or not the other bidders met the specifications?

BITTEN Yes, it is my understanding that they did. One question that was, or one statement that was made about being the largest distributor or supplier, we sort of question that. We believe there is another manufacturer that might possibly be the largest.

JORDAN But all the other bidders met the specifications?

BITTEN That is my understanding.

GOLDSCHMIDT Further discussion? Others present who wish to be heard? (No one responded)

The roll being called on the adoption of the report resulted in Yeas, Commissioners Ivancie, Jordan, McCready, Schab and Mayor Goldschmidt, 5; whereupon the report was adopted and contract awarded to Engineered Control Products, Inc., in the total amount of $8,745.00.

3436 An Ordinance, entitled, "An Ordinance amending Title 3 of the Code of the City of Portland, by repealing Chapter 3.96, relating to Neighborhood Associations, enacting in lieu thereof Chapter 3.97 relating to citizen participation, and enacting other provisions", was read a third time. (3427)

GOLDSCHMIDT There are three ordinances again on the calendar on the Office of Neighborhood Associations; 3436, 3437 and Commissioner Jordan has located for me the third one which is 3519 and is situated way at the back of the calendar material that you have. It would be my inclination if there is no objection in procedure, there's no problem to bring 3519 up to join these so the Council would have all three of them in front of you at the proper time. It's under third reading ordinances.

Gordon, do you want to go ahead and read 3437 and if there is no objection we will bring the other one up.

3437 An Ordinance, entitled, "An Ordinance repealing Chapter 3.96, Neighborhood Associations, and substituting a new chapter relating to Neighborhood Associations to provide greater flexibility in assisting groups organized for the purpose of promoting neighborhood livability", was read a third time. (3428)

By unanimous consent, the rules were suspended and C.C.No. 3519 was taken up for consideration out of its regular order.

3519 Ordinance No. 140905, entitled, wAn Ordinance repealing Chapter 3.96, Neighborhood Associations, and substituting a new chapter relating to Neighborhood Associations to provide greater flexibility in assisting groups organized for the purpose of promoting neighborhood livability", was read a third time. (3429)

GOLDSCHMIDT At the end of the last session I think Commissioner McCready was presiding, I had left the chambers for a meeting. Connie, were there people who were not able to be heard last time, did we close off? Does the Council have further discussion on this item? I don't think there was a shortage of testimony or discussion before. We have 36, 37 and 3519; for the consumer's benefit, could I have identified for me which of these ordinances were
MC CREADY  I might say that we only discussed, the hearing as it was ending that time was on Commissioner Jordan's ordinance and amendments and at that time everyone had spoken.

GOLDSCHMIDT  Well, procedurally I think each of these ordinances is entitled to a vote unless they are going to be filed, and it is my intent to vote to support the Jordan ordinance as it has been amended. I understand there may have been some additional small changes that were made at the very end after I left but I don't think they were of great substance. Charles, could you identify what those were?

JORDAN  No, I really couldn't off hand. I can recall that section five was omitted, the one where we call for having comprehensive plans submitted to the Council, and that all interested would have a chance to participate. After you left that was reconsidered and voted down. So I think that was kicked out. That was the only major change that came about.

GOLDSCHMIDT  Which one?

JORDAN  It's under -- let me find mine. You will recall we had a discussion on the comprehensive plans, when they were submitted that they would have to involve input by all interest groups in the community. We voted on it while you were here, but when you left —

MC CREADY  That was an amendment of mine that was defeated.

JORDAN  It was reconsidered after you left and the vote was three to one to knock it out.

GOLDSCHMIDT  All right.

MC CREADY  No, it wasn't reconsidered. There was an amendment recommended by someone who testified, that's right, and Commissioner Schwab made the motion to delete the entire item and I believe she can tell you —

SCHWAB  I can't find it but I remember it was number five.

MC CREADY  That's right.

SCHWAB  Now I have the wrong ordinance in my book. I'm in good shape. They gave me the wrong ordinance.

MC CREADY  Mine was a motion that would put a period past way through the item and that was defeated.

JORDAN  So we came back and knocked it out.

MC CREADY  I think we should go through each, take the first two -- so that you're then talking only about his.

GOLDSCHMIDT  I'm prepared to vote on all three.

JORDAN  I am too. That was the only substantive change we had, Mr. Mayor. The number five was knocked out and it was voted on by the Council.

GOLDSCHMIDT  I want to note for the record, I think all the members
I just wanted to note that I received it and read it.

Is this the League of Women Voters one?

Right.

You know, the one I feel most strongly on in this whole thing is the second paragraph recommending that its membership should be open to residents, property owners, business licensees and representatives of non-profit organizations located within the boundaries, because I feel we're going to have so many associations in a neighborhood that it's going to become impossible. We won't know who to send people to.

Well, Mildred, I would have preferred to leave the boundary provision in, but I'm satisfied that it's worth taking a run at this administratively to see whether the horrors that are predicted in fact result and if we don't end up with multiple neighborhood associations then we do not. It's my impression that we still have a section in here that was debated before —

I'm not talking about boundaries, Mr. Mayor, I'm talking about the membership.

Well, you encourage individuals to work with existing neighborhood associations where possible. That section is still in Commissioner Jordan's ordinance?

No, that's what they voted out.

No, that wasn't voted out was it?

Yes, it was. That was my —

No, I don't think that was voted out.

Wait a minute.

