of
Council and read twice.

MAYOR GOLDSCHMIDT:
Is there discussion?

The ordinance was then read a third time and declared
passed by the following vote: Yeas, Commissioners Anderson, Ivancie,
McCreary, Schwab and Mayor Goldschmidt, 5.

ORDINANCES TO BE READ THE THIRD TIME

375 Ordinance No. 137816, entitled, "An Ordinance amending
Title 3 of the Code of the City of Portland by adding a new chapter thereto,
relating to neighborhood associations", was read a third time.

MAYOR GOLDSCHMIDT:
Is Mary Pederson here? The document we have on our calendar
is the ordinance as amended. I would like to get some advice from
the Council about what testimony you are prepared to accept. This is
the third reading and maybe the third hearing, I've kind of lost track
and I am personally rather reluctant to read or hear testimony that
we've heard before. We have indicated to some who were not able to
testify before that they could be heard again but —

COMMISSIONER ANDERSON:
I would be frank to say with all the amendments that have
gone on, do we now have a draft of the final and amended ordinance?

MAYOR GOLDSCHMIDT:
Yes, at our request Mary prepared this which incorporates
all of the amendments and deletions.

COMMISSIONER ANDERSON:
How is it labeled at this point?

MAYOR GOLDSCHMIDT:
Mine just says 375 on top. It is a different xerox copy.

COMMISSIONER MC CREADY:
Is this ordinance number blank?
MAYOR GOLDSCHMIDT:
Yes.

COMMISSIONER MCCREADY:
It has no identification or anything on it.

MR. ARAFAD KEMENY, 4705 S.W. VIEWPOINT TERRACE:
Mr. Mayor and Members of the Council, I am coming again before the Council to try to prove to you that these —

MAYOR GOLDSCHMIDT:
Mr. Kemery, before you begin I'm going to repeat a request for some advice from the Council, because I want to get a decision before you start about whether we are going to hear testimony from persons who have already been heard on matters they have already spoken to. If it is the Council's wish to do it —

MR. KEMENY:
Your Honor, may I say we have an amended text and my intervention concerns the amended text.

MAYOR GOLDSCHMIDT:
Mr. Kemery, just a minute now. I want to finish what I said. This ordinance as amended was before us last time and you spoke at a time when we were amending this ordinance and the fact that you did not have a completed draft, that is a printed copy, is kind of irrelevant. You were in total opposition to this thing.

MR. KEMENY:
I have varied arguments, Your Honor, to present and if the Council would abridge the free speech, then I go home but I do believe I have valuable communication to present to the Council and I ask for your courtesy to be heard.

MAYOR GOLDSCHMIDT:
As I said, I'm willing to hear you if the Council's pleasure is to do it but what is good for you is good for everybody else in the room and I'm not going to say yes to you and no to somebody else, that's my only point. Or no to you and yes to somebody else. That's the Council's pleasure.

COMMISSIONER ANDERSON:
Frankly I think I've heard all the testimony that the mind can absorb on the subject and I think we ought to vote it up or down and be done with it.

COMMISSIONER SCHWAB:
If there is any new information —

MR. KEMENY:
Yes, I do.

MAYOR GOLDSCHMIDT:
Commissioner Schwab requests that you present new information.

MR. KEMENY:
Thank you. I am coming again before the Council to try to prove to you that this initial and related ordinance were a City sponsored and satisfied and financed neighborhood associations is undue, unwarranted and even unlawful, because it is a flagrant opposition to the spirit, to the intent and to the text of the United States constitution. I am aware that it is irony that a foreign born naturalized citizen has to be arisen and remind the members of this Council who's majority is composed by three attorneys, members of the bar, that they shall evoke the text of the first amendment of the constitution which is known as the Bill of Rights and which reads
MR. KEMEY (CONT'D):

as follows:

Congress shall make no law respecting an establishment of allegiance or prohibiting the free exercise thereof or abridging the freedom of speech or the press or the right of the people to assemble and to petition the government for redress of grievances.

Now, when the government, as the City Council of Portland, here you intend to legislate against the freedom of free assembly, against the absolute freedom of association of the citizens who would wish to come before you with petitions. In fact, what is the obvious intent of the whole ordinance when you are discriminating and prescribing under which and under what condition you will certify, recognize such and such neighborhood association? But not only that but you are proposing to spend public funds to circumvent such good associations in your mind and helping to obtain eventually state and Federal financial help. I am deeply concerned that it is not only unlawful but immoral to use tax payers' money for the operation and maintenance of special privilege associations in any neighborhood because this project discriminates in advance against any other association, free association, which may be formed in opposition to the policies, to the philosophy, in opposition to the decision and program adopted by this so called certified association. In the legislature, the members of the minority in opposition received the same financial benefits and allocation than the members of the majority. As this whole concept is advanced with the pretention to have the City Council in the legislative process, then you may consider if it is necessary to set up a neighborhood commission, not association. The concept of association and its freedom should not be caught up with such a scheme which you are proposing. The officers and members of such proposed association would be nothing else but the paid agents of this administration and would not express the free will of the people. Further it would be obvious stepping stone for some eager beaver politically ambitious person and to finance from public funds the platform for such ambitions, would be utterly scandalous.

MAYOR GOLDHAMMER:

Mr. Kemery, not one single thing you have said today you did not say the last time, I think the answer is no. I think you are really taking advantage of this Council.

MR. KEMEY:

I don't take any advantage, I will be brief. I have a very few things to say. Further it is suggested by the various forms that the majority of those that are supporting this ordinance, among those who were very active in the previous election campaign of some member of the Council. If such is the case, it is surely an astute way to compensate them for their past activities and assure their participation and help for the future.

