



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **15TH DAY OF NOVEMBER, 2006** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard, and Sten, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Harry Auerbach, Chief Deputy City Attorney; and John Holly, Sergeant at Arms.

Item 1505 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS	Disposition:
1494 Request of Rey Ko to address Council regarding NW neighborhood mediation and Northwest Resolutions (Communication)	PLACED ON FILE
1495 Request of Karl Chromy to address Council regarding problems with City Hall (Communication)	PLACED ON FILE
1496 Request of Don Strong to address Council regarding custodians at Portland Public Schools (Communication)	PLACED ON FILE
1497 Request of Kenneth Loch to address Council regarding renaissance of the 21st century (Communication)	PLACED ON FILE
TIME CERTAINS	
1498 TIME CERTAIN: 9:30 AM – Accept the report Bureau Innovation Project No. 13—Recommend Funding Supplier Diversity Consultant and Professional, Technical and Expert Services Sheltered Market Program (Report introduced by Mayor Potter) Motion to accept the Report: Moved by Commissioner Adams and seconded by Commissioner Leonard. (Y-4)	ACCEPTED
1499 TIME CERTAIN: 10:00 AM – Portland named America’s Best Walking City (Presentation introduced by Mayor Potter)	PLACED ON FILE

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<p>1500 TIME CERTAIN: 10:15 AM – Accept the report on the Lobbying Registration Code (Report introduced by Commissioner Adams)</p> <p>Motion to accept the Report: Moved by Commissioner Sten and seconded by Commissioner Leonard.</p> <p>(Y-4)</p>	<p align="center">ACCEPTED</p>
<p>1501 Amend Regulation of Lobbying Entities and City Officials to clarify definitions, scope and exemptions (Ordinance introduced by Commissioner Adams; amend Code 2.12.020, 2.12.040, 2.12.050, 2.12.070)</p> <p>Motion to accept amendment to Section 2.12.070 to not require City Officials, other than elected officials, to submit reports if they have not received any gifts over \$25 for donations: Moved by Mayor Potter and seconded by Commissioner Leonard. (Y-4)</p> <p>Motion to accept amendment to Section 8 of 2.12.020 (G) to add “Time spent by any person holding elected office, or their specifically authorized representative, acting in their official capacity”: Moved by Commissioner Adams and seconded by Commissioner Leonard. (Y-4)</p>	<p align="center">PASSED TO SECOND READING AS AMENDED NOVEMBER 22, 2006 AT 9:30 AM</p>
<p align="center">CONSENT AGENDA – NO DISCUSSION</p> <p align="center">Mayor Tom Potter</p> <p align="center">Office of Management and Finance – Business Operations</p> <p>*1502 Pay claim of Imago Theatre (Ordinance)</p> <p>(Y-4)</p>	<p align="center">180577</p>
<p>*1503 Pay claim of Herculine Minnieweather (Ordinance)</p> <p>(Y-4)</p>	<p align="center">180578</p>
<p>*1504 Pay claim of Tuoi Nguyen (Ordinance)</p> <p>(Y-4)</p>	<p align="center">180579</p>
<p align="center">Office of Management and Finance – Human Resources</p> <p>*1505 Authorize a Letter of Agreement between the City and the American Federation of State County and Municipal Employees, Local 189-2 for terms and conditions of employment of represented employees in the Bureau of Emergency Communications bargaining unit (Ordinance)</p> <p>(Y-4)</p>	<p align="center">180592</p>
<p>*1506 Authorize agreements with the City of Portland Professional Employees Association for terms and conditions of employment for certain represented employees (Ordinance)</p> <p>(Y-4)</p>	<p align="center">180580</p>
<p align="center">Office of Management and Finance – Revenue</p> <p>*1507 Amend contract with Cayenta Canada for Electronic Bill Presentment and Payment (Ordinance; amend Contract No. 35151)</p> <p>(Y-4)</p>	<p align="center">180581</p>
<p align="center">Office of Management and Finance – Technology Services</p>	

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<p>*1508 Approve settlement of claims with bankruptcy trustee in <i>In Re All Phase Utility Corp.</i>, U.S. Bankruptcy Court District of Oregon Case No. 02-34044-elp7 (Ordinance)</p> <p>(Y-4)</p>	<p>180582</p>
<p>Police Bureau</p>	
<p>*1509 Authorize the Police Bureau to appoint Wayne David Schull to the classification of Police Officer at the 4-year salary rate (Ordinance)</p> <p>(Y-4)</p>	<p>180583</p>
<p>*1510 Accept a \$250,000 Gang Resistance Education and Training Local 2006 grant from the Bureau of Justice Assistance for allowable local program expenses (Ordinance)</p> <p>(Y-4)</p>	<p>180584</p>
<p>*1511 Accept a \$70,000 grant for Traffic Safety Belt program enforcement from the Oregon Association Chiefs of Police (Ordinance)</p> <p>(Y-4)</p>	<p>180585</p>
<p>*1512 Authorize an Intergovernmental Agreement with the Clackamas County Sheriff to use the Public Safety Training Center facilities (Ordinance)</p> <p>(Y-4)</p>	<p>180586</p>
<p>Commissioner Sam Adams</p> <p>Bureau of Environmental Services</p>	
<p>1513 Approve completion of the Sullivan Structural Sewer Rehabilitation Project No. 6699 (Report; Contract No. 35988)</p> <p>(Y-4)</p>	<p>ACCEPTED</p>
<p>*1514 Accept a grant from the Oregon Watershed Enhancement Board for restoration work in the Tryon Creek State Natural Area at Iron Mountain in the amount of \$122,140 (Ordinance)</p> <p>(Y-4)</p>	<p>180587</p>
<p>1515 Authorize two loan agreements in the amount of \$6,591,365 with the Oregon Department of Environmental Quality under the State Revolving Fund Program for water quality enhancement projects (Ordinance)</p>	<p>PASSED TO SECOND READING NOVEMBER 22, 2006 AT 9:30 AM</p>
<p>1516 Extend term and increase not to exceed limit for contract with CMTS, Inc. to supply qualified construction management, inspection and project support personnel (Ordinance; amend Contract No. 35674)</p>	<p>PASSED TO SECOND READING NOVEMBER 22, 2006 AT 9:30 AM</p>
<p>Office of Transportation</p>	
<p>*1517 Revise the legal description for the SE 39th Avenue at SE Holgate Boulevard Street Vacation (Ordinance; amend Ordinance No. 180471)</p> <p>(Y-4)</p>	<p>180588</p>

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<p>1518 Amend Intergovernmental Agreement with the Oregon Department of Transportation for the 92nd Ave - SE Powell Blvd to SE Holgate Blvd Sidewalk and Bike Lanes Project to reduce the Transportation Enhancement Program grant to \$900,000 (Ordinance; amend Contract No. 52531)</p>	<p align="center">PASSED TO SECOND READING NOVEMBER 22, 2006 AT 9:30 AM</p>
<p>1519 Approve application for loan from the Oregon Transportation Infrastructure Bank for advance construction of the 102nd Ave Street Improvement Project Phase One (Ordinance)</p>	<p align="center">PASSED TO SECOND READING NOVEMBER 22, 2006 AT 9:30 AM</p>
<p>1520 Amend ordinance to set fees for Bureau of Transportation System Management permit activities to include in Portland Policy Documents (Ordinance; amend Ordinance No. 180445)</p>	<p align="center">PASSED TO SECOND READING NOVEMBER 22, 2006 AT 9:30 AM</p>
<p>1521 Accept a \$100,000 grant from the Oregon Department of Transportation to develop and implement specific efforts to improve traffic safety on high crash corridors with specific focus on SE/NE 82nd Ave (Ordinance)</p>	<p align="center">PASSED TO SECOND READING NOVEMBER 22, 2006 AT 9:30 AM</p>
<p align="center">Commissioner Randy Leonard</p> <p align="center">Bureau of Emergency Communications</p>	
<p>*1522 Amend contract with Thayer Consulting to provide an updated Portland Urban Area Tactical Interoperable Communications Plan and develop policy for upkeep (Ordinance; amend Contract No. 36490)</p> <p align="center">(Y-4)</p>	<p align="center">180589</p>
<p align="center">Water Bureau</p>	
<p>*1523 Extend contract with CADRE, Inc. and increase compensation to provide Water Treatment Hazardous Material Operations Training (Ordinance; amend Contract No. 36072)</p> <p align="center">(Y-4)</p>	<p align="center">180590</p>
<p align="center">Commissioner Dan Saltzman</p> <p align="center">Parks and Recreation</p>	
<p>1524 Authorize an agreement with Police Activities League to provide payment for operational support to youth programs (Ordinance)</p>	<p align="center">PASSED TO SECOND READING NOVEMBER 22, 2006 AT 9:30 AM</p>
<p align="center">Commissioner Erik Sten</p> <p align="center">Bureau of Housing and Community Development</p>	

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***1525** Authorize subrecipient contract with the Northeast Workforce Center as fiscal agent for the Enterprise Community Commission Neighborhood Economic Development Fund and provide for payment (Ordinance)
(Y-4)

180591

REGULAR AGENDA

1526 Accept bid of Dunn Construction Inc. for the SE 69th Ave and SE Tolman St sewer extension project for \$684,396 (Purchasing Report - Bid No. 106014)

Motion to accept the Report: Moved by Commissioner Adams and seconded by Commissioner Leonard.

(Y-4)

**ACCEPTED
PREPARE
CONTRACT**

Mayor Tom Potter

Office of Management and Finance – Business Operations

***1527** Sell surplus real property at 1130 SW 17th Avenue, Police Evidence Warehouse (Ordinance)

(Y-4)

180593

Office of Management and Finance – Purchases

1528 Accept proposal of Precise ParkLink (USA), Inc. to upgrade Stelio pay station parking meters for an estimated 3-year period for \$1,308,221 (Purchasing Report)

Motion to accept the Report: Moved by Commissioner Adams and seconded by Commissioner Leonard.