That's a different number five than you just mentioned to me. Mr. Croell, do you show that as still being in? Page four, number five?

Page four, number five is, reads "Assist neighborhood volunteers in coordinating projects on behalf of neighborhood livability."

I'm sorry, number six.

Number six, "Encourage individuals to work with existing neighborhood organizations where possible."

That's still in. They only changed number five. Mr. Mayor, I think you're quite accurate. I think we need to run with what we have here and take another look at it because maybe it will materialize, Mildred, I don't know but I think we should take another look at this in six months and see if some of those red herrings do materialize and if they do let's change it. But I think we've modified this as much as we possibly can right now.
in this newsletter here that we furnish the mailings for they say here for example, "Attempts by the City Bureau of Buildings and the Fire Bureau to encourage compliance with Chapter 13 were at best bumbling, at worst malicious." Another quote, "The Bureau of Buildings inspected structures are told of their shortcomings, arrange appeals, inspected remedial construction. Compliance must be approved by them. They were ineffective due to the bumbling, misunderstanding and apparent conflict with the Fire Bureau. They confused owners with conflicting demands. Portland Development Commission, this bureaucracy has a history of high-handed dealings with the public." Here's all kinds of self-serving statements against this City bureaus and the City government and we're furnishing mailings to this neighborhood association. Now this is hard evidence I think of some mis-use of public money if we're furnishing the mailing for their attacks on City Hall that I think are beyond the reason of fair debate. I don't know if any other Council Members are acquainted with this newsletter that we have paid to send out to the area.

MC CREADY

No, Mr. Mayor. I didn't see it, this was the first I've heard about that but I think any organization is entitled to write or say anything they wish about, upon how they feel about City government. That was behind part of my feeling though in making my, drawing my recommended ordinance, is that we do have a separation of in effect church and state and it's not something where we either tell them what they do, nor do we pay for the services.

IVANCIE

Well, do we have to pay for the mailing?

MC CREADY

That was left open in mine for discussion.

IVANCIE

My point is they have a right to express themselves, but I'm not so sure that we should pay for the mailings of their statements.

SCHWAB

Is that something we can discuss now, whether you want to continue to pay for mailings or not?

MC CREADY

I suppose he was discussing it in terms of my ordinance being before us. It separates where the City provides the funding and not the contractual.

SCHWAB

I hate to admit ignorance but I don't know what else we fund for that area. Mary, maybe Mary can tell us. Do we have staff there too or do we just put out the mailing?

PEDERSEN

There is a CETA person working for the Burnside Community Council to help to put together, collect up the articles that are written. I believe they are signed.

SCHWAB

Is that CETA person hired in our office or did that go directly?

PEDERSEN

That particular CETA person, well, that particular CETA person is contracted from the CETA office to the Burnside Community Council.

SCHWAB

And not through your office in any way?
PEDERSEN: No, it's not my office. It's contracted I'm not sure through which group, to the Burnside Community Council.

JORDAN: Then the Burnside Community Council is responsible for the person and not Mary's office.

SCHWAB: Who requested the position, was it --

GOLDSCHMIDT: The Burnside Council did. It was handled by the CETA ordinance.

SCHWAB: It didn't go through your office or mine?

PEDERSEN: Not that person, no. As I say, there is a CETA person with the Downtown Community.

SCHWAB: Which is the Downtown?

PEDERSEN: The Downtown Community Association is a group that largely is from the Lonsdale area and the Park Block area as opposed to the other side of Burnside, which is the group from that newsletter.

JORDAN: Isn't the issue here whether or not we want to get into censorship though?

IVANCIE: Not censorship at all. I'm not so sure that we should be paying their postage for this type of political activity on their part.

JORDAN: Or any type of activity. I can see the day, Frank, when maybe the City Council Commission on Aging is going to be in here lambasting the Council if we decide to cut out their aging funds.

IVANCIE: Well, if the Council in its wisdom wants to take general fund money to fund this type of thing, I suppose --

GOLDSCHMIDT: I think it's a fair question and I think at budget time we ought to get in and review it. The variety of newsletters that we now get from neighborhoods is tremendous. Some of them are just calendars, some of them have stories and features in them about the neighborhoods, others intend to cover issues this way. Frankly at this point I'm not prepared to make a judgment about it because I haven't gone back and thoroughly analyzed what they are using them for. I don't feel threatened by that personally and they are attacking me and my bureau with some regularity. If they feel they want to have that forum it's okay. I think they take some risk in abusing it, that they're going to bring the house right down on top of them because I think Commissioner Ivancie is right, there isn't an attempt in some of those cases to communicate information. It's essentially just a diatribe about the City government.

On the other hand, there are articles in there about loan programs that are available, City Council budget processes and other things that I thought were very useful.

IVANCIE: That's true. I don't necessarily think we should hold the ordinance up because of this example but I do think when
SCHWAB On this 344. I wonder if we could go under suspension for a moment and take that up.

GOLDSCHMIDT How long is that going to take?

SCHWAB Not very long.

GOLDSCHMIDT Well, if it's going to take longer than a roll call vote then I think they should wait. They have a lot of other people here on CMA that have been waiting also.

What is going to happen with this? Mr. Osburn, are you aware what 344 is?