COMMISSIONER ANDERSON:

If you are going to make a charge like that, let's be specific and name names.

MR. KEMEY:

Commissioner Anderson, I think -

COMMISSIONER ANDERSON:

I think if you are going to make a general charge like that you ought to name names. I would like to see you name names, Mr. Kemery, if you are going to stand up and make a general charge like that, let's be specific.

MR. KEMEY:

It was suggested to me from people who are very informed. I cannot name names and I ask if it is the case. I don't know, I don't say it is true. All these reasons which I evoke so far demonstrate that this planned ordinance is against the freedom of the democratic process of government. We are already in enough trouble and turmoil
in our country. For that grave reason, no citizen who does care
for the common welfare should remain silent. A scheme like this
as presented would circumvent the freedom of the democratic
process and introduce an additional negative factor in our country
and our life. If the sincere aim is to inspire to encourage the
citizen participation in the process of government, then instead
of a travesty like this ordinance represents, instead of it Council
should initiate more ethical, more practical action in order to
assure and to facilitate the citizen participation. To reach such
a goal there are two very sound and very practical and very sound
roads to consider. The first step is to assure that the residents
citizens of this City get informed what is going on here in the
Chambers. To assure it, the most ethical and most effective
way would be that the major issues which necessitate a broad
citizen participation should be published in a condensed calendar
form at least 30 days ahead on the last day of the month in the
two daily and other major newspapers published in the City. I
am not an agent anyway of any publication in this City but my
careful assessing permits me to inform you that one whole page
in the Oregonian and the Journal together would cost once a month
less than $2,000 which is much much less than the financing of
associations and the mailings would cost. That would represent
only $24,000 a year. There is a necessity in this City for broad,
broad public participation is a very important technical help which
is to offer to every citizen who wishes to participate in your
deliberation with his or her own opinion or expertise. The opportunity
and the facility to do so on an informal basis first, that is to
provide a hearing secretary who record and transcribe alone
to face to face the sayings of the citizen. The person could get a
typographic copy of each of his or her statement any time, such
statement may be addressed before the Council but a citizen at
later date at specific hearing, public hearing or the citizen may
request that City Auditor to read it in his presence before the
Council. Such hearing secretary be at the public disposal here at the City Hall permanently and at a specific date at each
neighborhood in an auditorium of a public school. Such facilities
should be offered to the public in the evening and weekends in
order that the working people could avail themselves to participate
in expressing opinions without competing and arguing in eventual
association debates. There are many able citizens who seem to not
care to express themselves in open arguments or who do not have
the skill or the specific time for such debates in associations
but whose views are very often valuable and would be lost if no
 provision were made to help them in order that the City be helped
by them. Without any personal pretense I realize that some of
the personal troubles presented here are noble and if analyzed with
good will and open mind I hope that the members of the Council will
recognize that they represent meaningful, practical propositions.
To conclude, would you permit me finally for the benefit of scholastic
argument to point out in this ordinance, the text two legal problems.
First would you bear with me on Page 4, sub title Functions. It
reads: In order to facilitate citizen participation and improve
communications, the Office of Neighborhood Associations shall
assist neighborhood associations.

At this time, Mayor Goldschmidt was excused from Council
Chambers and Commissioner Schwab, President of the Council, took
the Presiding Chair.

MR. KEMENY:
Now, please listen, would you tell me in this part of this
ordinance you created previously the so called Office of Neighbor-
hood Association. I hope that the members of this Council realize
that this new central office is more persons and more expenses.

COMMISSIONER IVANICE:
Mr. Kemery, you asked a question. Maybe we can save some
time if someone would answer that question. I don't know if I under-
stand it or not. Do you understand it, Miss Schwab?
COMMISSIONER SCHWAB:
You were asking about the Office of Neighborhood Organizations?
MR. KEMENY:
Yes.
COMMISSIONER SCHWAB:
That was created in the budget last July.
MR. KEMENY:
You have already an office?
COMMISSIONER SCHWAB:
Yes, it was set up in last July's budget.
MR. KEMENY:
It is budgeted already? And why is it not in the preamble, only here. I don't understand it.
COMMISSIONER SCHWAB:
The money was set aside to form this —
MR. KEMENY:
You didn't spend yet, you can save the money if you listen to me.
COMMISSIONER SCHWAB:
We've spent about 8 or $10,000.
COMMISSIONER ANDERSON:
You're costing us $100,000 to listen to you.
MR. KEMENY:
It do not cost you if you listen to me, you will save more than $100,000. The second thing, I say I am respectively opposing the whole idea in the ordinance and I am raising this issue for the enjoyment of mental, legal tournament only. The second I found was in the text of the introducing statement, section 1. This reads that the Commissioner of Public Affairs has recommended a plan to improve etc., etc. It is a well known fact that the whole idea is Mayor Goldschmidt's brainchild. He assigned the Commissioner of Public Affairs to draft and to present it. I am aware that no Commissioner can refuse an assignment from the Mayor without causing conflict but my question is why the preamble do not state the fact, that the Commissioner of Public Affairs presents this ordinance on assignment from the Mayor of the City? When I taught among other subjects on public administration, a student of mine would have presented a legal text like this for grading I surely would have marked "incomplete". Thank you for your patience.