(Y-4)

ACCEPTED

Office of Management and Finance – Technology Services

1529 Authorize an Intergovernmental Agreement with the Oregon Department of Transportation for participation in the Integrated Regional Network Enterprise (Second Reading Agenda 1486)

(Y-3, Adams absent)

180595

Police Bureau

***1530** Authorize settlement between Richard Barton, the Portland Police Association and the Portland Police Bureau regarding employment claims (Ordinance)

(Y-4)

180596

Commissioner Sam Adams

Bureau of Environmental Services

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<p>1531 Authorize contract with the Dunthorpe-Riverdale Service District to provide sanitary sewer collection and treatment services (Second Reading Agenda 1488)</p> <p>(Y-4)</p>	<p align="center">180597</p>
<p align="center">Office of Transportation</p> <p>*1532 Authorize a contract with Precise Parklink (USA), Inc. for the upgrade of downtown parking pay stations to realtime bankcard authorization/settlement (Ordinance)</p> <p>(Y-4)</p>	<p align="center">180594</p>
<p>1533 Vacate a portion of SW Lowell Street between Bond and Moody Avenues, subject to certain conditions and reservations (Hearing; Ordinance; VAC-10033)</p>	<p align="center">PASSED TO SECOND READING NOVEMBER 22, 2006 AT 9:30 AM</p>
<p align="center">Commissioner Randy Leonard</p> <p>1534 Authorize City Attorney to take action necessary to subpoena documents from the Portland Development Commission for the purpose of conducting a complete review of the acquisition, valuation, proposed disposal and development of property at 209 SW Oak Street (Resolution)</p> <p>Motion to set over to November 29, 2006: Moved by Commissioner Leonard and gavelled down by Mayor Potter after no objections.</p>	<p align="center">CONTINUED TO NOVEMBER 29, 2006 AT 9:30 AM</p>
<p align="center">Commissioner Dan Saltzman</p> <p align="center">Parks and Recreation</p> <p>*1535 Authorize a partnership agreement with ARC of Multnomah-Clackamas to provide payment for program support of Camp Ky-O-Wa (Ordinance)</p> <p>(Y-4)</p>	<p align="center">180598</p>
<p>1536 Authorize an Intergovernmental Agreement with the Housing Authority of Portland to provide pre-construction advice for the University Park Community Center and compensation for those services of \$20,264 (Second Reading Agenda 1491)</p> <p>(Y-4)</p>	<p align="center">180599</p>

At 11:22 a.m., Council recessed.

November 15, 2006

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **15TH DAY OF NOVEMBER, 2006** AT 6:00 P.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard,
and Sten, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn
Beaumont, Senior Deputy City Attorney; and John Holly, Sergeant at Arms.

1537 TIME CERTAIN: 6:00 PM – Improve land use regulations through the Regulatory Improvement Code Amendment Package 2 (Ordinance introduced by Mayor Potter; amend Title 33)	Disposition: PASSED TO SECOND READING NOVEMBER 22, 2006 AT 9:30 AM
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At 6:24 p.m., Council recessed.

November 16, 2006

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **16TH DAY OF NOVEMBER, 2006** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard,
and Saltzman, 4.

At 2:09 p.m., Council recessed.

At 3:00 p.m., Council reconvened.

Commissioner Leonard arrived at 3:01 p.m.

At 3:34 p.m., Council recessed.

At 4:03 p.m., Council reconvened.

Commissioner Saltzman arrived at 4:08 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn
Beaumont, Senior Deputy City Attorney; and John Holly, Sergeant at Arms.

1538 TIME CERTAIN: 2:00 PM – Consider the proposal of University of Portland, contract purchaser, and Triangle Park LLC, property owner, and the recommendation from the Hearings Officer for approval of a Comprehensive Plan Map and Zoning Map Amendment for property located at 5828 N Van Houten Place (Hearing; LU 06-132925 CP ZC)	Disposition: CONTINUED TO DECEMBER 21, 2006 AT 2:00 PM TIME CERTAIN
1539 Amend the Comprehensive Plan Map designations and change zoning at 5828 N Van Houten Place at the request of the University of Portland (Ordinance; LU 06-132925 CP ZC)	CONTINUED TO DECEMBER 21, 2006 AT 2:00 PM TIME CERTAIN
1540 TIME CERTAIN: 3:00 PM – Accept the Master Plans for Stephens Creek Park, Errol Heights Park, East Holladay Park and Hillsdale Park to guide future development and management (Resolution introduced by Commissioner Saltzman) (Y-4)	36456
1541 TIME CERTAIN: 4:00 PM – Authorize agreement to allow movement and temporary storage of the historic Ladd Carriage house (Ordinance introduced by Commissioner Leonard; waive Title 33 and Title 29)	PASSED TO SECOND READING NOVEMBER 22, 2006 AT 9:30 AM

At 4:12 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

November 15, 2006
Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

[The following is a rough-draft transcript only. The text is the byproduct of the captioning of this program. The text has not been proofread and should not be considered a final transcript.]

NOVEMBER 15, 2006 9:30 AM

Potter: Each week we ask a question of the people in this room, and the people who watch this on television. And the question is, how are the children? The reason we ask this, and many parts of the world, when adults beat each other, rather than asking how are you, they ask, how are the children because we know that when the children in the community are well and they are taken care of, when they are well educated, and they have a roof over their head, a full stomach, that they are more likely to succeed in life. And each week, we invite experts in to talk wind gust about the state of the children in our city. And this morning we have got four young folks from vernon elementary school, so demish, anthony, would you please come forward? These youth are with vernon elementary school. The principal, joan miller, is accompanying them, and thank you for being here, folks. When you speak, would you please state your name and tell us what you would like us to know. Why don't we start with you.

Domingo Pedro: My name is [inaudible] i'm a 7th grader from vernon school. I live in northeast Portland. On my street some of the houses are old. There are shootings in my neighborhood, and people are doing drugs. I do not think my neighborhood is safe because of the shootings and drugs. Having drugs in my neighborhood affects everyone. Last year, someone came to my house trying to steal something and there was a knife. I feel it's really important to make my neighborhood safe and keep the people who live there safe.

Potter: Thank you, domingo.

Anthony Allen: My name is anthony, and I am a seventh grader at vernon school. I have been at vernon for four years, and this year, I am class president. I am very athletic, and I play power league for football for the panthers. I live on northeast 25th [inaudible] my neighborhood is -- sometimes I can hear gunshots on the other block. We still can hear it. Almost, also, there are no stop signs on my street. It is not safe for people in the neighborhood. What can the city do to make it safer?

Potter: Thank you.

RoNeesha Kennedy: Hi, my name is roneesha. I'm a seventh grader at vernon school. I live in northeast Portland. I think my school could use more money to be successful.

we do not have enough money for our music classes. We need more computers to go into our classrooms and up to date books. We also need more books at an older reading level in our library for the older kids. We are now going to be a k-8 school. I also think we need more color printers for our projects. We need to, to have more fundraisers other than one every year so we can go on more school trips. What can you do to help the school with all the problems they face?

Potter: Thank you.

Avery Pope: Hi, mr. Potter. I am avery pope. [inaudible] i'm vice president of one of the two seventh grade classes. I was one of the highest ranked player we have ever had. I live advance from vernon. There is a concern that vernon and many of the other Portland public schools [inaudible] what is your opinion on that situation? Have you tried or have done to solve that issue?

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Potter: Thank you for all your comments. I didn't get the last part about, you want to hear comments on what? Again, could you repeat that?

Pope: What is your opinion on that situation and what have you have done to solve that issue.

Potter: Are you talking about martin luther king jr. Boulevard?

Pope: The decrease in teachers but increase in students.

Pope: The decrease in teachers but the increase in students.

Potter: First, i'm glad to see there is more students there. We have been working with the school district, the Portland public school district and last year the city council gave over \$22 million to our six school districts here in Portland to help them with providing education. We also supported the local bond levy, which was very, very helpful in terms of providing over \$30 million a year to the school district so that it could keep the teaches, and in fact, that school levy that passed allows the Portland public school district to retain 300 teachers. So, we work very closely with the school district, but, you know, I think it's also important that the state legislature be part of this, too, and so we're working with the state legislature to see if we can increase funding for schools all over the state. So thank you for your question. I have a question for the four of you. I noticed that all of you have either been the class president or vice president. It sounded like you are interested in politics. [laughter]

Pedro: I just would like to know if any of you ever plan to run for politics, and if so, when, I would like to support you. Would you like to comment? Would you like to be a politician some day?

Pedro: Yes.

Potter: Good. What do you want to be?

Pedro: I don't really know.

*****: Don't know.

Potter: Good. Well, thank you for being interested in that.

Allen: I do. Yes. I want to be president.

*****: President.

*****: That's a good start. [laughter]

Allen: Or at least mayor.

Potter: At least mayor.

*****: Ok.

Potter: Thank you.

Kennedy: I'm not really sure yet, so, I mean, i've been class president, and now i'm student council, but I don't know if that's going to be my job or not.

Potter: Ok.

Pope: I haven't decided, but if, if, but I would probably be like governor.

*****: Governor.

Potter: So you have got a future governor, future president, maybe mayor, if you have to settle for that, and, perhaps, other offices. Well, I really encourage you young folks to keep that in mind because we need good people in government, and I want to encourage you to think about that. So thank you for being here. Can we give these folks a round for being here? [applause]

Potter: Thank you very much, and I am sure your principal would like to take you back to school now.

*****: All right.

*****: Thank you.

*****: Thank you.

Potter: The city council will come to order. Karla, please call the roll. [roll taken] [gavel pounded]

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Potter: We would like to remind folks that prior to offering public testimony, the city council or lobbyist must declare which lobbying entity he or she has authorized to represent. Would you please read the first communications?

Item 1494.

Potter: Thanks for being here, sir. When you speak, would you please state your name for the record, and you have three minutes.

Rey Ko: Good morning, mayor Tom Potter and members of the city of Portland commissioners. My name is Renaldo Ko, and I am [inaudible] chemistry and a successful businessman, and I am a resident of Portland since 1975. I'm married to a registered nurse, and happy to say that I brought up two daughters who are now married and are successful doctors. The youngest one is employed by the U.S. Veteran's Hospital in Alabama, and the older one practicing here in Oregon. This has been my only second appearance before the city council, and I thank you very much for allowing me this opportunity. Firstly, I understand that the Bureau of Development Services has 6 functions and is headed by the Director Paul Scarlett and as Director's Assistant Leanne Torgerson. I'm very sure that, that everybody must do their job and have a function to do very well. However, I'd like to say that, I think this Bureau -- the employees, some of them, should behave more gentler and kinder to people who apply for permits or zoning requirements, and, and the reason why I say that is, is because we end up having to pay for the permits and the zoning requirements anyway, so what I am saying here is that there should be a kinder, gentler behavior by the employees towards the, the owners of the, of the properties, and I have seen these -- so many times when I've been over there, and I've been over there with the permits, and I've been -- I've been in the hospital so many times, you know, I'm not a very healthy person. I've been in the E.R. so many times, and it's so funny because when I've been in there, I look at the people, and I say, my God, other than the emergency room this group here is worse than the people who are in the E.R., so basically, that's just what, what my, my presence here is all about, is I hope that the people, especially the people working with the permits, the zoning, they should be more gentler and kinder to, to the people who are, who are over there trying to get the permits. Some of these people are not really -- they just are homeowners who are, who are really not educated in the technicalities of permits and, and the zoning. Thank you very much. I appreciate very much your -- to have me over here. Have a good day for everybody. Thanks again.