SCHWAB I can tell you about it very briefly. I had brought in to the Council a request that we have a hearings officer. Both parties were to be notified and through everyone thinking everyone else was notified, the parties were not notified. My recommendation is still that it be heard by the hearings officer and I wanted to have the Council have the advantage of —

OSEBURN My understanding is one of the parties wants the matter to be heard before the Council?

GOLDSCHMIDT Okay, then they are just going to have to wait. I'm sorry. I'm going to just have to take this, or we'll continue it and hear it another time.

SCHWAB Well, maybe we could set it for this afternoon or something?

GOLDSCHMIDT Would that be acceptable?

UNIDENTIFIED I have to be in court right now.

SCHWAB Could we set it for the first thing this afternoon?

GOLDSCHMIDT Mr. Ryter, could you be here the first thing this afternoon?

UNIDENTIFIED No, I can't, Your Honor.

GOLDSCHMIDT Well, as far as I'm concerned, this matter can be continued until after the first of the year. I don't —

SCHWAB No, I don't think so, Mr. Mayor. We've been delaying this for a long time.

GOLDSCHMIDT Well, I'm just saying I'm willing to convenience them to some other time, I just don't want to take this out of order with this other item. We have three ordinances in front of us and a fairly large number of people who came to hear it.

SCHWAB What time could both of you be back?

UNIDENTIFIED I'm committed to this afternoon.

SCHWAB How about if we handled it —

GOLDSCHMIDT Do you want to continue it to next Wednesday and we'll put
UNIDENTIFIED I did not ask to have it advanced.

SCHWAB We may not get to it 'til noon, 'til 2:00 for that matter.

GOLDSCHMIDT Okay. We’re in a discussion on 3436. Commissioner Ivancie, did you want to make any additional comments about the newsletter item?

IVANCIE No.

GOLDSCHMIDT Further discussion on 3436?

The ordinance then failed to pass by the following vote:
Yeas, Commissioners Ivancie and McCready, 2; Nays, Commissioners Jordan, Schwab and Mayor Goldschmidt, 3.

GOLDSCHMIDT 3437.

CROELL Do you want the roll call, Your Honor?

GOLDSCHMIDT Please.

The ordinance then failed to pass by the following vote:

IVANCIE Mr. Mayor, apparently these two ordinances, my ordinance and Charles’, Commissioner Jordan’s ordinance are fairly close together. I would assume the way the vote is going here this would be another minority position but I’ll vote Aye.

JORDAN No.

MC CREADY Aye.

SCHWAB I’m so confused I’m voting no to everything. No.

GOLDSCHMIDT No.

Yeas, 2; Nays, 3.

GOLDSCHMIDT 3519.

MC CREADY You’re not going to vote at this moment?

GOLDSCHMIDT Is there discussion?

MC CREADY I think that I found something that needs by unanimous consent to be, should be in the contract. Just a moment. There’s some fuzzy wording there that I think should be clarified. Just one moment. It’s in the area of the hiring here on page 4, in Section — where it says that — I don’t have the ordinance. I have the memo. Do you have the ordinance here? Good. Let me show you what I think would improve the clarification. If I understand what you wish to say here, I think it would make it more clear that on page four, Section (c) at the bottom of the page, you have administrative functions. I would recommend or move that you change in the second line the comma to a period and then capitalize the The because this is a very fuzzy wording and I think what you are meaning to say is that the hiring and firing of staff in the central office should
neighborhood association to have the entire word on the hiring and firing procedures of the neighborhood association personnel out in the field.

JORDAN
That's accurate, without consultation.

MC CREAMY
So I think it would be a matter of a unanimous consent to clarify your action. If that's as you understand it.

JORDAN
Yes, at least you know the intent. I have no difficulty with the correction but the intent is that she would go into consultation with the neighborhood office.

MC CREAMY
Well, the way this is written then, and then as it reads, it looks as if everything including the staff in the Office of the Coordinator would have to be in consultation with the neighborhood associations.

SCHWAB
Excuse me, Connie, where were you putting the period? I guess I don't understand it.

MC CREAMY
Well, it would be after staff in the second line, and then capitalize the The and just go on, the disbursements of the funds of any district office. Do you see?

GOLDSCHMIDT
I don't understand how it comes out a whole sentence, Connie. Administrative functions such as the hiring and firing of staff --

MC CREAMY
Period, that's the responsibility of the coordinator.

GOLDSCHMIDT
What do you want to do, make that the title and take this out?

MC CREAMY
No.

GOLDSCHMIDT
It isn't a sentence.

MC CREAMY
It doesn't have to be a sentence. It's an administrative function, you see, hiring and firing of staff. Then make sure -- otherwise it does not make it clear that -- if the administrative function is put entirely in the hands of the coordinator and leave the neighborhood out of the -- only as a consultant.

What this does is reverses to the other extreme and puts the say in the hands of the coordinator.

GOLDSCHMIDT
Let me borrow that ordinance back and ask you a question. I think this is going to be treated as an amendment for purposes of city procedure, which would continue this another week unless we -- I talked to John about it and I'm afraid we may end up tripping over our own feet, but if there is no disagreement on this ordinance, that is to say if the Council is going to vote for it when it's done, it wouldn't produce any delay. If we're going to make an amendment, period, I'm just saying if it's going to happen, Connie, why don't we rewrite the first sentence, the first line as a sentence that in effect says the hiring and firing of staff would be an administrative function, or whatever it is you're trying to say. What you're basically saying is -- isn't that what you were trying to say at the outset, that you want to...
what it means to be is that the Commissioner in Charge and the coordinator — let's see, you've gone back off with the ordinance again. I think it's purely a clarification. There's nothing sneaky about any of this.