MR. LEONARD GIRARD, PRESIDENT, EASTMORELAND COMMUNITY CLUB:
I am here to support this ordinance enthusiastically and to report that the Board of Directors of our Community Club have unanimously recommended it. Also here with me and he has been waiting very patiently, I should introduce him, is Paul Eckenberg, who I believe you may have met, he's our Vice President. I just want to say that we do enthusiastically support the ordinance. We think it will help our neighborhood organization function even more effectively for the community and we look forward to working with the people in the Bureau. A few things we would like to express in the way of appreciation, we have had from time to times matters come up that affected our neighborhood. One of them was with regard to some trees on the golf course and Commissioner Ivancle was willing to cooperate and help out on that. We had a lot of questions about the Neighborhood Association Ordinance as many neighborhood associations did and we appreciate Mary Pederson's willingness to spend so much time with us. She did come out to our association and we had about 45 minutes or an hour of give and take and I hope it has made a more productive ordinance.
MR. GIRAHD (CONT'D):

Also the Mayor's Office has been very helpful in working with us with some traffic problems, so we hope this ordinance will continue that tradition of cooperation between the City and the neighborhood associations for the good of all. Thank you.

COMMISSIONER SCHWAB:
Other questions?

DR. MORTON PAGLIN, PRESIDENT, WILLAMETTE HEIGHTS NEIGHBORHOOD ASSOCIATION:

I am a professor of economics at Portland State University. My remarks will be quite brief. I am opposed to this ordinance because I think it states a false notion of the unity of interest in neighborhoods. Neighborhoods just because they are geographic areas don't necessarily have a single interest. There are a diversity of interests in neighborhoods and these diversities of interest should not be squelched by an ordinance which proposes to give recognition to a single neighborhood association. I notice on the I-505 issue at various times there were at least a half a dozen different neighborhood associations expressing different interests and different points of view. There was not only the Northwest District Association, there was the Willamette Heights Neighborhood Association, the Concerned I-505 Citizens Group, the Western Environmental Trade Association, the Friendly House and other environmental groups. In other words, there are diversities of interest, there are changing coalitions in neighborhoods which should be represented by the City. There is no unity of interest that can be simply incorporated into one officially recognized neighborhood association. I think a much looser structure in which information is given to the existing institutions, the existing associations is far better than one which tends to formalize the structure and incorporate it into the City's formal structure.

The ordinance also brings the City directly into the problem of adjudicating between neighborhood organizations as to which the legitimate one is. There is a section here which says if a neighborhood association consistently violates its own bylaws, those eligible for membership in that neighborhood area of the neighborhood associations within the district may recommend to the City that their recognition be suspended and so forth. That means the City in a sense has to give legitimacy to the bylaws of a particular organization and has to give legitimacy to the procedures used and adjudicate matters to determine who is the appropriate member of the acceptable neighborhood association and it seems to me this is a dubious role for the City to assume. Therefore, I suggest we strike out or not approve this ordinance which attempts to impose structure on a situation which is essentially unstructured and should be unstructured in terms of shifting interests, a diversity of interests.

Finally as an economist I would say it's true that this ordinance would require $300,000 to $500,000 a year that would better be spent on the improvement of the neighborhoods itself rather than on the recognition of a new and elaborate bureaucratic structure. Thank you.

COMMISSIONER ANDERSON:

In speaking, are you speaking in behalf of your organization or as a citizen?

DR. PAGLIN:

As a citizen who happens to be — we haven't had a time to discuss this issue. We have been involved with a previous issue and I come merely as the head of that organization, speaking for myself and as a citizen of Portland.
COMMISSIONER IVANCIE:
Dr., welcome back to the Council Chambers. I've always enjoyed your exclusive testimony and logic.

DR. PAGLIN:
Thank you.

COMMISSIONER IVANCIE:
I have a tendency to agree with you on your general premise that the City is getting into a never-never land of neighborhood organizations but I doubt if there is very few City politicians that are very, let's say lucid on this question. It's very unpopular for a politician to question a neighborhood organizational ordinance. Mary Pederson is not running for office and she has done a very nice job in a very difficult situation. This word official, what does that mean to you? That you are in a particular neighborhood, that the City officials recognize a group in that neighborhood and you appear with another group, do you feel that this is discrimination now because you don't have an official meal stamp on your?

DR. PAGLIN:
I certainly do. It gives legitimacy not only to one neighborhood organization but it provides them with input, it brings them into the planning process and excludes the others. Let me say this, through my experience I know that frequently neighborhood organizations represent a small minority of active citizens within the neighborhood and there is a danger if you give recognition to one that you thereby eliminate other interests, other coalitions from expressing their legitimate opinions. As I say, this is based on a fallacious notion that a neighborhood has a single interest to express than a diversity of interests which frequently are represented as in the case I indicated by sometimes a half a dozen different organizations which appear and disappear on various issues and coalesce on various issues. I think finally the experience with OEO and Community Action shows there that about on the average 1 to 2% of the people in the neighborhood voted for the so-called neighborhood representative.

At this time, Mayor Goldschmidt entered Council Chambers and took the presiding Chair.

DR. PAGLIN:
The result by the way of attempting to bring neighborhood groups at this time into detailed planning decisions meant as you know as one man pointed out, maximum feasible misunderstanding rather than maximum feasible participation. Most people in the neighborhood get involved in certain big issues, they don't have the time or the interest to monitor and become continuously involved in the so-called small housekeeping problems.

MAYOR GOLDSCHMIDT:
How do you separate those, Dr. Paglin? What are small housekeeping problems?

DR. PAGLIN:
The interests of the neighborhood, whether an issue arouses the neighborhood. Whether it thinks the issue is important enough to turn out for a meeting so to speak.

MAYOR GOLDSCHMIDT:
I-505 would be something that would be big and would arouse people and Forest Park would be small?