Potter: Thank you Mr. Ko.

Item 1495.

Karl Chromy: I am Karl Chromy. I live in Southeast Portland. I was before the council a month ago, and, and I'm having a problem getting responses from the city. I brought you some documentation. Somebody has been in my account with the water department, a third party, without my permission, and I put requests into your office, Mr. Potter, your office, Randy Leonard, and the city water department. No one will respond to my question, who did this. Now, your office, Mr. Potter, the ladies said, get legal aid so what do you want me to do? Sue the citizens for your malfeasance? Is that what you are asking me to do?

Potter: If you are here to make a statement -- we're not responding to comments.

Chromy: Well, I think the statement is made.

Potter: Ok.

Chromy: Do your job

Leonard: There is a third party payee --

Potter: Excuse me, could you give that to the council clerk? We have looked into this, and there is a third party payee involved.

*******:** It's legal and, and has nothing to do with the city.

Item 1496.

Potter: When you speak, please state your name for the record.

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Don Strong: I am don strong. I was a custodian at Portland public schools approximately 17 years. I was one of the victims, one of the unfortunate people that was kicked out of the school district, and, and i've been here before, and I want you to know that i'm not anti-Portland public schools and I am certainly not anti-the kids. I love working with the kids. That's why I did what I did. But, but the fact that, that, um, that the school district is denying us, us payment -- i'm here as a victim, and, and Portland public schools and, and s.c.i.u. -- they have failed to negotiate in good faith. I, I have, I haven't returned back on the job yet because first of all, Portland public schools and sdiu refused to honor the contract, the two-year contract that we already had in place. Also, phc, and I called them, and none of them have followed. They are still on the job, and sciu and Portland public schools is not demanding that these people be removed from the job. They should be, be putting people from the pool, the silver service, the civil service pool and replacing those custodians that haven't returned that way, and they are not doing it. There are over 319 people, including myself, that was kicked out of the school district. That's only a fraction of those people have, have gone back on the job, and, and the school district is continuing to break the law. They are telling me and 319 other people that, that they are refusing to compensate us for all the pain and suffering and misery that they have cost us. Now, we have just passed a tax

levy, ok, to fund the school district, and the school district is saying that none of that money is going to be going to the custodians, ok, for compensation. I think that's wrong, and, and the attorney coon has stated that when the Oregon supreme court made their decision that the school district was to make us whole and the school district is refusing to do it, I think, as a body, as this office, we need to come to mind, if you will, with the school district and, and try to come up with some kind of solution how are you going to pay us, all these victims of Portland public schools. Please, can you do that for us, and I am not going away because I have had a lot taken away from me. I've been hurt. My family, I lost my family, I lost my home. I've lost my retirement. I'm 55 years old, sir. I can't -- I don't have much time, and I need to get back what I have lost, and so many other people need to get back what they lost. So, I ask this, this commission and you, as mayor, please, let's come together as a body or, or as a meeting of the mines, if you will, the school district and, and the custodians and let's come to some kind of terms how are we going to compensate these people. That's what I want, and I am not going away until that happens.

Item 1497.

*****: Good morning, sir.

Potter: Good morning. Police state your name.

Kenneth Loch: My name is kenneth loch. I spoke before you last fall, I was in town for the winter I made my services available to the community. I'm back in town for the winter, and I am, and I am expanding that service again to the community. I'm going to try to inform it, in relation to the renaissance of the 21st century, and, and what a renaissance actually is. We have had examples of it, in the past centuries. They have been, there have been ages of enlightenment. Actually, a renaissance is a renewal. It will actually make all things new. Right now, in this community, it's not -- it does not operate as it will in the renaissance. What I represent is an artist who, who represents the last of the avanguard artists, and I can explain, kind of coming through this nonintegrated age in relation to art history, and then the basis of, of why we've had art in relation to the abstract. My, my teaching is, is in relation to a painting, in relation to it being an exercise, similar to the work of jackson pollock, and explain his contribution to that evolution. I am also explaining the basis of a fusion in relation to multiple disciplines. I cross-reference or fuse painting with tennis, and explain both those exercises in relation to the integration of the mind, body, spirit, and soul. This renaissance can be cross-referenced with, with the resurrection that, that jesus prophesied of, where we become integrated, where we become fellow servants doing an integrated good. I'm sorry to have to inform this community that, that, that the service that it is providing is not integrated, and because of that, it's kind of built on sand. It's relatively dysfunctional. Let's see,

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I got 20 seconds here. Again, I extend my services to the community. My name is kenneth loch, loch.com. I share my information on my website, and if anybody has any questions or anybody in the community, I make myself available. Thank you.

Potter: Thank you, mr. Loch.

Loch: That's all.

Potter: We'll move to the consent agenda. Do any commissioners wish to pull any items from the agenda?

Leonard: I do Item 1505.

Potter: 1505 we'll be pulled off and moved to the end of the regular agenda. Any others? Any member of this audience wish to pull any items from the consent agenda? Please call the roll. [roll taken]

Adams: Aye. **Leonard:** Aye. **Sten:** Aye.

Item 1498.

Potter: Thank you. Your improvement project 13, a diverse work group that is tasked to conduct a critical analysis of the city's procurement and contracting practices to identify barriers that inhibit firms from contracting with the city and to insure the city's minority women and emerging small business goals and policies are met. The b.i.p., 13 report will recommend funding a supplier diversity program and creating professional, technical, and expert programs, provides greater opportunity to minority women and emerging small businesses. I'd like to turn it over to mr. Bruce feathers and jeff by aer, to the team members for their follow-up.

Jeff Baer: Thank you, mayor tom Potter. I'm jeff bayer, the director of purchases, and with me is bruce feathers, the ceo of feather light enterprises. To start off I want to thank my other two co-leads on the bureau innovation project 13. Gayle, the executive director and also steve townsend with the Portland department of transportation who participated on this, and also i'd just like to express a thank you to ingrid fish for her work from mayor tom Potter's staff to keep us on track, and just to back up a bit to explain how we got to this point, we really wanted to blend in those different goals and, and different areas that, in the bureau innovation project in our work group, and we really wanted also to tap into the wealth and knowledge and expertise provided by a very diverse work group. We had 27 different members who, who provided insight from a variety of different bureaus, labor representatives, fair contracting foundation, the Oregon association of minority entrepreneurs and a.g.c. and p.d.c. We began by looking at and reviewing the city's procurement contracting practices to look for areas where we could improve and provider greater opportunity to minority-owned, women-owned, and emerging small business firms in how they can do business with the city of Portland. And we explored our existing programs, some of which you are very familiar with on the shelter market program, specifically in construction, and also some of the programmatic programs that we embark on in 2003 in our professional, technical and expert services. One of the areas that we found that, that we hadn't really done much work in was in the area of, of goods and services, the basic commodity purchases, and one of these recommendations follows along that very closely in that it will recommend creating a supplier diversity program, and bruce is here today to talk about, about some of the, some of the, what we can look at and why we ought to go that direction, and let me just touch on the two other ones that are before you, as well. One is, is a reconvening of an internal, external procurement and contracting advisory committee. We think it is important for us to continue to check in with external stakeholders and internal bureau representatives, as well, on how we're doing business, and we know that we have got some areas that we can improve upon, on looking for areas to, to make our process more efficient, and this is also going to tie in well with the enterprise business system that we're embarking on right now, as well, to, to implement a new, a new financial system that will provide us with a lot more detailed information on how we do things. With that, let me stop and turn it over to bruce feathers for some remarks regarding the diversity program.

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Bruce Feathers: Good morning, mayor tom Potter and city council. Again, i'm bruce feathers, state certified minority business owner. And I want to talk a bit about this bid 13 and, and some of the things that we discovered, just by way of background, within the national business community, particularly, within the fortune 500, 75% of all the fortune 500 companies have, have supplier diversity programs, and it's not a social program, but it's, in fact, part of the culture. The c.e.o.'s of those companies, actually, sit on supplier diversity advocacy groups' boards. That's how important it is. For us and others, the business case for supplier diversity is driven by the fact that, that minority businesses are growing four times the rate, again, four times the rate of all u.s. Businesses.

The purchasing power of ethnic minorities will grow from 1.3 trillion this year to 3.6 trillion by 2012, so that's why the fortune 500 see this as a significant program for economic development. Now, let me talk about 13. In the area of goods and services, jeff talked about that, for our city, beyond construction, this is the largest contracts that are tended by the city is in this area of goods and are services. There are more certified minority businesses in this particular area than any other category of business. And this has been, as a matter of fact, this is the reason for the most -- the difficult success that city has had historically in increasing contracting opportunities for mwesb, because one of the largest categories where they exist, it's very difficult to, to, to -- for mbe's to be awarded contracts, and here's why. In the area of goods and services, there are mega-contracts. There are large contracts, and there are mostly owned and able to be one by large national and in most cases, out of the city, outfit of the state firms. And so it, basically, shrinks the opportunities for small businesses. But, the supplier diversity program would be the solution. In that program, there are programmatic accountabilities for the large prime contractors who, again, are generally out of our city, to carve out portions of that contract for, for local, state certified mwesb's. And on the national basis, that's known as second tier diversity procurement. It's not a new concept. It's been in place, as I indicated, by the fortune 500. This method is used by those fortune 500 companies. This method is used by the big three auto giants in order to, again, continue to do business with small businesses, and this method is used by, by our cities, particularly the larger cities in our country to, to insure inclusion for mwesb's. So, when we do this, it will significantly increase the utilization by leaps and bounds of our small businesses. It will -- it should reduce the criticism that's been, been levied against the city for not doing anything. Well, that's not always fair because what we found is that it's difficult when, when the contracts are so large, it puts you in a terrible position to be able to award contracts to smaller businesses, but again, with this second tier diversity procurement initiative, that problem will be solved, and you are going to see those numbers increase and, and all the constituents will be very satisfied because of that. Which will result in job creation and economic stimulus. Finally, i'd like to say this. My understanding is, is we certainly expected in the bid 13 committee and the constituents supporting this initiative that this thing would, would launch very quickly the first of the year, and I understand that, that there is some delay in that, and i'm very concerned about that because the climate for the action for this program is really right now. I mean, the things that are going on for small businesses here are very positive with the, with the business license, fee reform, I think, is very important for what we're doing, and then in concert with, with this 13, supplier diversity program, it's going to put us in a position to really do the things that we need to do for small business in our city. So, I urge that, that to be moved up for this budget year and not the next. Thank you.