JORDAN

I can see the intent here, it's not a matter of who consults with whom, whether the neighborhood association approaches Mary or whether she approaches them. The idea is that in hiring the staff, that they would both go into consultation before they hire the staff so that Mary would not --

MC CREASY

Where's the final word?

JORDAN

It depends on who the person works for. If the person is going to be a City employee, the final word must be with Mary.

GOLDSCHMIDT

I don't think it works out the way I thought it did, Connie, in reading it.

SCHWAB

Mr. Mayor, let me leave out all the middle words and just get to the gist of the sentence. We'll leave out all the such as's. That's the way I read it. The administrative function of the Office of Neighborhood Associations shall be acted upon only after consultation between the respective neighborhood associations and the City, with the neighborhood associations affected by such decisions and the approval of the Commissioner in Charge. That's kind of the way I read it when I leave out the middle wording.

GOLDSCHMIDT

What I'm concerned about is not in fact what I thought Connie was trying to correct with the ordinance. There are certain administrative functions of the Office itself, of the Office that reports directly to Mildred, which do not require any consultation. That's what I thought Connie was talking about, but I don't think the change ends up working out that way.

Mildred, you can hire and fire a director without consulting with the neighborhoods. You can hire and fire a secretary in that office without consulting with the neighborhoods, so there is the core office that I thought Connie was addressing herself to. All right, but unfortunately the rest of it here is really addressed to the staff in the neighborhood. There's all the examples, talk about an office in a neighborhood office --

MC CREASY

That's why I separated them.

GOLDSCHMIDT

Okay, but I don't think by merely separating them we've clarified that because the examples --

MC CREASY

Well, the section is very badly written. I don't know whose pride in authorship I may be insulting but it is very fuzzy, poorly written.

JORDAN

Why don't we rewrite that?

GOLDSCHMIDT

We've butchered it with amendments.
SCHWAB

That I would.

JORDAN

There would not just be a unilateral decision by you, and I think that's been agreed to. The decision made about your own office, you know, does not have to go out to the community for consultation at all.

PEDERSEN

What, the central office down here?

JORDAN

Yes. Like Connie said, if you are going to hire a secretary you don't have to go out and consult with the neighborhood associations, but if you're going to hire a secretary for them, you must go in consultation with them. That's the intent.

MC CREAMY

And where is the final decision made? It says consultation, but where the --

PEDERSEN

Well, you have to have the approval of the Commissioner so I suppose that the buck stops on the Commissioner's desk.

GOLDSCHMIDT

Let me read this back to you because I may have just butchered it again. Administrative Functions such as the hiring and firing of staff, this is where Connie would have put the period, I would not put. Administrative Functions such as the hiring and firing of staff of theONA office are the responsibility of the Commissioner in Charge, period. Period. There is no consultation with the neighborhood in the ONA office. Then start with the capital T that Connie would have put on, The disbursement of the funds of any district office which may be established with City funding and the hiring and firing of neighborhood staffs -- and then you have this language, and similar matters, which I think is just baggage which I would take out, shall be acted upon only after consultation between the respective neighborhood associations and the City with the neighborhood associations affected by such decision and approval of the Commissioner in Charge.

I'm trying to separate the two but maybe I didn't end up accomplishing it. One of them has to do with what operates directly under the Commissioner, the other has to do with all those contract relationships that are carried on.

JORDAN

Okay. As long as the intent is to cover those employees who are civil servants that are hired by Mary, that are going to work in the neighborhood. There should be some consultation there.

PEDERSEN

That's right.

GOLDSCHMIDT

I've left all that language in that was in before about this neighborhood staff.

JORDAN

Okay, but that staff may not be neighborhood staff, it could be under the supervision of a neighborhood but they are on Mary's staff.

PEDERSEN

The way to get around that is to say staff in the field offices, and then whether they are contracted or Civil
and the hiring and firing of staffs in the field offices shall..."

PEDESEN

One says district, the other says field.

GOLDSCHMIDT

What?

PEDESEN

Maybe we should make up our minds whether we want to call them district offices or field offices.

GOLDSCHMIDT

I don't care. Just use district office, it's used everywhere else in the ordinance.

PEDESEN

We have deleted the definition of district in this ordinance.

SCHWAB

Excuse me though. But we can't let the people in the community have the say over the hiring and firing of those who are Civil Service and that is the Model Cities office.

JORDAN

That would be your decision as to who they hire, but Mary would go in consultation with them to discuss who she is going to hire, but the final decision is yours.

GOLDSCHMIDT

I would like to read this back to Commissioner McCready and see whether or not I produced what I thought it was I was trying to do. "Administrative functions such as the hiring and firing of staff of the OMA office are the responsibility of the Commissioner in Charge. The disbursement of the funds of any district office which may be established with City funding, and the hiring and the firing of staffs in the district offices shall be acted upon only after consultation between the respective neighborhood associations and the City with the neighborhood associations affected by such decision, and the approval of the Commissioner in Charge. Accounting procedures to be used are to be approved by the City."

I don't know whether what I just wrote is what it is you were saying we ought to change the ordinance to do. Separate the downtown office from the district offices.