DR. PAGLIN:
Forest Park aroused some interest in Willamette Heights, we were involved in it and I notice a lot of people come around and showed interest in the Park. Not as many perhaps as in the freeway.
DR. PAGLIN:
The point is I think there are many different, there are room for different organizations in a neighborhood and on 505 there were at least 6 different organizations presenting somewhat different positions on I-505 and then finally coalescing. This is as it should be. The City should provide information to these organizations and shouldn't attempt to get involved in determining who is legitimate and who is not legitimate and should not get involved in adjudicating therefore disputes as to who represents the neighborhood because as I pointed out there are diversities of interest in neighborhoods.

MAYOR GOLDSCHMIDT:
Since this ordinance speaks mostly to the question of how it is you get the information out, really that is one of the essential objectives is how we get our information out as well as the other issues like boundaries, why isn't number 4 on Page 3, nothing in this chapter shall limit the right of any person or group to participate directly in the decision making process of the City Council or City agency satisfactory? It also says that non-profit organizations may as a group belong to the neighborhood association so that means that the Southwest Hills Association it will be possible for some smaller sub-group in maybe some kind of recreation activity or maybe something that they should recognize, Friendly House is the one that keeps being used as an example. I don't know why your organization wouldn't. Nobody can tell you what to do anyway.

DR. PAGLIN:
It's not that, it's that if the officials of the City provide as this provides direct access to only the officials of the organization, the fact that you are a sub-group or outside of that means that you're not being given access to certain things which these so called officials of the official neighborhood association is. That's spelled out on Page 3, only one neighborhood association shall be recognized within a neighborhood area. Thereafter the neighborhood association shall be notified of matters affecting this neighborhood and shall be included in the planning effort as established in Section 1 and so forth. Which means that of course is a tremendous advantage given to the so called officially recognized agency and its official leaders. I wonder how the City will adjudicate in the next paragraph the issue of whether a neighborhood association has violated its bylaws or really whether its bylaws are adequate. Suppose a neighborhood association is set up on a very authoritarian way which makes it difficult to challenge the position of those and then the City has to decide in a sense whether those bylaws or whether the election proceedings is legitimate or not. I think this involves the City in a great deal that it shouldn't be involved in and I think autonomous neighborhood associations provided with input from the City is far more effective way of meeting the problem of participation than attempting to set up a structure official and non-official system of this kind.

MAYOR GOLDSCHMIDT:
Questions of Dr. Paglin?

COMMISSIONER IVANCIE:
Dr., you would rather see this ordinance not passed but have you thought of any amendments as far as these points on adjudication and official recognition?

DR. PAGLIN:
If anything I suppose that should be struck out.

COMMISSIONER IVANCIE:
In a general sense, how would you word that then? Number one, Recognition, (d), page 2.
DR. PAULIN:
I suppose neighborhood associations shall be provided with material that affects the neighborhood, information and so forth, while the City will at no time show preference for one or the other.

COMMISSIONER IVANICE:
In other words you are saying that we should get a list of the organizations and put them on a mailing list and keep them informed rather than going through the procedure of officially recognizing and adjudicating differences.

DR. PAULIN:
Intermediaries and so forth. Clearly I think the City government here is sufficiently open, City Council meetings are sufficiently open that if neighborhood associations are given information they can make their presentations before this Council. I've never found that it is particularly required or necessary to go through another level to have an input.

COMMISSIONER IVANICE:
Has the Willamette Heights Association taken a position on this final draft?

DR. PAULIN:
No, we haven't. Unfortunately we're a single issue organization when it started and though a few people in the organization pointed this out to me and that's why I came down here, I might say we did have several people who alerted us to this and therefore I'm here.

MAYOR GOLDSCHMIDT:
Other questions by the Council? Are there others present who have new matters to present to the Council?

MRS. LOUISE WEIDLICH, NORTHWEST NEIGHBORHOOD PROTECTIVE ASSOCIATION:
Good afternoon, Mayor Goldschmidt.

COMMISSIONER ANDERSON:
Let's see your new chart, Mrs. Weidlich.

MRS. WEIDLICH:
I've been so disappointed, I always have to wait so late that no one ever gets to see them except you. I don't know whether you saw this last one or not.

MAYOR GOLDSCHMIDT:
Yes, that's an old chart.

MRS. WEIDLICH:
Commissioner Anderson, I think you were gone when I testified on that.

COMMISSIONER ANDERSON:
Haven't you colored in the "O"'s in neighborhood there that you didn't have before?

MRS. WEIDLICH:
I said isn't this another step in City County consolidation?

COMMISSIONER ANDERSON:
Yes, it is. This is a big move---a vote for this is a vote for consolidation.
MAYOR GOLDSCHMIDT:
You got Frank.

COMMISSIONER IVANCIE:
I'll tell you one thing —

MAYOR GOLDSCHMIDT:
We woke him up, Lloyd. That's the biggest hearing that
chart is ever going to get.

COMMISSIONER IVANCIE:
You know the existing County government with their
part-time full-time paid Commissioners and the new charter with
11 part-time full-time Commissioners, legislative only, I may
even support that charter if you are right because they are going
to take a lot of time to do what Dr. Paglin says they are going
to be forced to do.

MAYOR GOLDSCHMIDT:
Did the Oregonian and Journal get that down?

COMMISSIONER IVANCIE:
Probably we'll finally get something for those guys
over there to do.

MAYOR GOLDSCHMIDT:
Put this on the list, he'll jump off the bridge ramps
eating his hat list.