Baer: And I would just like to follow those comments that this report, what this does is to outline our strategy for funding these two programs, and at this point, it's our intent to, to include them as decision packages in our fiscal year 2007-2008 budget process, and there are two, two areas that are going to require funding. One is the supplier diversity program recommendations, and also the, the professional technical expert services, which would conceptually look like a sheltered market program, and although two of these recommendations have financial impact, this report is to really start the discussion about these two recommendations and really solicit your support. We also

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think, and we have also done a lot of the groundwork already that we have, we have written the draft, r.f.p., the scope of the work for the supplier diversity consultant to come onboard so poised to hit the ground running as soon as we can. So, with that, i'll stop and turn it over. If you have any questions.

Potter: Commissioners, do you have any questions? Excellent presentation. Thank you, mr. Feathers.

Adams: Thank you for being here.

Potter: Is there anyone signed up to testify on this part?

Moore: No one signed up.

Potter: Ok. Is there anyone here that wishes to testify to this matter? I need a motion to accept the report.

Adams: So move.

Potter: Do I hear a second?

Leonard: Second.

Potter: Please call the roll. [roll taken]

Adams: I want to thank jeff and bruce and everyone, I want to thank the mayor for his leadership on this very important issue. Aye.

Leonard: Aye.

Sten: Have to keep working on this, and I am glad you are. We do a program, we get a bit farther, but there's always an unexpected consequence, and I think that the market is very strong at finding ways to sometimes get around our intent, and so I appreciate it, and great job to purchasing. Aye. Thank you, mayor.

Potter: Listen, I want to thank the committee and their two representatives today, jeff bayer and bruce feathers. I think this is an important program. It's one of those areas where we tend to talk a lot about but not do a lot. I think it's time to make that change, and I think this, this report provides a road map for us to begin that so that we can have more successful p.t.e. Applicants from minority women and emerging small businesses. I vote aye. [gavel pounded]

Potter: Please read the 10:00 p.m. Time certain.

Item 1499.

Potter: Dr. Steven, could you please come forward? As is he sit up here, we tend to hear a lot of issues about problems in our city, but, but when other folks come to our city, they say things a little differently. They see a lot of the positive things that, that happen here. In the past year, Portland has been named america's best vikings' city, america's cleanest city, and america's most sustainable city. Today, dr. Tillet is here to present Portland with another award. Dr. Tillet is a podiatrist with two practices here in Portland. He's here representing the american podiatric magazine and prevention magazine. Doctor.

Dr. Tillet: Thank you, mr. Mayor. Mr. Mayor and distinguished city council members and guest, on behalf of the american podiatric medical association, the a.p.a., which is represented by the Oregon pediatric association, or the o.p.m.a., and on behalf of prevention magazine we would like to present an award which represents the heart and soul of this great city, it is paramount to performing one of the greatest exercises, walking. For this reason the apma recognizes 10 u.s. cities annually that have walking conducive atmospheres. This celebrates the idea of walking as an inexpensive, enjoyable form of exercise, and rewards cities that strive to make their communities walker-friendly like Portland. This competition is, actually, a comparison of the 100 most populated cities in the united states. A significant emphasis was placed on the types of and activity levels that Portlanders participate in. We are proud of this great city

for being recognized, and in additional categories such as means of transportation, points of interest per square mile, personal crime index, and the temperate climate. Mr. Mayor, on behalf of the apma, the president of the opma, dr. Linden johanson, one of Portland's finest foot surgeon, and the

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rest of the o.p.m.a. In junction with prevention magazine, we present you with this trophy and congratulate Portland on being 2006's "best walking city in the united states." congratulations.

Potter: Thank you. [applause]

Potter: That's very nice, and I certainly appreciate that. Please read -- I assume --

Moore: The next time certain is 10:15.

Potter: Please read the next time certain, oh, we're five minutes early

Leonard: We can go to 1501, or is that --

*******:** The item pulled.

Leonard: Yeah, we can do 1505.

Adams: Of the one you pulled? Yes.

Potter: Is it going to take over five minutes, do you think?

Leonard: Not if sam doesn't ask any questions.

Potter: Please read 1505.

Item 1505.

Ron McGee: Good morning, mayor tom Potter and members of the council. My name is ron mcgee. I'm the labor and employer relations manager for the bureau of human resources, and this item has been a collaborative effort between the union and management to, to which arose out of the pilot project, which was improved with their contract, and this is an effort to, to improve conditions or change conditions, and this will be one step in that process, and we would recommend that this be approved by the council.

*******:** Do you wish to make a statement?

Leonard: I asked susan to come because this is an example of, of the kind of collaboration we're trying to work very hard on and not have collective bargaining agreements or the traditional barriers prevent us from doing the right thing by way of our employees. I don't know if you want to speak to that, but susan certainly has been the lead in fighting for that. On behalf of the employees -- I wanted to make sure you had an opportunity --

Susan (?): Well, for, um, for -- the staffing shortages and the other issues affect absolutely everybody, and, and we believe that, that working together where we'll be able to overcome many of those obstacles, and fully staff the bureau and, and this work has been very important. We continue to work on it.

Potter: Ok. Any questions from the commissioners?

Leonard: I would just say, you and i, mayor tom Potter, have been at the end of the services that the b.o.c. Employees provide, and I know from my time out there now, which hasn't been four years, that there have been a number of times that I realize that not with standing what I used to do, I could not do the job that some of the b.o.c. Employees do. It is a tremendously challenging job, and it truly is not a job anybody can do in present, and present company included. So where you know, and as a result, you have people who are highly motivated, highly intelligent, a lot of energy, and, and, and as a result of that, we need to be able to, where we can, find opportunities to make the workplace a much better place to be, and, and a fairer place to be. This is one of the efforts to do that. And, um, and I appreciate very much the work all the employees do, and appreciate susan is advocacy on behalf of them so we can have that opportunity to acknowledge that, even though this may be a small way that, that we do respect very much the work that they do, and I appreciate it, am very appreciative of it. And I know that, that, that all the firefighters in the city and police officers feel exactly the same way.

*******:** We have got to find a way to, to retain, to maintain the Portland's at Portland 9-1-1, it's vital the we do. And this is one of the steps. The holiday issue has been an issue since, since the holidays went away in 1994's contract. And so this is a huge step.

*******:** We have many more steps to go, but we're working on those.

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Potter: Thank you very much for being here. And working so hard on this. This was pulled from the consent agenda so there's not a sign-up sheet, but does anybody wish to speak to this item? Thank you very much. This is an emergency vote. Please call the vote.

Adams: Aye

Leonard: I want to make sure that I point out -- I want to thank Susan and, and her team and Lisa Turley and her team, and then also Cecilia Nunez, who is in the audience, for her work on this. This is her last day with the city of Portland. She is moving onto doing her pastures, so this is a nice way for Cess Sealsia to be -- to cap off her last day. It is this great first step to trying to make the workplace at B.O.C. As good as we can make it, so thank you for this great work. Aye.

Sten: Great job. Aye.

Potter: Aye. [gavel pounded]

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

Potter: Thank you very much. Please read the 10:15 time certain.

Item 1500 and 1501.

Potter: Mr. Adams.

Adams: Thank you, Mayor Mayor. Portland has joined with other major cities. Most state government, and the federal government in adopting a lobbying registration and reporting set of regulations. Just over six months ago. And even as we speak, the state of Oregon and the federal government are looking into ways to strengthen their lobbying registration and reporting disclosure systems. We are all doing this because what it brings transparency, accountability, fairness to decision making, and it helps to separate the difference between the individual advocacy of an individual's own point of view from an individual that is advocating on behalf of the views of others, whether that be a nonprofit, whether that be a business, whether that be some other organization. The lobbying regulation code was adopted by city council last December, and went into effect in April of this year. We have had two full quarters of registration and have prepared the following report after extensive outreach to effective stakeholders and also after a public town hall.

The changes that I see are important. But we will, we will look at, in the future, includes reducing the reporting trigger hours, threshold hours from 16 to eight hours. And requiring that, that everyone who has the opportunity, public officials and their staff, to accept gifts that they have to report that they have not done so. Shoshana Oppenheim, policy director on my staff, has done a fantastic job coming in, in the middle of this and doing extensive outreach and putting together this report. And she is going to walk the city council through the report that is in your packets, and then also the -- in your packets and also the change we're suggesting.

Shoshana Oppenheim: I think I just got a promotion to director so that's nice.

Adams: Well, ok. Don't expect a pay increase.