MC CREDAY

Without having it in front of me and just listening it sounds fine. I don't — that is my intent, or at least I'm just trying to clarify what's on the paper and it's sure as the dickens isn't clear.

SCHWAB

Let me ask a question. Do we actually contract out with Model Cities or do we hire the staff for them? There I think is the basic question.

PEDESEN

I had a discussion with Jon Stephens about the procedure that we would use in the event that one of those positions was open as the assistant coordinator now is, and his statement was that we could even through the Civil Service system make it possible to consult with the neighborhoods on --

SCHWAB

You're basically answering my question. Those people are still City employees out there. We're not contracting away the Model Cities office.

PEDESEN

That's right.
PEDERSEN: Everything has to be documented when you're firing under Civil Service.

SCHWAB: But, Mary, at this point we are not contracting with Model Cities are we?

PEDERSEN: No, we are not.

GOLDSCHMIDT: Correct.

PEDERSEN: We are using the transition term to provide for what we should be doing. That was after extensive consultations between the Council and the neighborhood association.

SCHWAB: We don't intend to contract out there so don't they fall under the same thing as our major office in Model Cities if we're not contracting?

PEDERSEN: Well, it depends on how you want to do that administratively, Commissioner, and that's why we've been consulting.

SCHWAB: I think that this is something that we're going to decide on the Council here, whether we contract out Model Cities.

GOLDSCHMIDT: I think that decision about how to handle the employees in that office by the way this ordinance is written now and the way the suggested amendment would go would still be the responsibility of the Commissioner in Charge. You have the flexibility in any dealings with any neighborhood association to let them and you choose whether you want to go City employee or contract route. As to whether or not this section abrogates the rights of any employees who are now Civil Service, I think it does not.

PEDERSEN: No, I think it's neutral to that question.

SCHWAB: Well, if we were to let a contract out there to Model Cities, then that person would no longer be a City employee.

GOLDSCHMIDT: That's right. We have the same kind of legal issues that were raised with regard to the security and janitorial staffing.

JORDAN: The Senior Service Center is the same thing.

GOLDSCHMIDT: Right. I did not propose this as an amendment but I'm trying to describe what the amendment would produce if there was a motion to bring this in front of us, the section which is 3.96.070(c), the bottom of page four.

CROELL: Excuse me, Your Honor. Commissioner McCready's motion did not receive a second.

MC CREADY: That's fine.

GOLDSCHMIDT: Is there a motion? Did you make it as a motion, Connie? I'm sorry, is there a second to that motion?

IVANCIE: Second.
JORDAN    Why don't you withdraw it and reword it.
MC CREADY  Okay. I'll withdraw it.
GOLDSCHMIDT Frank?
IVANCIE    It's all right.
SCHWAB    I just don't quite understand now what's going to happen with Model Cities, I still don't understand that.
MC CREADY  I'm moving the amendment that Neil just created.
GOLDSCHMIDT Essentially, all I tried to do, Mildred, and expressing Connie's concern is we not leave an impression that there is consultation with the neighborhoods in the hiring and firing of staff in the central office. I think she's correct in that.
SCHWAB    How about in the Model Cities office?
GOLDSCHMIDT In the Model Cities office if you choose to have them involved in the process, it seems to me that that's fine. Legally they can't fire the person but you can consult with them on the hiring and firing of staff, and that is possible.
MC CREADY  This would have no affect whatsoever on whether Civil Service or not.
SCHWAB    I want John's wise, sage opinion there.
MC CREADY  It would have absolutely no impact what you might do on the board or whatever. Actually this was the procedure that would have been incorporated in mine, my ordinance.
JORDAN    That was the intent. I know the Senior Adult Service Center, those are employees but they also have a board of directors. Before we hire them one we go in consultation with them but they understand it is our final decision as to who works for the Senior Adult Service Center.
MC CREADY  Has that been a problem?
JORDAN    No, it hasn't been a problem at all.
SCHWAB    Let me ask a question here of John. John, if the neighborhood association were, a couple of them were to come and say they didn't want this person, would that be grounds for discharging them or not?
OSBURN    No, not solely the grounds that the person was unacceptable to the neighborhood association. The Commissioner in Charge would have to make a decision that the person was ineffective or otherwise, that there were other grounds. Well, including the ability to fulfill the job I suppose is part of the requirements of the position and you could eventually assume that the person should be discharged for cause, but you can't get into a situation in which the neighborhood association is effectively given the choice of telling the Commission the person has to go.
SCHWAB And if they don't like the person that is in there —

OSBURN You would still have to have specific reasons, what the person has done and why they weren't fulfilling —

SCHWAB Go through the whole Civil Service process and the whole business.

OSBURN Yes.

SCHWAB I don't want to give the opinion by doing this now that anywhere in northeast, as long as we have the Civil Service employees, that they can walk in and say well, we're not happy with the person you have there because there will be nothing that can be done about it other than the type of thing that would require Civil Service to eliminate somebody, and I want that clear.

GOLDSCHMIDT At the same time there is nothing to prevent you from hearing them and taking their counsel under consideration in making your decision if I understand it.

SCHWAB I have to go to Civil Service, Civil Service will be deciding.

GOLDSCHMIDT You don't go to Civil Service, you fire them, they go to Civil Service. It's a big difference and the burden is on them to prove that you didn't make the right decision or more specifically you made it for religious, political or what's the other one?