MRS. WEIDLICH:
I would like to refer specifically to Section 11 in
the City County charter commission, miscellaneous positions under
11.25 Community Forums in which the specific area which I feel
this is implemented. Did you have something to say, Commissioner
Anderson? Forgive me, I'm sorry, I didn't mean to interrupt you.

COMMISSIONER ANDERSON:
No, I haven't got anything.

MAYOR GOLDSCHMIDT:
Get your fortune cookie out again, Lloyd.

MRS. WEIDLICH:
Anyway the Community Forum issue is very short, just two
sentences, Mayor Goldschmidt. The Council shall provide rules for
the establishment and operation by the people of community forums
representing geographical areas. Two, the Council shall provide in
its rules procedures to facilitate receiving from each community
Forum advice on community planning, delivery of services and other
matters having special impact on the area represented by this forum.

The main thing that I would have concern, I think that
the professor just spoke had a very good issue that the people in
an area which I think we have mentioned before does not always
have the same views and that they are being lumped together to
represent a particular point of view then it may not be in the best
interest of the City and I would object and feel that the
geographic emphasis should be deleted in the ordinance specifically.
I don't know whether I should read my letter, I don't know. I didn't
get to read it last time. Should I read it?

COMMISSIONER IVANCIE:
Put it in the record.

MRS. WEIDLICH:
Should I put it in the record?

COMMISSIONER IVANCIE:
We know how you feel.
MRS. WEIDLICH:
You know what we're doing, O.K. But I would like to second the other gentleman's talk on our preamble and our Bill of Rights. I have my Liberty Bell copy in the back of the room, with the crack and I wonder if it is going to toll another toll.
One other issue that was raised previously and that is in regard to Urban Renewal and land use planning is within our specific concern in regard to the neighborhood organizations. We feel there should be public forums and there should be ways for people who have avenues and be aware of what is going on in City Hall. But the one thing here despite the controversy, there are already federal laws requiring citizen participation in Urban Renewal projects and transportation planning and the State Comprehensive Land Use Bill, Senate 100, requires citizen participation in most local and regional planning bodies that stress citizens be brought into the decision making process during the pre-planning period. These laws really go way beyond you and it is really too bad that you have to be handling this because these are rational as well as state legislative issues which are now coming down to the local level for you people to hassle with and I think it makes it very difficult but it basically violates our representative government as a republic. We have representative government and everybody has access to the members of the Council who are our elected representatives and we cannot get all of the citizens involved in the decision making process. It just can't happen. Are you going to ask a question?

COMMISSIONER MC GREADY:
No, I'm just scratching my head, go ahead.

MRS. WEIDLICH:
Do you understand what I’m saying? I appreciate your allowing me to be heard and I'll try to be brief. Thank you very much.

MAYOR GOLDSCHMIDT:
Further discussion by the Council? Others present? Mr. Loving just stood up, Mr. Casey is standing up.

MR. C. D. CASEY, 10220 S.W. 35TH AVENUE:
Mr. Mayor and Members of the Council, although I am a member of the Board of the Jackson Community Association, I have not been able to get a quorum together so I can't speak as the official voice of the association. I am appearing here as an individual. I do want you to know in so far as I know, everyone that I know that had any objections to the previous one has had their objection satisfied the way it's been amended. Especially I would like to point out to those who have been attacking this that under accountability, paragraph 2 and paragraph 4, satisfies or should satisfy all of their requirements, all of their needs to protect their rights as individuals. I have known of a couple of times when this Chamber was filled with people who came to speak with one voice on one issue. It seems rather ridiculous when through an association and under these rules, one man could appear and say that there are 1,100 of us for it, 1,200 against it and not for you to have to listen to 2,300 people.

COMMISSIONER MC GREADY:
Do you really anticipate any change under this?

MR. CASEY:
Yes, I do. I anticipate that we will and of course under our bylaws which preceded this we have provided for the minority report in all instances so that anytime a representative of our association speaks to you, he will tell you how the minority feels as well as how the majority feels.
MR. LOVING, CHAIRMAN, BOISE CITIZENS IMPROVEMENT ASSOCIATION:

As you know in the beginning we have had concerns about various aspects of this ordinance and you have given us a chance to put in various input and make various recommendations. Some of those recommendations have been adhered to and over all as the ordinance has been presented today in its revised form, the Boise Improvement Association 100% endorsed the enactment of this ordinance. We feel that this ordinance is a viable continuation of a neighborhood association through recognition which we do already have under the Model Cities now. We feel that this type of citizen input at the local level is essential to continue. The ordinance does not as I see it preclude individual citizens to address the City Council or any other mechanism on their own initiative in lieu of the neighborhood organizations. Since our neighborhood association has been functioning for the last three or four years, we have never come up with a controversial issue in our community where our particular association was divided to the extent that we couldn't come up with a vast majority of the people on the same side in order to present our views at the Model Cities Board or anywhere else in this City of Portland. The present on and off ramp for example which is in Boise Community, our community was on the same level, the same side of the fence all the way on that particular issue and we have been basically on the same side of all issues in our community all the time. You will find a minority of people in disagreement on any issue that comes up but I think in our democratic system of majority rule and under the neighborhood concept, all people in your neighborhood area have the option to come and express themselves and give their opinion and be heard. Under the democratic process, the majority rules and we move on.

This particular ordinance only gives us in our neighborhood a continuation as I said before of what we already have through the federal government. They recognize citizen participation, they have enacted into their legislation and they are pursuing that effort to continue it all down through on the local level. On the state level they are doing the same thing and certainly we want to see it done down on the City level and I would hope that this ordinance is passed so we can continue in the right direction and get citizen input at the local level. Thank you.