Oppenheim: Good morning Mayor and Council. I'm the good government policy analyst for Commissioner Adams. This is the six-month review, and it was specified in the original ordinance when, when the ordinance was passed that we would do a six-month review, and again, a review in October of 2007. The lobbying registration code was established as a tool to increase the transparency and city government decision making and provide the public with information about, about lobbying activities in city government. As Commissioner Adams said, it separates the individual advocacy from organized opinion and, and it discloses the, the city officials' calendars to the public providing more insight into, into the activities of city hall. What is, what is lobbying, as defined in the code, lobbying is when an organization or a business attempts to, to implement an individual, I'm sorry, an official action of a city official. Lobbying is not individual advocacy for a citizen's own point of view. Lobbying includes time spent preparing emails, letters, preparing for oral communication with city officials. Who is a lobbyist as defined under the code a lobbyist is an individual authorized to speak on behalf of an organization. The organization, itself, designates the lobbyists, and an individual claims to speak for an organization. That individual should be

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designated as a lobbyist. Who is a lobbying entity? And this is important because the burden does fall upon the lobbying entity to do the registration, any individual business, association, corporation, partnership, association, club, company, business, trust, organization, or other group who lobbies by either employing or otherwise authorizing a lobbyist to lobby on its behalf. What must be reported under the code by the lobbying entity in currently, a lobbying entity must report its lobbying activities each calendar quarter when it's been 16 hours or more lobbying. The report includes subject matter of lobbying activity, good faith estimate of lobbying expenditures that exceed over \$1,000, and information about, about city officials who receive gifts of \$25 or more. The six-month review report, which was authorized by council or requested by council, asked the commissioner to, to evaluate the following six areas. Enforcement mechanisms of the registration system, classification of a lobbyist as designated by the enactive system, the reporting requirements for, for the system, and the hourly threshold per quarter, and any other issues that impacted the effectiveness of the system. Through this process, we sought input from the public. We met individually with users of the registration system, attended a neighborhood coalition meeting, collaborated with both the office of neighborhood involvement and other offices, hosted a town hall, which was attended by both critics and supporters of the system, met with the auditor's office and, and b.t.s. to work on improving the mechanics of the system, and had ongoing conversations with members of the community. Importantly, we had over, over 50 entities that registered over the course of the registration process. In the second quarter, 24 entities filed reports. And in the third quarter, 27 entities filed reports. The subjects addressed by, by the lobbying entities fell into several specific categories. Business and economic development, transportation, education, cable franchise, planning, housing, and livability, development, fire and disability, i'm sorry, fire and police disability and retirement, and, and police and public safety. So, the question is, what's working under the system? We found that, that daylighting -- the purpose of the registration process, daylighting the activities of what's going on at city hall and, and at the city in general is working. We found that the registration is being participated in. And the cross-check provided by the calendar of the, of the directors and the elected officials is also providing important information for the community. Reporting lobbyists are, are providing their expense reports and, and the public officials are providing their, their gift information when they received gifts over \$25. Enforcement so far is untested. In the original ordinance, the mechanisms for enforcement were delayed and, and are to go to into effect on october 1 of 2006. So persons who violate the code shall be subjected to fines not to exceed \$500 per violation. The enforcement is done through the auditor's office and, and can be referred to the city attorney for, for civil penalties. We would like to suggest several refinements, which would include, including the lobbyist name who met with a public official. Currently, it is, of course, the, the lobbying entity that files the report, and they do not yet have to specify the individual who, who is lobbying on their behalf. Although they do file a registration for their lobbyist, it's not specifically tied to each individual meeting. This reinforces a cross-check and increases transparency of the system. We would like to suggest, although we know that there is not currently support on the council to decrease the threshold from 16 hours to another. We suggest eight hours. We believe that this would, um, allow us to have additional information of, of who is meeting here in the building and with directors but not yet meeting the 16-hour threshold. We think that this would, again, increase the transparency. However, we'll, we'll review that next year at the, at the review in october. We would also like to include the definition of the gift, the definition included on this slide and, and in the report is, is from, from, from the o.r.s., or the Oregon revised statutes, and we feel like that's a good model. There's no current definition in our original ordinance. We would like to include that ability to amend the report. Currently, the code does not allow process for amendments. The registration code seeks accurate information, and we feel like providing a vehicle for amendments will increase the, the accuracy.

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Adams: If I could just interject, the amendment that we suggested includes the ability, giving both the public officials and the lobbyists a week to amend their reports without penalty. This allows -- this recognizes that this is a very complex environment in which to have a lobbying registration reporting system applied to, and we are looking for, for accurate information more than anything else.

Oppenheim: And commissioner Adams has an additional amendment that clarifies the, the -- this aspect of the code. We wanted to, to include it to include not only elected officials, but their staff, of course, which is vital. So, we would like to, to -- I think we covered this, basically. There's a 10-day grace period. We would like to also additionally edit the code to accurately reflect that Oregon nonprofits are governed by the Oregon secretary of state. This is just an administrative change. Currently, it references the, the federal tax codes. Other refinements is that we would, um, add an exemption for contractors acting within their scope of, of work under a city contract, and, and encourage the neighborhood and business association to, to provide a, a -- provide them with the process of getting their meeting agendas and minutes online. We recommend that all officials declare gifts received over \$25 or declare that they have received no gifts. And this attempts to remove any appearance of impropriety. Clearly this is a discussion around the state and nation. Administrative changes are a listing of the committees recognized by council on the auditor's website requiring that the required fields on the website would only go into effect after the close of the deadline, and this would just be administrative and make it easier for the users of the system. We would like to, again, add the names of the lobbyist to the contact reporting form and have the reports available in a, in spread sheets so it's more user friendly for the public. Again, the goal of the, of the code is transparency and city government, and we believe that we've been working towards accomplishing this goal through participation of the public and open decision making. Again, there's an additional review scheduled for october 31st of 2007, and that's, basically, the end of my prepared budget.

Potter: Good job.

Adams: Any questions for shoshanah or myself before we hear testimony?

Potter: When do we want to submit the amendments?

Adams: Makes no difference.

Potter: Why don't we do it now so for people who wish to remark on it.

Oppenheim: It would be appropriate to submit them with the report.

Adams: Is that the next item?

Oppenheim: The ordinance is the next item.

Adams: We're hearing both together, aren't we?

Potter: Yes, we are, so we can --

Adams: We can go ahead and amend it. Go ahead.

Potter: -- i'm submitting an amendment that would go to Section 2.12.07, and basically what it does is, it does not require city officials to submit reports if they have not received any gifts over \$25 for donations, so, um, this report requires it of all of the people who work in the mayor and commissioner's offices, and what this does is it, it requires. We only have to submit reports when there is an actual gift or donation of \$25 or more. So i'll give a copy to you.

Sten: Good time for discussion, mayor.

Potter: Yes.

Sten: I actually, had the same concern that you had that, you know, there's a lot of people that have to remember to report when nothing happens. I wonder if you would be amenable to, however, changing your amendment for the same spirit but require the six elected officials to file a report every quarter, whether or not they got anything, and the reason I mention that is I have seen, not here, but in the case of the maui incident in salem that, there's the, I forgot to report, and I just think that if we are all required to report each quarter, that nothing happened, then if something did

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happen, that's our problem as opposed to we can't claim we forgot, and when it gets down to the staff, I think it's a burden for them to report. Most of my staff do not receive a gift every quarter, and I think the likelihood they forgot something, the consequences of that are small. The consequences of us forgetting to file something could be quite high, depending on this thing. I don't think it will happen, but I don't think it's a burden for the six of us. The sixth being the auditor for anyone who's tracking this.

Leonard: We do the same thing annually, basically, with the state. Whether there's any, anything to report or not. We're all required to report that, so commissioner Sten's proposal would be consistent with that.

Potter: I accept in that as a friendly amendment.

Sten: Ok. Thanks.

Harry Auerbach: So for clarity, it would be city officials other than elected officials?

Sten: That would work fine. I had not wordsmith it but that would work fine.

Potter: Is there a second?

Leonard: Second.

Sten: Is that the second to my amendment or --

Leonard: I'm seconding the whole thing.

Sten: Got it.

Potter: Call of vote.

Adams: Aye. **Leonard:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] Commissioner Adams?

Adams: Mine is an amendment to number 8 of 2.12.020-g, and it simply says that time spent by any person holding elected office or their specifically authorized representative acting in their official capacity, and this amendment was done at the request of metro.

Leonard: What does it accomplish?

Adams: It clarifies the original intent, and that was that when, when an elected official or their representative are, are working with me on j-pact which is a metro council sponsored committee, or they are in your office talking to you, that, because they are elected officials, and have to follow the rules of being an elected official, that they would be exempt from having to report as a lobbyist.

Potter: Do I hear a second?

Leonard: Second.

Potter: Call the vote.

Adams: Aye. **Leonard:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] Now we will hear testimony, and we're hearing both 1500 and 1501, so folks who signed up to testify, are there two signup sheets?

Moore: I only set out one.

Potter: Ok. How many people are signed up?

Moore: Five people signed up.

Potter: Ok. Please call the first three.

Potter: Thank you for being here. Please state your name for the record and you each have three minutes.

Sharon Nassett: I expected two sheets. My name is Sharon Nassett, 1113 North Baldwin, Portland, Oregon, 97217, and I am glad to see you are addressing something with the lobbying, and I commend you very much on it. I come and see the commissioners quite a bit on several different subjects from transportation to housing, and what I am looking for is, is even more disclosure on the side of the city. It would be nice when I meet with staffers and talk with them about different things, when they say I'm going to contact this person about this issue or follow through on what you talked about, that I could be able to at the end of each week, look at the daytimer and who know who they have spoken to, if they followed through, or if I'm just being led on. A lot of times

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they will say, well, i'm going to contact people in this field. Or i'm going to do this following thing. Then I have no way of finding if they followed through, nor do I necessarily always get a call back. If council were to have all of the members who are -- all the employees who are paid a salary from the city take their daytimer and put it on a website at the end of every friday, so that I can see how effective I am. If I talk to that person, they said they were going to call another person, and whether or not they followed through. And i'm also interested in seeing how it follows through with organizations. One of the things that I have been fortunate on is there's been several issues that have galvanized north Portland on different things, and we have a group called "the -- in north Portland called "concerned neighbors." very loose. There's about 15 people. We have no money. We have no bylaws. No nothing. When issues come up, we get together and go out and do things. And those groups that have not started anything, have no bank accounts, I would assume would not, in any way be able to be monitored, and the monitoring is the harder thing. I think if you are putting forth things where you are putting forth the daytimer and things of your staff and all employees, that's easily monitored, and you can figure it out. What we're doing and how many hours I spend on a project that I do for sam, 16 hours? Blew it in the first two days. And especially if you are talking about emails and writing up things. Mayor Potter, you and I have met, actually, on four different occasions, all of them very separate, and one of the times was, you came to north Portland for the concerned neighbor meeting and there was 135 of us. That was all just done by handing things out. And would something like that fall under your lobbying.

Potter: I'm going to have to ask the expert, commissioner Adams on that.

Nassett: We sent in over 3,000 post-cards.

Adams: So you have an organization?

Nassett: No. Well, that's what i'm asking, what you are qualifying an organization. Nothing is set up with, with the minutes and bylaws, and no checking account, and no money is coming in, and if they show up, they show up, it they don't, they don't.

Adams: I think the best thing given the time clock today is we should have a conversation following this to, to look at some of the attributes of what you are doing compared to, the definition of lobbying and lobbying entity and the code, and we can do that offline.

Nassett: Thank you.

Adams: Sure.