OSBURN Or for other reasons not in good faith for the improvement of the public —

GOLDSCHMIDT Which would never happen with Commissioner Schwab.

MC CREASY Point of order, Mr. Mayor. I don't want to get off into what you're going to do about northeast or these problems now. I want to know if that has any impact if we adopt this amendment, if that will have any deleterious affect on Civil Service job. There's no relationship here, they can discuss and make recommendations as they do now. Can they not?

OSBURN Right.

MC CREASY Fine.

GOLDSCHMIDT Is there a motion to make this change in 3.96.070?

MC CREASY There was.

GOLDSCHMIDT Is there a second? Frank, did you second that?

IVANCIE Second.

GOLDSCHMIDT Is there discussion?

The motion being put resulted in Yeas, Commissioners Ivancie, Jordan, McCreary, Schwab and Mayor Goldschmidt, 5; whereupon the motion was declared carried and the ordinance amended as stated.

SCHWAB The rule is if you don't understand it vote for it.
next week to do that unless the Council is willing to put an emergency clause on this and vote on it today.

MC CREADY

Well, Mr. Mayor, maybe this will help. I'm satisfied that this ordinance will provide a resolution to ninety percent of my concerns with the existing OWA ordinance. We have eliminated the restrictive recognition procedures which I opposed at the outset and I think have been proven in recent hearings to have, that that was something that should have been excluded.

Services will be provided equitably to the groups, hopefully, and to individuals who are not necessarily members of neighborhood associations. And I think that responsibilities have been placed in a manner which provides for decision making authority while allowing for consultation with the neighborhood associations and individuals. And I think that we now have a method by which we can determine the level of participation proceeding a neighborhood association recommendation.

So under the circumstances, I think this is a great improvement and I can support this.

GOLDSCHMIDT

Could I get a motion to add the emergency clause?

MC CREADY

Okay, so move.

GOLDSCHMIDT

Is there a second?

JORDAN

Second.

The motion being put resulted in Yea, Commissioners Ivancie, Jordan, McCready, Schwab and Mayor Goldschmidt, 5; whereupon the motion was declared carried and the ordinance so amended.

OSBURN

Mr. Mayor, I wonder whether the Council could state a reason for the emergency. It's required.

GOLDSCHMIDT

I think it would not be very difficult to do that. We have an ordinance following this on the calendar which in fact is the substance of the issue we have to debate, and is going to take some time to settle before January, and that is the budget that affects this office. Without this matter having been settled, the Council is really not in a position to determine whether or not it will fund the activity involved and because of the threat to the employees themselves who otherwise will go off the payroll on December 31st, in my view it's rather urgent that this matter be settled. John, whether or not the City Attorney feels that's an adequate reason --

OSBURN

I have no question that that is an adequate reason. My only question is that where the Council votes to add an emergency clause, there has to be a stated reason.

GOLDSCHMIDT

Commissioner McCready.

MC CREADY

Well, Mr. Mayor, that would not be my reason for adding the emergency clause, because when those items do come up I am going to ask that they be continued and be discussed on the same Council calendar agenda as the CETA ordinances --
in talking about the budget until you tell me whether or not we've got an ordinance.

MC CREARY: Well, I'll tell you, I think that I would want to know is there going to be a problem in continuing those ordinances, the budget ordinances, so we can look at the entire remains of the general fund contingency?

GOLDSCHMIDT: It is my impression that Commissioner Ivancie has questions he wants to raise about items, and we're talking about 3464 I think.

MC CREARY: Anything that has to do with contingencies on this.

GOLDSCHMIDT: Effectively I don't know whether or not it is appropriate or not appropriate to continue it. It isn't an emergency ordinance and it won't pass today and it won't pass to be effective next week as it is written. It will take at least 45 days and that's my concern, that the Council has to be in a position to know it can enter the discussion about this and the way to do that is to settle whether or not it is going to have an office.

MC CREARY: I was going to suggest we continue the one involving Public Works as well, they all should be done at the same point. So I would like to suggest that for the reason that he mentioned, that's fine. I intent to continue the other, but also that the amendments, the nature of the amendment that I was proposing at the outset was to me purely a clarification. It was I thought, could have been done by unanimous consent and there was no intent on my part to delay.

OSBURN: That still wouldn't deal with the problem that the ordinance though passed to Third Reading, a Third Reading ordinance passed today would not be effective for 30 days.

WEIDLICH: Mr. Mayor, I would like to object to a third reading at this time.

GOLDSCHMIDT: Commissioner Schwab.

SCHWAB: I had one comment here that I wanted to talk about in the basis for the emergency. We are not losing neighborhood associations if this does not pass today because this is the one that also repeals the other ordinance. So if this doesn't pass, we continue to operate under the other ordinance and it seems to be the wish of the majority of the Council that we make this change effective now. That to me would be the nature of the emergency. Otherwise we're still going to be operating under the old ordinance, although we know the majority of the Council doesn't want to do it.

GOLDSCHMIDT: Mildred, I just want to maybe if I could narrow my concern. We have some money reserved in an account to continue this function beyond January 1. If the Council can't reach a decision about whether or not to continue the function, it's not really appropriate for us to engage in a long discussion on budget, which is not only this issue but as Connie pointed out, some other things. I would like to get from the Council direction as to whether or not it intends to have the function, the level at which it intends to fund it is it's decision,
emergency ordinance today and then only pass to Third Reading her ordinance. In other words, what's good for the goose should be good for the gander.