COMMISSIONER Mc GREALY:

Mr. Loving, what do you see that you wouldn't have without this ordinance? You just said that you haven't had any problems getting to the Council or doing something, what would you lose?

MR. LOVING:

Without this ordinance what I see that we wouldn't have is what we didn't have before the Model Cities set up its structure of neighborhood organizations. We did not have a neighborhood organization for example. We have people, representatives on the state level, State Representatives. As long as I have been in the City of Portland I have not seen a State Representative having town house meetings in my community so citizens can get together and give input to a State Representative. With a viable organization this sets the form for a State Representative to come to us, we can invite him to our meeting and he can get up on his platform and give us his input and we can tell him what we want and he can take it on down to the State Legislature. Without a viable neighborhood organization and not being recognized by the City, I'm afraid that the neighborhood associations are going to disband and fall apart especially in the poor community. Sophisticated communities have their whole thing together and they are more prone to do their things on a collective basis but poor people must be united at all times.

MAYOR GOLDSCHMIDT:

Are there others that are going to appear in opposition to this ordinance? I'm going to hear at this point only from people who want to appear in opposition and only on matters that have not been raised prior to this time, then I'm going to terminate the discussion.
MR. W. P. BROWN, IRVINGTON COMMUNITY ASSOCIATION:
Our President of the Irvington Community Association was
going to be here today but he didn't arrive. I guess he is
working. It's unfortunate, we have 13 members on the Board of
Directors but they all work for a living and it is difficult for them
to appear at daytime hearings. I wish to point out a couple of
things, I have researched a little bit since this subject was
last before the Council. I found out that the Portland Development
Commission is supplying printing services for the newsletters for
the neighborhood associations and as long as that continues,
that is the main help to the neighborhood associations needed.
Without that, they would not have an extensive account, printing
is not very large, a few dollars a month, maybe it would be more
than that if we had to spend 5 cents a copy to mail to 2,500
residents. Because it is being handled by the Portland Development
Commission I see no need for this proposed ordinance. There
printing is being taken care of, the neighborhood organizations
have been meeting together with each other on matters of common
interest, Irvington, Boise, Elliot, Sabin at different times and
now we have Alameda adjoined so if there is issues that concern
all of us they are easily rectified and we have worked together
before and can continue to do so without this ordinance. I see
no need of setting up another City office of Bureau when it
won't serve any good purpose for the organizations. They have
been appearing before the Planning Commission, they have gone
to the Traffic Department, they have gone to the Police Department
for various subjects, they can continue to do that. I see no
need for a new ordinance. I think it should not be passed.

MAYOR GOLDSCHMIDT:
Mr. Brown, what would you do for those neighborhoods
that are getting no assistance from the Development Commission
and the Development Commission has no legal authority to provide
them anything?

MR. BROWN:
They can go to the Development Commission and I am sure
they will treat all of them equally. Maybe a simple ordinance by
this Council to provide printing would be in order but I see no
need for setting up a Bureau or office. They've all been going to
the various City Bureaus and departments right along. The
Irvington Community Association is over 10 years old and I know
that they have gone to the various offices, they've gone to the
Engineer and they've gone to Traffic and they've all been heard
and many of the things have been acted upon. They've gone to the
School District and I do not see where this ordinance will serve
any good purpose. The only thing that I can see would be helped
is printing, right now that is taken care of.

MAYOR GOLDSCHMIDT:
Questions of Mr. Brown?

COMMISSIONER MC CREDY:
Mr. Brown, last time someone brought up the point of the
Irvington Community Association's membership and its bylaws that
would make it illegal under this new format. They would have to
change their bylaws. Has there been any discussion in the
organization about that?

MR. BROWN:
That will be handled when this Council makes a decision.
Their monthly meeting will be held tonight, I will be there too.
When this Council makes a decision on this ordinance, they will change
their bylaws to conform, of course, they won't be in conflict at
all. Nothing has been done about it until this decision is reached
here.

MAYOR GOLDSCHMIDT:
Further questions? Others appearing in opposition? Is
there discussion by the Council?
MR. LOVING, CHAIRMAN, BOISE CITIZENS IMPROVEMENT ASSOCIATION:
As you know in the beginning we have had concerns about various aspects of this ordinance and you have given us a chance to put in various input and make various recommendations. Some of these recommendations have been adhered to and over all as the ordinance has been presented today in its revised form, the Boise Improvement Association has endorsed the enactment of this ordinance. We feel that this ordinance is a viable continuation of a neighborhood association through recognition which we do already have under the Model Cities, now. We feel that this type of citizen input at the local level is essential to continue. The ordinance does not as I see it preclude individual citizens to address the City Council or any other mechanism on their own initiative in lieu of the neighborhood organizations. Since our neighborhood association has been functioning for the last three or four years, we have never come up with a controversial issue in our community where our particular association was divided to the extent that we couldn't come up with a vast majority of the people on the same side in order to present our views at the Model Cities Board or anywhere else in this City of Portland. The precedent on and off ramp for example which is in Boise Community, our community was on the same level, the same side of the fence all the way on that particular issue and we have been basically on the same side of all issues in our community all the time. You will find a minority of people in disagreement on any issue that comes up but I think in our democratic system of majority rule and under the neighborhood concept, all people in your neighborhood area have the option to come and express themselves and to give their opinion and be heard. Under the democratic process, the majority rules and we move on.
This particular ordinance only gives us in our neighborhood a continuation as I said before of what we already have through the Federal government. They recognize citizen participation, they have enacted into their legislation and they are pursuing that effort to continue it all down through on the local level. On the state level they are doing the same thing and certainly we want to see it done down on the City level and I would hope that this ordinance is passed so we can continue in the right direction and get citizen input at the local level. Thank you.