Carol Cushman: Good morning. I'm carol cushman, representing the league of women voters of Portland. The league continues to support the lobbying ordinance and appreciates the opportunity to participate in the six-month review. For the most part, we concur with the changes drafted by commissioner Adams' office and encourage your support. Our recommendation for additional changes include the following -- the section pertaining to contractors working within the scope of work should specify that this applies only to clearly defined contracts and does not allow contractors to advocate for expansion or additional spending on a project without reporting their advocacy through the lobbying ordinance. The section pertaining to city and p.d.c. committees and work groups, not recognized by city council needs additional consideration. In our view, the public would be better served by reporting these committees in a different way. As a starting point for further discussion, we recommend the following. City and p.d.c. committees that notice their meetings are open to the public and the press and post agendas and minutes should be exempt from reporting. Staff coordinators for less formal committees and work groups should be responsible for posting information on a new section of the lobbying website describing such committees, their purpose and membership and the names of participating lobbiabile city officials. At a miles per hour, staff coordinators should be responsible for, for informing committee members whether a committee is council recognized. If it is not council recognized, the staff should provide committee members with the names of the lobbiabile city officials present at each committee meeting. These changes would solve some of the problems the league has encountered in using the system.

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Currently, lobbyists serving on committees created by city council must first determine whether the committee is council recognized. At the end of the quarter, members of the committee who are lobbyists report a personal meeting with each city official in attendance at each subcommittee meeting. Members of the public reviewing the website might conclude that the lobbyists participating in the committee met privately with the named city officials when this was not the case. The system, as it is currently designed, does not capture the full story of a work group made up of the variety of community members and city staff. In the interest of full transparency and minimizing unnecessary reporting, we urge further consideration of this part of the ordinance. This is a ground-breaking program, and will benefit from ongoing monitoring and adjustment as we learn more about how it is working. Thank you for this opportunity to offer our comments this morning.

Adams: Those are very useful comments, and I think that number three and four is something that we can do administratively under the current code, and we'll continue to look at numbers one and two, and your comments regarding contractors acting within the scope of work will clarify administratively, as well. Thank you very much.

Kirstin Greene: Good morning, mayor, commissioners. My name is kirstin greene. Thank you for the opportunity to testify am i'm here today on behalf of the city club board of governors and in that capacity as chair of the advocacy and awareness board. The city club is a membership organization dedicated to civic engagement and encouraging citizen involvement in public life. The club's mission is to inform its members and the community in public manners and arouse in them an obligation of citizenship. This can be very tough work. We respect the city council's stated goal of increasing transparency in city hall and been complying with the ordinance since it was enacted. However, the board of governors is concerned that the lobby registration and reporting ordinance in its current form compromises the mission of increasing civic engagement and the goal we share with you involving more citizens in government. Our letter outlines several areas that we find troublesome, and we look forward to an opportunity to continue working with you and your staff on improving the ordinance and the associated mechanism so they achieve the stated goals. I'll mention these areas briefly. First, we're concerned about any legislation that makes it more burdensome for a publicly-minded citizen to petition his or her government, as you know, civic engagement is on the decline across the country, and it's difficult for ordinary citizens to speak out on the issues that matter to them, particularly for the first time. The club attempts to prepare the citizens for this role through a research process that could lead to advocacy and awareness. By imposing the additional barrier of requiring them to register as lobbyists and report their contracts, it creates one more disincentive for engagement. While we understand the councils desire to create neutral terms, it has a stigma in the broader culture that many citizen volunteers are reluctant to have attached to their name. Second, we are troubled our members are burdened in their efforts to petition their government because of their association with other citizens. In other words, if one of our members were to meet with a commissioner to express their concern about a particular piece of legislation as an individual, they would not have to register or report. Nor would they be required to report the conversation. We're concerned about this burden. It imposes on the citizens associated in the pursuit of common good without any direct benefit or financial stake in the outcome. Finally, with regard to the details of the ordinance, we feel that the city club and other citizen-based organizations are, by the nature, overrepresented on the list of lobbyists and reporting. Because we are single, one single broad-based organization with many members, and, and talking with commissioners and staff on different subject matters, we will almost always trigger the recording, reporting requirements in a given quarter. This stand in sharp contrast to the paid lobbyist and their designees who make multiple appearances at city hall. But because their clients do not individually meet the threshold, they are not reporting. It appears to the public and media that city club members have a disproportionate contact and influence on city hall. That creates an

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inaccurate impression of the club's activities and a misleading impression about the efficacy of the ordinances enacted. We ask you take these concerns into account as council reviews and amends the ordinance. We'd be pleased to continue to work with you to distinguish between advocates and paid lobbyist including their representatives and future updates. Thank you.

Potter: Thank you.

Adams: A couple of thoughts. I disagree with the notion it makes it more difficult for the individual to petition their government. I think it makes it more easy, and that's why so many governments across the country have lobbying registration and reporting. They get, if you look through the various calendars of elected officials, not just here in the state, but across the united states and all layers of government, access to the individual on elected officials' calendars is harder to find than access to their calendars from paid lobbyists, so I don't think that the facts necessarily bear that out. The individual is not required to do the paperwork, and we specifically put forward the actual onerous of responsibility for registration and reporting on the organization where there is paid staff that can assist with that. And again, when an individual comes in to speak with me or any other public official for themselves, they are not required to, to register or report. Even if in other capacities they might be acting as a paid lobbyist. That's going to be true under any form of registration and reporting in salem, metro, on the federal government, as well, and in terms of the trust that comes with that, we actually have the unique element in our lobbying in that, in that the calendars are posted, and that's not required in any other lobbying registration or reporting ordinance or law that we are aware of. And it is always a matter in the end of a certain amount of trust, even with the cross-check as is filling out your tax forms. You can be audited and paid penalties. I think if we were able to lower the threshold from 16 to eight, we would pick up more of the paid lobbyists work because it's one person coming in with three people so that one person, I think, would be picked up in more quarters, and i'll continue to pursue that. I want to thank the city club for your involvement, your predecessor has been heavily involved with this, helping to shape this over the past year and a half, and we are absolutely sharing your commitment to perfect and refine it.

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

Potter: Thank you.

Moore: The last two are chris smith and Maryanne schwab.

Potter: Thanks for being here. When you speak, please state your name for the record. You have three minutes.

Chris Smith: Good morning, i'm chris smith, and I am a lobbyist.

Adams: Hi, chris. 12-step program, right?

Smith: That's right, but i'm here as an individual citizen sharing my views, not that of any organization I represent. I am generally supportive of the amendments today. I would share the league's concern about the contracted provision. I think it's correct that when you are doing work for hire for the city, you know, that's not lobbying. You shouldn't have to report it, but there are lots of organizations that serve as city contractors that also are powerful influencers in the city. I'm on the board of directors of one of those, and I think it needs to be clear that we separate those roles and, and when people are advocating for interests outside the scope of their work as a contractor, that they need to report. A topic that hasn't really been touched on too much today is, is the utility of the website often the reports are displayed. I think there is a lot of opportunity to make that data more useful as information. I know that b.t.s. didn't get any incremental budget to do this, so I appreciate if they are trying to minimize the amount of time they spend on this, but I think it would be useful if the auditor's office and b.t.s. convened some of the stakeholders who use this data to get input on that. I'd be happy to help with that. I do have a concern that I want to share, and it relates to what you heard from the city club. I am not as worried as some of my colleagues that this is [inaudible] participation. I haven't seen that. I think the filters are in place. Are pretty effective at

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making sure citizens don't have fully burden out of the system. However, there is something that I think is correct, in their complaint. What we have got here is a system that captures, um, both, both the, the, what I will call the special interest organizations and those groups that operate in what I will call the public interest. I think those of us in the public interest groups signed up for the system on the basis on what's good for the goose is good for the gander, but in large part, I think what we are seeing here is the geese are flying under the radar, and we need to refine the filters in the system so we capture the special interests even if they are, you know, they are touching, their touch in hours is light, their touch in influence is not. I know that, that commissioner Adams proposed an eight-hour filter instead of 16 hours. I think that would have been a step in the right direction. I'm disappointed that you are not adopting that this morning. I think there are other approaches that can be equally effective. One would be to put a different burden on people who represent multiple organizations. That's one that might catch me at some point in the future, and i'm willing to swallow that medicine if it makes other things more transparency. I don't think we have this right yet. I think we're still experimenting, and therefore, I would suggest it would be appropriate to review this again in six months, not in a year. We're still learning enough from the six-month's review would be appropriate. I think that adding the lobbyists name, which we will be

doing this quarter, will provide a whole new level of information and some learning that we should review after six months so I would ask you put a six-month review instead of a one-year review.

Adams: Chris, i'm happy to do the six-month review, and I think council would, as well. To continue to refine that, and I want to thank you, personally. You've committed a lot of hours to helping us put this together, and, and because you wear so many hats, you are just like the citizen lobbyist, and I mean that in the best, best way. Thank you very much.

Maryann Schwab: I may be dr. Seuss with the crazy hats. I'm maryann schwab from the sunnyside neighborhood, and I do have some serious concerns regarding the lobbyists and how it's working. You talk of flying geese under the radar. My concern is, is communication. Just yesterday i'd like to review what happened on my email. Got a note from a neighborhood activist who said that the parkland maintenance was for sale out near south of, of mount tabor park. A few weeks prior we were called to our attention that some open space south of mount tabor park was also for sale. Well, anyone who has wording with mount tabor and the mount tabor reservoirs know that that is a very active, connected neighborhood, and as are all the southeast douglas neighbors. Our concern is that, and i'm speaking for myself and those I have talked briefly with last night, is that no public land be sold. What was upsetting with the communication piece is that when I e-mailed all of you on a need to know basis, the response came from the park bureau stating that, that there was an agreement between commissioner Saltzman and commissioner Leonard that there would be no public land for sale, and when I wrote my message on a need to know basis, when a response came back and and was singled out, when there is a reply, it should go to everyone on that email. That said, um, i'm also very concerned that, that the, the business calendars be posted on a weekly basis rather than quarterly, and for that, as a neighborhood, as neighborhood volunteers, we would be pro acting rather than reacting. We like to be at the table as the discussions are taking place prior to the, the decisions being made, particularly, when we are talking about our open space and our parks and, and our water and, and different issues that really impact our neighborhoods. I thank you for, for being light years ahead of where you were a year ago. I mean, we do have accountability. There is transparency, a little cloudy sometimes, and we are responsible, and we are respectful of each other. Not everyone coming here can afford to take you to a \$25 lunch. I had a problem with that. Your salary is quantum leaps ahead of mine. I'd love to take you to lunch on my front porch, but that puts your lobbyists, your neighborhoods involved people at a bit of a disadvantage. I do have a problem with the \$25 lunch. Thank you.