GOLDSCHMIDT I would point out to you that the Council will be meeting in informal again next Tuesday before it meets on third reading on budget matters in general. If it chooses at that time to continue this beyond that I don't think I have any objection. The program is funded until December 31 but I don't know what kind of a program we're talking about officially until we adopt some kind of an ordinance. I do believe that the passage of this ordinance commits us to some kind of a program. Now whether it's a $99,000 program or a $50,000 program or a $25,000 program, that's apparently the issue you would all like to discuss.

IVANCIE I agree with that statement.

WEIDLICH Mr. Mayor, are we going to get any public testimony or input?

GOLDSCHMIDT Mrs. Weidlich, this thing has been testified and testified.

WEIDLICH I have not testified yet.

GOLDSCHMIDT Well, I'm sorry. I've been here plenty of times and you've been in the audience and if you wanted to be heard you could have raised your hand.

SCHWAB Mr. Mayor, I would just might like to state that the last time when we closed the meeting Mrs. Weidlich was standing at the podium and was not permitted to be heard. Weren't you the one that was standing there? She was standing there and we overlooked her. She was standing there and was overlooked. That's right.

GOLDSCHMIDT That tests the credulity of anybody.

JORDAN Everybody.

MC CREADY I can't believe that I missed you but if that's the case, heavens, go ahead.

GOLDSCHMIDT My apologies, Mrs. Weidlich. I asked whether anybody has been denied the right to be heard.

OSBURN Are we backing up past the passage of the emergency clause?

GOLDSCHMIDT No, I think we have an ordinance which we can read twice and then she can be heard.

The ordinance was then read twice as amended.

GOLDSCHMIDT Mr. Osburn and I think we should clear up this business about the emergency clause. I think the point John makes is that my statement is adequate for purposes of the motion, if the Council agrees that it represents their views in passing it. So it's in front of you for whatever purposes you wish, unless there is disagreement that the statement I gave on behalf of the motion is unacceptable.
MC CREADY: No, we're not doing that. I'm just saying --

GOLDSCHMIDT: But you said if we agree with your statement on the budget item which comes up later, plus some other things.

MC CREADY: No, no, no, not at all. Your statement I interpreted as something other than you said that it would mean. All I'm saying is that if in effect my request to consider these at once would not be abrogated.

SCHWAB: Excuse me, Connie. You have a couple of ordinances on CETA here today don't you, under suspension? Aren't those positions for you that we talked about yesterday?

GOLDSCHMIDT: The problem is this on the CETA ordinances, that we have been paying the salary overages out of the CETA account. We brought in an ordinance consistent with what I asked the Council about yesterday. Connie had to leave that meeting and I think her feeling is that she's not certain that those ordinances are satisfactory and would like to have them continued. I have no objection to that. We can file those Friday.

MC CREADY: No, those aren't the items. It's the budget items, the funding items, general fund.

GOLDSCHMIDT: That's what I'm talking about. That's a general fund transfer ordinance.

MC CREADY: No, the continuation of the neighborhood organizations, the everything else that comes out of the contingency thing to be discusdsed at the time the rest are on.

GOLDSCHMIDT: Mrs. Weidlich.

WEIDLICH: Thank you, Mr. Mayor. Commissioner Jordan, how do you do? I wanted to make a comment on hope you keep up with your special cooking assets. Commissioner McCready, Commissioner Schwab, Commissioner Ivancie.

Dear Mayor Goldschmidt and Members of the Council, we are very fortunate in our yet free United States of America to have the opportunity to elect you to the City Council. With this elective process -- oh, that's last week's. Excuse me. I better read my this week's.

Thanksgiving Day is tomorrow. In looking in my history book it seems that the first Thanksgiving Day was observed by Plymouth Colony November 26, 1621, in thankfulness to God for the bountiful harvest and their freedom to worship God in a new land. We should be more thankful for our present freedom because only then can we fight to preserve it.

Before you today with the spectre of a City deficit of over five and a half million dollars is an ordinance on neighborhood associations. We feel that this ordinance violates the basic precepts of our Pilgrim forefathers and violates our basic freedoms. It also contributes, if I am correct, a hundred thousand dollars in costs, and we feel this could be a start in trying to balance the budget, cutting
which anyone has the right to engage in now. Citizen participation, by coming to their own elected public officials.

Mr. Mayor, we understand that you have taken over responsibility for most of the city bureaus. Could you want to keep people from coming to your office by putting the neighborhood associations, another layer of government between you and City Hall, and their elected representatives.

This may be harsh, but I feel that it is justified. It's a question.

My letter of last week was not read, and I would like to refer to some specifics. Specifically 3.96.040 Functions of the Neighborhood Associations. I would like to refer to that now. What did I do to it? I'll read it. To recommend on action 3.96.040 what did I could someone did I leave it sitting in my oh, my. What is the ordinance? Could you read it to me, Mr. Croell, 3.96.040(1)? I didn't quote it in my letter.

CROELL

Recommend an action, a policy or a comprehensive plan to the City and to any City agency or any matter affecting livability of the neighborhood including but not limited to land use, zoning, housing, community facilities, human resources, social and recreational programs, traffic and transportation, environmental quality, open space and parks.

WEIDLICH

Thank you, sir. Then number four, if you could read number four too under the same provision.

CROELL

It says undertake to manage projects as may be agreed upon or contracted with public bodies.