COMMISSIONER MC CREADY:
Mr. Loving, what do you see that you wouldn't have without this ordinance? You just said that you haven't had any problems getting to the council or doing something, what would you lose?

MR. LOVING:
Without this ordinance what I see that we wouldn't have is what we didn't have before the Model Cities set up its structure of neighborhood organizations. We did not have a neighborhood organization for example. We have people, representatives on the state level, State Representatives. As long as I have been in the City of Portland I have not seen a State Representative having town house meetings in my community so citizens can get together and give input to a State Representative. With a viable organization this sets the form for a State Representative to come to us, we can invite him to our meeting and he can get up on his platform and give us his input and we can tell him what we want and he can take it on down to the State Legislature. Without a viable neighborhood organization and not being recognized by the City, I'm afraid that the neighborhood associations are going to dissolve and fall apart especially in the poor community. Sophisticated communities have their whole thing together and they are more prone to do their things on a collective basis but poor people must be united at all times.

MAYOR GOLDENBERG:
Are there others that are going to appear in opposition to this ordinance? I'm going to hear at this point only from people who want to appear in opposition and only on matters that have not been raised prior to this time, then I'm going to terminate the discussion.
COMMISSIONER MC GREADY:
I would like to make a couple of comments, maybe even 10 or 12. I would like to welcome Dr. Paglin back, too. I have been having some real difficulty with this issue and I was beginning to think I was kind of off base and hearing some of those today, it kind of helped.
I wasn't at all happy with the first draft of the NPO-DPO because I thought then that way too much emphasis was being put on the role of the City in directing the participation in the neighborhoods. I think these later drafts have been improved and I think it is much better when they knocked out the middle tiers, brought people a little bit closer. I'm still not convinced that we have a system that is going to enhance the citizen participation. There isn't a one of us here that isn't aware of the importance of participation. I have a long history of being active in neighborhood organizations. I take issue with Mr. Loving because when I was a State Representative I called a meeting and we met with the people in the community down there particularly on the problem of the ADC mothers and a number of situations. We did as much as we could and I think we all can.
I don't understand why we need an ordinance establishing a structure for this participation. I think that is where my concern comes in establishing a structure. We have citizen participation now, it is been spoken to all along. We have varying kinds. I was disturbed to think that the Irvington Community Association would have to change its bylaws to fit the structures that we put on that say that you have to change and you can't say that the whole neighborhood is automatically members. You have to change and say eligible for membership and they have to actually become.
I think we have a structure, a loose structure including the most important area of citizen participation which is the budget process. We have Citizen Advisory Committees for practically every activity we are working on right now and we have requirements for participation in Urban Renewal projects and for most programs that are using federal funds. I don't think we need this ordinance to provide that.
All through this latter part of the debate I have been listening to see what we would get from this that we don't have already. There is nothing to prevent a neighborhood organization from organizing, from holding meetings, electing officers, adopting bylaws, making recommendations to the Planning Commission or the City Council, any area of this City government. There is nothing that we can do by this ordinance which will give them official status other than money at this point. Nothing prevents neighborhood groups from working together or with other neighborhood groups on items of common interest, and there is nothing that I can see that prevents them from incorporating. Who are we as a City Council to give sanction to one group and not another and we are giving sanction in this ordinance by providing funds, staff and recognition of a particular group. Imposing this structure for citizen participation it seems to me is working backwards. In the spirit of citizen participation, any group should have access to the public information of our decision making process and this is the portion in the ordinance which I am particularly interested and I want to implement. They should have equal opportunity to provide input into our process. It doesn't seem to me that we have the right to give our blessing to one citizen group over another and as far as funding for the neighborhood groups, my experience in neighborhood organizations has been that the spirit that leads the citizens to participate and to volunteer also leads to resources. Many organizations are operating just fine without any funding from the City, others aren't. When the City government decides to fund some organizations and not others, it seems to me that we are walking down what could be a treacherous path. We may be selling citizen participation right down the tube.
COMMISSIONER MC CREADY (CONT'D):
There is a lack of specifics in the ordinance that bothers me and I don't want to dwell on them but I believe that the City can accomplish the increased communication and involvement of the people in their government without this ordinance. I think we need to do everything we can and I agree there is more we could do with and for the organizations and for that matter with other special interest groups in its planning and decision making, but again without the necessity of an ordinance.

I would suggest as a substitute that we pass a resolution requiring all Bureaus to develop actions for citizen input or neighborhood input and to make a greater effort to notify individuals, neighborhood organizations and special interest groups of its pending policy decision. I also think we could justify a position for a neighborhood coordinator who could maintain lists of all neighborhood groups and special interest groups not just those recognized by the City. That person could assist both Bureaus and neighborhood groups in making contact so information can be obtained, notification given and input achieved, but we don't need a manipulative structure that gives our blessing to some groups and not others and spends the dollars of all taxpayers to support only the groups that we so bless. I agree with Dr. Paglin, if we are going to spend this kind of money, why don't we have it available and let various groups when they have a project and need help come in and ask and we so fund on a project basis and not on just staffing and creating another bureaucratic structure.

MAYOR GOLDSCHMIDT:
Will you please provide a copy of your typed speech to the clerk so she doesn't have to transcribe that?

COMMISSIONER MC CREADY:
I'll give her what I have typed, but about 2/3's of it was not typed.