Potter: Thank you, folks.

Moore: That's all who signed up.

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Potter: Is there anybody here who did not sign up who wishes to testify on this matter? Item 1500, a report. We need a motion to accept the report.

Sten: So move.

Leonard: Second.

Potter: Please call the vote.

Adams: Again, I want to thank shoshanah and my staff. I want to thank the city attorney's office. I especially want to thank the good people and the auditor's office who shoulder the burden for, actually, making this happen. This is very much a, a, a work in progress, and, and it takes a whole village to perfect something like this. And we'll stay at it. You stay at it, as well. Thank you. Aye

Leonard: Takes a whole village to report everything they do. Aye.

Sten: I want to thank the activists as well as commissioner Adams and his staff. I think this is -- I agree with chris. It's not 100% figured out yet but it's clearly the right direction to go, and I appreciate it, aye.

Potter: I want to thank commissioner Adams for his leadership on this, and I think that this is, this is an important piece of, of, of, of, of the tool for the city to use and for the citizens to know that, that, um, that when we conduct the public's business, it is public, and so I really support this. I think it is a work in progress, and I appreciate chris's suggestion in terms of doing it on a review on a six-month instead of yearly, and, and I think that, that -- I appreciated all the comments from the different parties. I find this actual ordinance to be very useful for myself and my staff because it is a constant reminder, and, and, and it's -- it's a tool that I think that the city, now that we have it, I don't think that we should do without it, and I appreciate all the folks in this city staff that have worked on it. I vote aye. [gavel pounded]

Potter: Please read 1501. I guess we have read it. This is a nonemergency, moves to a second reading. Move to the regular agenda. Please read the first item. 1526.

Item 1526.

Jeff Baer: Good morning, mayor Potter, i'm jeff baer, members of city council, i'm jeff baer, the director of the bureau of purchases, and before you is a purchasing agent report recommending an award of bid number 106014 for the southeast 69th and southeast tolman street sewer extension project for d.e.s, award this to dunn construction in the amount of \$684,396. We did receive five different bids on this, particular project, and dunn construction has indicated that they have two divisions of work that they are subcontracting out to, to, to minority business enterprise and emerging small business, so i'll address any questions you might have.

Potter: Any questions from the commissioners.

Adams: Just a quick comment. We're in d.e.s. and transportation, even though -- we're in des. I just passed out to the city council a, a form we're trying to work on that's very much a rough draft, and we will follow-up with your staff that, that hopefully will make it easier for, for council and councilmembers and, and especially commissioners in charge of our individual bureaus to see how much is going to mwesb, and I wanted to nas out, this is a work in progress.

Baer: We've been pleased with working with shoshana on developing that report and put it into a form that really identifies those, those different features.

Adams: Thanks for your partnership on this.

*****: Thank you.

Potter: I like that form. It looks really good. Thank you, jeff.

*****: Thank you.

Potter: We need a motion to accept.

Adams: The bid?

Adams: So move.

Leonard: Second.

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Potter: Call the vote.

Moore: Who seconded?

Leonard: I did.

Adams: Aye. **Leonard:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded]

Potter: Please read item 1527.

Item 1527.

Potter: Staff.

Diana Lee Holuka: Good morning. I'm diana of the office of management and finance, facility services division. I was hoping we would have representatives of the police bureau here this morning, but obviously, something has come up for them. The bureau of police --

Sten: Actually, the chief of police is here.

Holuka: Terrific.

Potter: We tried to find someone higher-up. [laughter]

Holuka: For quite a few years 10, 12, 15, we've been aware that the police property warehouse on southwest 17th has some issues. Issues with the building, itself, and issues with, with the operational ability of, of, of the police to function there, and issues with the site. It's not the best possible site for this purpose. We did do a lot of background and searching for ways to, to solve this problem to relocate the operation. We recently found a new location on a city-owned property, and so, so decided that, that brought forth an ordinance to you folks several months ago saying that we would like to declare the property surplus and move forward. Since then, we provided a request for proposal for a real estate broker, selected a broker. Researched the property values in the area and around town, set a price, put the property on the market, and that's where we are today requesting your approval to approve this sale.

Chief Rosie Sizer: And the police bureau is thrilled at the prospect of having a new property and evidence site. It has been a long-time coming. I was at a meeting some months ago when temper was still with the city, and he talked about a former police chief, chief of police about 25 years ago, kind of cozying up to him as a budget analyst in the hope of getting a new property and evidence facility so that was some time ago, some time ago. We have had problems, problems with mold and flooding after rain storms, and we are very hopeful to have a more streamlined and efficient process for dealing with found property, prisoners property and evidence, so we are very pleased with all the help that we've gotten from our city partners to move forward with this project.

Holuka: This is also an opportunity for the redevelopment of, of what could be a marvelous property in this goose hollow area, and we're looking forward to seeing some interesting things done there. Much better use for the property.

Potter: Questions from the commissioners? I'm glad this is moving forward because I know that when this property is transacted, then we can complete the other one. Very pleased about that.

Potter: Do the commissioners have any questions? [inaudible] [laughter]

Adams: Karla. I guess you have a lot more authority than I thought. [laughter] aye.

Potter: Please call the vote.

Adams: Aye. **Leonard:** Aye. **Sten:** Aye.

Potter: Thank you, folks, aye.

Adams: She didn't really go into the restroom. Practically, but not really.

Potter: I would like items 1528 and 1532 read together, please.

Items 1528 and 1532.

Potter: What was the genesis of this particular -- the two together?

Jeff Baer: Of the two together?

Potter: Well, no of the, of the parklink contract?

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Baer: This is, for the record, i'm jeff baer, the director of the bureau of purchases, and this is a proposal from precise parklink in which we would do a hardware and software upgrade for the multi-space parking meters, and it's a proposal to accept pro precise parklink, and mr. Mccoy is here to speak about the details, itself.

Adams: I'm just curious, how does it get to council without ever having -- i've had no consultation on this at all, so how does it, how does it get to council without consultation from the transportation commissioner? A legal question, I guess.

Ellis McCoy: We did have some conversations with roland, and I know that eileen, I believe, she attempted to brief the offices on this particular topic I know. It's related to the contract, itself. And that's moving forward to convert to real-time authorizing, so it's my understanding that --

Adams: This is the real-time authorization.

McCoy: That's exactly what it is.

Adams: Go ahead and proceed and we'll see how we feel.

McCoy: Shall I start first? For the record my name is ellis mccoy, i'm the parking operations division manager in transportation. I'm here today to, to ask the council to authorize a contract with precise parklink to upgrade the downtown parking pay stations to real-time processing bank card authorization. This particular upgrade is an important one for transportation. What it represents to us is approximately \$100,000 savings per year that was included in this year's budget initiative.

And, and there's a few remarks I would like to provide that will hopefully increase your understanding about the initiative. Since june of 2 on your side, which is about the time that we first installed pay station, we've been working closely with the bureau of technology services and, and the city's treasurer's office to operate a system of batch authorization and settlement for all of our bank card transactions. And what batch processing is, essentially, it is at the end of the day staff and the bureau technology services go and, and get the transaction to the place on a server by the vendor. They download the transactions in aggregate and authorize and settle them, one or more days after the transaction has occurred. At the pay station. That's in contrast to real-time authorization where you might go to your local store and each individual transaction is authorized individually via point of sale terminal, that's connected to a phone line. At the time we began with the pay stations, that processing was our only available alternative at the time, and the systems were generally worked well for us, but, but that processing has some significant issues associated with risk and problems and, and probably the largest for us is the fact that, that, that the, the fees established by visa or mastercard and are letting on us by wells fargo have increased substantially over the last couple years, and due to the batch processing is in a higher risk category, than real-time processing, so it increased two or three on us over the past couple years. What that means as an example on the current batch processing for debit car, we're paying 25 cents per transaction and we process, it's a significant cost, we process about 15 to 20,000 transaction as day. And, and if we converted to real-time authorization that cost would be a reduce, reduced to four cents a transaction.

It's a significant cost save fogs us to move in this direction. There is some additional risks with the batch processing, as well, and that its becoming increasingly more difficult for us to manage the black list associated with, with fraud, fraudulent use of credit cards, so it's a real significant issue for us, within the last couple years, the marketplace for real-time authorization using wireless services has changed, and by working closely with the bureau of technology services and the city treasurer's office and our banking services provider, wells fargo, we were able to develop a real-time authorization solution with our vendor that we implemented in the lloyd district pay stations. Now, that system has been working wonderfully for us over the last year so, and we've been reaping the benefit of the lower transaction charges. What we want to do with this ordinance is provide that benefit to our downtown meters where we get the majority of our transactions. So, we know our solution of working through the city payment getaway works and we want to extend that benefit to the balance of the meters downtown. The contract that this ordinance would authorize provides for

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required technical development work by the vendor and new hardware and software, and change, change to a gprs wireless communication system. And there's a little field work at hand that provides for, to prove it works for Portland. The contract also includes some other warranty work to correct a previously identified operational problem in our pay stations down. Now, because of the proprietary nature of the equipment, the vendors authorized distributor, precise parklink will perform the work and jeff will address the issue with the procurement process after I finish. But, one thing is important to note, in working with staff and the bureau of technology services transfer station has decided to only upgrade half of

the downtown meters to gprs wireless services. The balance will remain for city-wide development when, when wi-fi mode of technology is developed to meet the requirements of our battery operated solar power assisted pay stations, and that's an important element to, to emphasize. We've been working hard with, with, with nate and his staff to identify how we move forward with wi-fi and the city. We found that, that the wi-fi markets on the modem can provide 802-11-b frequency are not consistent with the power requirements of our pay stations. Our pay stations are designed to minimize our consumption because they are operated on a battery solar environment and the wi-fi modems on the market, utilize power at two or three times the amount that, that the pay stations are designed for. And simply it's a marketplace issue. They haven't gone onto the market yet, and actually, b.t.s. Staff actually had detailed some research for them to see if there is a mode of available worldwide that could work with them. But, intel couldn't find any modems that were available on the marketplace. So, as a result of that, we made a decision to, to, basically, cut the baby in half, transportation needs to move forward to try to realize some of the savings and try to reduce the risk by continuing batch authorization, but at the same time, we have got the other half of the pay stations that are available for wi-fi development. As it comes onboard. And it's also important to know that the contract is structured to provide for wi-fi development as the second phase.

Adams: I think that's an excellent overview, and, and I think you convinced me, and maybe we should ask if council has any other questions.

Potter: Does the council have any other questions?