WEIDLICH

These two particular items, that number one includes almost everything that government should not do in a free country. It is not the role of the government or of the public bodies to get in and start planning our land and planning our livability and telling us what to do and where to go and using our money to do it. Let's reduce our taxes first.

There are many others I would like to mention verbally if allowed. This pitting neighborhood against neighborhood and neighbor against neighbor will ferment revolution, disagreement and not promotion of love thy neighbor as thyself in a spirit of Thanksgiving.

If there are some questions I have a book here that I was hoping I could find some extra copies, I wanted to give all of it to you. This is a book on the pictures and ideals and philosophies that belong to our free kind of country in which we talk about Thanksgiving and about the harvest and about how plentiful we have things. I strongly oppose this neighborhood ordinance and you've known it over a period of years. The Vermont Community Association, the Downtown Community Association and the northwest association which I was involved in have all been so crooked that it hasn't even been funny, and I don't like to use those words but it has not been done in the democratic process. I think the Vermont Community Association if you would
the bureau assignments, the Auditor has them, they have not been changed in some period of time.

WEIDLICH Have not?

GOLDSCHMIDT Have not.

WEIDLICH Well, then I was misled then. I'm glad that I mentioned it to you and I apologize if that is the case.

GOLDSCHMIDT Gordon, do you have a copy of those that we could provide her at the break?

CROELL Yes, Your Honor, we could get it for her right away. We have them available.

GOLDSCHMIDT Commissioner Ivancie has one now.

WEIDLICH Well, I apologize for that particular item but I would like to pray, I still didn't read my letter from last week.

We are very fortunate and are free to have the opportunity to elect you to the City Council. With this elective process comes the responsibility of running City government, manage the budget, trying to represent the citizen fairly. Under the present form of government any citizen has the opportunity to talk to any one of you or their assistants upon concern, and I feel that that is true and I wish to comment you as members of the City Council to feel that we can. And I don't like to see an unelected group put into the neighborhoods that you cannot watch to know what they're doing or what their motives are. We always have that little word "dollar signs". There's always an ulterior motive. Federal funds or some other kind of money, and I believe that you people want to represent us fairly. But you will help take that away from you if you support this type of organization.

Under the neighborhood associations, under funding, under the neighborhood government act of '73 and '75, which has probably been updated, which is '75 now, Senate Bill 2502, this has not been mentioned anywhere. A bill to amend the internal revenue code of 1954 to provide a tax credit for contributions to a neighborhood corporation. Either the Oregonian or the Journal, I would appreciate it, I think this is very important, it has been left out of your newspapers and I would like to repeat that if I may. Senate Bill 2502. A bill to amend the internal revenue code of 1954 to provide a tax credit for contributions to a neighborhood corporation and to provide other financial assistance to such corporation organized under state law to furnish their own neighborhood services. Refer to the Committee on Finance.

Now this particular one in '73 was a Congressional Record, October lst, '73. There is an updated one. This prospect along of outside funding such as the large foundations to nullify the voice of the local citizens. This may not be passed yet but it certainly is in the near future. It's in the finance committee in Congress right now. This process in summary is undemocratic, therefore, it
This federal funding I understand, there's a possibility the Ford Foundation may give funding to the Model City area. I raise the question and I feel this is not what would promote good local government.

Mr. Mayor, I appreciate your allowing me to speak.

GOLDSCHMIDT  Mrs. Weidlich, my apologies. I did not understand that you had been cut off last time.

MC CREADY  Nor did I.

GOLDSCHMIDT  That's all right. Are there questions of Mrs. Weidlich? Thank you. Further discussion by the Council?

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

GOLDSCHMIDT  I'm going to take a break in just a moment. I wonder if it's okay with the Council if we finish this page. I want to take care of a couple of items.

HEARINGS

3438  An Ordinance, entitled, "An Ordinance assessing the cost of improving an Alley in Block 10, Multnomah, from N. Mason Street to N. Skidmore Street, being District No. 4, Boise-Humboldt Neighborhood Development Project, and remonstrances if any", was introduced by Order of the Council. Total assessment - $9,458.61 (A-46 C-5763)

CROELL  On Item 3438, Your Honor, it's been requested by the City Auditor that this be returned to his office.

By unanimous consent, the above ordinance was referred to the Office of City Auditor.

CROELL  Also, we did not receive any letters of remonstrance.

3439  An Ordinance, entitled, "An Ordinance assessing the cost of improving an Alley in Block 26, Multnomah, from N. Beech Street to N. Failing Street, and remonstrances if any", was introduced by Order of Council and read twice. Total assessment - $6,685.58 (A-48 C-8812)

CROELL  Your Honor, we have received no remonstrances.

GOLDSCHMIDT  Is there discussion? Those present who wish to be heard? (No one responded)

By unanimous consent, the ordinance was ordered passed to Third Reading.

3440  An Ordinance, entitled, "An Ordinance assessing the cost of improving S.E. Ankeny Street from approximately 260.5 feet west of the west line of S.E. 52nd Avenue to the center line of S.E. 52nd Avenue, and remonstrances if any", was introduced by Order of Council and read twice. Total assessment - $10,205.93 (A-50 C-8848)

CROELL  Your Honor, we've received no remonstrances.

GOLDSCHMIDT  Are there those present who wish to be heard? (No one responded) Discussion by the Council?