MAYOR GOLDSCHMIDT:
I would also like to have copies of that made available to the Council. Is there further discussion?

COMMISSIONER IVANCIE:
Mary, do you have any comments on those observations? Be careful now.

MAYOR GOLDSCHMIDT:
You can talk but you can't say anything.

COMMISSIONER IVANCIE:
I don't want you editorializing but if there is some factual --

MISS MARY PEDERSON, NEIGHBORHOOD COORDINATOR:
Yes, there are some factual things that I think are important with regard to what we have been discussing here in the latter part of the discussion which relates to the budget and to the mailing list. In the first place I think that it will certainly be possible for the staff wherever they are located, at the district level or here, to be for the use of neighborhood groups apart from just the one that is recognized. Mostly because that is what it is there for, for the neighborhoods to use and I think it is quite possible for the mailing lists to include whoever wishes to be included. However, what is stated in this ordinance is a minimum requirement that my office would have to fulfill. That's the first thing. The second thing is in regard to the funding that has been raised on the question of PDC. The Portland Development Commission funds the community groups and mailing expenses out of funds which as far as we can see will exist for another year. I have worked with the people in that organization and we have agreed for the incoming
MISS PEDERSON (CONT'D):
year we will not duplicate funds anywhere. They are phasing out of north Portland and I would like to if the budget is approved to establish an office in north Portland for the use of citizen groups in north Portland. In the southeast, Portland Development Commission will probably stay there to provide the pringnt and mailing expenses for the groups out there and I think that is the way the neighborhood wishes to take place. I don't think you can expect to get effective citizen participation if they don't have some access to staff resources, some access to budget and some knowledge that there are channels so that they can communicate freely and readily. Thank you.

MAYOR GOLDSCHMIDT:
Further discussion by the Council? Commissioner Ivancie, did you have additional comments?

COMMISSIONER IVANCIE:
No, I'll make them when I make my vote.

The ordinance was declared passed by the following vote:

COMMISSIONER ANDERSON:
Aye

COMMISSIONER IVANCIE:
Mr. Mayor and members of the Council, we as a Council started this trek about two years ago as I remember. Is that true?

MAYOR GOLDSCHMIDT:
Mayor Schrunk's appointment of a Task Force.

COMMISSIONER IVANCIE:
I think I had the gym at that time, then mercifully you took the Planning Commission over when you became Mayor.

MAYOR GOLDSCHMIDT:
It is true that it is from the bowels of the Planning Commission from whence John Perry sent that marvel that is now before us.

COMMISSIONER MC CREADY:
In amended form.

COMMISSIONER IVANCIE:
I just wondered, as I understand ordinances of the City can be amended or terminated and I would think that the City Council even though we fund this for around $38,000 for the rest of the quarter and what is the range of funding, Miss Pederson?

MISS PEDERSON:
$165,000 to $170,000 for next year.

COMMISSIONER IVANCIE:
$160,000 to $170,000 for next year, in our budget sessions we can still alter that I suppose. What I am saying is I think Commissioner Mc Cready brought up some good points and Dr. Paglin although he is late, his points were well taken. I really think that the Council should watch this thing very closely and not be afraid to make the necessary amendments as needed, so based on that scenario I feel that it should be given a try and therefore I vote Aye.

COMMISSIONER MC CREADY:
No.
COMMISSIONER SCHMIDT:
Aye, and in so doing I would like to state that if the Council doesn't cut this budget in the Department of Public Affairs it will be the first one that has come through.

MAYOR GOLDSCHMIDT:
Aye

Yea's 4; Nays 1.

An Ordinance entitled, "An Ordinance amending Chapter 33.98 of the Code of the City by providing therein new criteria for granting adjustments and variances, and new procedures for considering applications", was read a third time.

MAYOR GOLDSCHMIDT:
Is there discussion?

The ordinance was declared passed by the following vote: Yea's, Commissioner Anderson, Ivancie, McCready, Schwab and Mayor Goldschmidt, 5.

Ordinance No. 137817 entitled, "An Ordinance making an assessment for the cost including ten percent for administration, of abating and removing certain nuisances for the two-month billing period ended June 30, 1973", was read a third time.

MAYOR GOLDSCHMIDT:
Is there discussion? Those present who wish to heard?

The ordinance was declared passed by the following vote: Yea's, Commissioner Anderson, Ivancie, McCready, Schwab and Mayor Goldschmidt, 5.

COMMISSIONER MCCREARY:
Mr. Mayor, I think we should have reconsideration of 376 because the companion one is not on this and I think they need to be on together. They still haven't caught up with each other. The variance one, there are supposed to be two and they were going to bring one of them in by 5:00 and I don't think they are here unless it came in with the emergency clause earlier.

Commissioner McCready made a motion, which was seconded by Commissioner Anderson, that the Council reconsider the action taken on C.C. No. 376.

The motion being put resulted in Yea's, Commissioners Anderson, Ivancie, McCready, Schwab and Mayor Goldschmidt, 5; whereupon the motion was declared carried.

An Ordinance entitled, "An Ordinance amending Chapter 33.98 of the Code of the City by providing therein new criteria for granting adjustments and variances, and new procedures for considering applications".

By unanimous consent, C.C. No. 376 was continued until February 14, 1974 at 2:00 p.m.

At this time, Council returned to Regular Order of Business.

Ordinance No. 137818, entitled, "An Ordinance making an assessment for the cost including ten percent for administration, of abating and removing certain nuisances for the two-month billing period ended June 30, 1973", was read a third time.

MAYOR GOLDSCHMIDT:
Is there those present who wish to be heard?