Leonard: This would be a good time to vote.

Potter: How much money does this save the city over, you know, on a monthly basis or yearly?

McCoy: \$500,000 annually.

Potter: Ok. So this will be, will pay off in just a few years?

McCoy: Yes, it will, and there is some additional savings, and, and is the switch to gprs technology to, too, that we have not included in that estimate, so, so the \$500,000 is conservative.

Potter: First I need a motion to accept the report from 1528.

Adams: So move.

Leonard: Second.

Potter: Call the vote.

Adams: You had briefed me on this and I didn't read both the items so I apologize. I'm aware of this, this request, and we are moving for real-time authorization that has the double benefit of saving us money and also putting people from abusing our, our onstreet pay stations. I look forward for to -- i'm hopeful that eventually we'll be able to connect this with the wireless system and even potentially save more money. I know the technology is not there. We'll continue to look at that. Jeff, as always, thanks for being is a good partner with transportation on this issue. Aye.

Leonard: Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded]

Potter: Before we vote on 1532, was anybody signed up to testify on this matter?

Moore: No one signed up.

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Potter: Is there anybody here who wishes to testify on this matter? Emergency vote, please call the vote.

Adams: Aye. **Leonard:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded]

Potter: Please read item 1529.

Item 1529.

Potter: Second reading please call the vote.

Leonard: Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded]

Potter: Please read item 1530.

Item 1530.

Lorry Kraut: Mr. Mayor, commissioners, i'm lori kraut from the city attorney's office. Council has before it an ordinance authorizing the mayor to settle the grievance involving richard barton. You may recall approximately a year, year and a half ago the city attorneys's office brought forward an ordinance recommending settlement but it did not pass at that time. I had been asked by the mayor's office to resubmit the ordinance. And, and I have updated the settlement agreement to make it current and to account for the fact that, mr. Barton does have a disability retirement effective august 28, 2005. However, the core provisions of the previous settlement do remain the same. If you would like me to go through, remind you what those are, I submitted the proposed settlement for your review and if you have any questions --

Leonard: I'd like you to articulate what the essence of the settlement is, not to remind me, necessarily, but so that the people listening can hear what it is.

Kraut: The essence of the settlement, the city will rescind mr. Richard barton's discharge and reinstate 19, 1,917 hours of accrued sick leave. That sick leave will then be cashed out to his, what we refer to as a feba account

Leonard: What is the value of that?

Kraut: Approximately \$38,000. In exchange, the city gains a complete release of all claims and a guarantee that mr. Barton will never seek employment with the city again in any capacity. And the city also, um, the union, as a party to the settlement agreement, guarantees that it will withdraw the grievance with prejudice.

Leonard: Maybe meaning it can't be brought --

Kraut: To never be brought up again with prejudice. It's settled

Leonard: Without prejudice was --

Kraut: With prejudice

Leonard: With prejudice, ok. Makes no sense, you know. Intuitively.

Potter: Other questions?

Adams: I missed a little part of this, but maybe you could just summarize, it's your legal and professional opinion that we would pay more by pursuing the arbitration, is that the right word? Arbitration path just in the cost of the mechanics of going forward with that without even considering whether we would win or lose and just settling it for, for the 38 plus a few thousand?

Kraut: I do believe that's an accurate statement, commissioner adams.

Adams: And is there anything for the legislative record pertaining to the specifics of this case that sets a precedent by settling it this way or that we should have, as part of the legislative record, that we are not setting the precedent in any way?

Kraut: That's a good point. In the settlement agreement, itself, it says that this agreement is nonprecidential and that the facts cannot be used again for any purpose.

Adams: Thank you.

Potter: We have robert king from the Portland police association if council has any questions of mr. King. Thank you. Is there anyone who is signed up to testify on this?

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Moore: No one signed up.

Potter: Ok. Please call the vote.

Adams: I'm only going to support this because it is in the best interest of taxpayers and because it does not set a precedent in any way. There is much about this case that I find distasteful and, and so i'm going to vote for it being a good steward, trying to be a good steward for the city, but I do so with a bitter taste in my mouth. Aye

Leonard: Commissioner Adams reflects exactly my feeling, as well. And so I won't repeat any of what he said. Aye.

Sten: Aye.

Potter: Well, this is a bitter pill to swallow. Unfortunately, as commissioner Adams pointed out, it is in the best interest of the taxpayers to get this settled now, and this does, the person in consideration relinquishes all claims against the city and will not be able to work here again, and so that's the bright side. I vote aye. [gavel pounded]

Potter: Please read the next item.

Item 1531.

Potter: Second reading vote only, please call the vote.

Adams: Aye. **Leonard:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded]

Potter: Please rudd item 1533.

Item 1533.

Potter: Mr. Adams.

Adams: We should do it. Staff is here if you have any questions. Beyond that introduction.

Potter: Anybody signed up to testify on this?

Moore: No one signed up.

Adams: We really do value your work. You are just at the end of the agenda.

*******:** I am so good with this. [laughter]

Potter: Any questions from the commissioners? Nonemergency. Moves to the second reading. Please read 1534.

Item 1534.

Leonard: I will move to set this over to the regular agenda, november 29, 2006.

Potter: Hearing no objection, be rescheduled to november 29. Please read item 1535.

Item 1535.

Potter: Is the commissioner Saltzman staff available? The park bureau staff? Please come forward.

Michelle Harper: Good morning mayor and commissionerr commission. I'm michelle harper, parks and recreation. Good morning.

Potter: Good morning, michelle.

Harper: This wonderful partnership that we have with the arc of Multnomah has been proven to be very successful. Within the last two budget cycles of fiscal 2004-2005 and 2005-2006, the council gave the directive to Portland parks and recreation to look at further developing this partnership and moving towards the transitioning of this program off to the arc of Multnomah county and authorized one-time funding to insure that happens, and so this ordinance this morning is to authorize the one-time funds for the camp that occurred.

Potter: Questions from the commissioners. Is there anybody signed up to testify on this?

Moore: I did not have a signup sheet.

Potter: It's emergency vote, please call the vote.

Adams: I'm going to use this as an excuse to thank you, michelle, for all your partnership on ifcc, and you have just been fantastic to work with, so thank you. Aye.

Leonard: Aye. **Sten:** Aye.

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Potter: Aye. [gavel pounded]

Potter: Thank you very much, michelle.

Harper: Thank you.

Potter: Please read item 1536.

Item 1536.

Potter: The second reading, vote only, please call the vote.

Adams: Aye. **Leonard:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded]

Potter: Council is recessed until 6:00 p.m. tonight.

At 11:22 a.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

NOVEMBER 15, 2006 6:00 PM

Potter: Before we begin the council meeting for the viewers at home.

Adams: All three of you.

Potter: All three of you which are exactly three more than are here. We'd like to invite the mayor of pendleton, which I understand is close to suzhou, up to the table. Could you come up, mayor houk?

Adams: That's an inside joke. A bad, awful --

Potter: It's really a bad inside joke. We were talking earlier, and we always want to extend courtesies to fellow mayors and council members from around our state, and just if you could just spend a couple of minutes talking about your fair city and what's going on there.

Mayor Phil Houk: Well, pendleton is the let 'er buck city of eastern Oregon. We're probably -- we're certainly a western community as you all know. We're a full service community, we don't have a lot of cities that are nearby, so we've got to provide basically all the services for our community, we don't have any shared resources, so any time that we have opportunities to work with other communities, even long distance, we're always welcome to do that. And it's been an honor really to work with the city of Portland with mayor Potter, spending time coming to pendleton, erik Sten through the league of Oregon cities, the work he's done there, sam Adams with the transportation, randy with his biodiesel issue, again, it's -- we're very pleased and really feel honored to be able to work with all of you.

Leonard: I'll gladly do that.

Houk: In pendleton we want to let citizens of Portland know that any time you come and spend time in our community we feel good about that. Come to the pendleton round-up, the pendleton woollen mills, the underground tours. We have a lot of -- hamleys has really taken off. You can check out and watch some saddles be built from scratch to completion that are quality. The citizens there are very accommodating and we know that when mayor Potter rode in the parade during the pendleton round-up I know he recognized an awful lot of Portland people there. So please come, visit us, and again, we really do feel great about working with you folks. I've never seen it where it's been so -- the city of Portland has really stepped out to work with cities all across Oregon, and that's what we need to think about, I think. We need to understand each others' issues, and see where those compromises can be placed and work together whenever we can. So with that, i'll say thank you, your honor, council members, and as we say in pendleton, let 'er buck.

Leonard: I sure want to thank you for the hospitality you shared with us when we were there a couple weeks ago, my wife and i. We just absolutely loved, we were there a couple days, we were fortunate to have dinner with you and your lovely wife cathy, and then breakfast the next morning. It was really one of the most memorable occasions i've had. And I appreciate all your hospitality. It was fabulous.

Houk: You got an opportunity --

Leonard: We did go to hamly's and spent a lot of money there.

Houk: You got the opportunity to try out the lift?

Leonard: That was quite the challenge, and being a former firefighter I felt obligated to get on what is called a man lift. Which is nothing more than just a small little square that you stand on and go up, I don't know how many feet in the air it was, but --

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Potter: It's like a tram.

Leonard: Without sides, yeah.

Adams: A lot cheaper.

Leonard: It was like that, but it was a very harrowing experience, but I felt obligated.

Adams: How did he do?

Houk: I wasn't there on that one. I didn't want to say anything in case you did fall, but it was -- I heard he did quite well. Got to see --

Leonard: A good act.

Houk: You got to see the functions of biodiesel being made right there as far as from canola.

Leonard: We actually saw the crush there's were imported from germany not long ago, in action, crushing the rock it into canola oil. We're going to be bringing back to council a couple of proposals soon based on that trip, and the relationships we've established, one to develop a financial relationship to purchase the biodiesel directly from the pendleton grain growers, and two, the changes to our ordinance which will -- we will unabashedly be proudly saying benefits Oregon farmers from this biodiesel initiative that we're going to implement july 1. You guys have been fabulous in helping us develop that, and just can't say enough good things about all of the folks that we dealt with out there.

Houk: The meetings have been good. Sam Adams, mr. Adams, I want to be sure that I extend the offer that I took with randy out to the locomotive shop hinkels so you can see quite a state of the art locomotive shop that union pacific built probably, oh, it's about 10 years ago. Quite a facility. It's a hump yard there, it's kind of a destination for trains, and I think you would certainly enjoy it.

Leonard: We actually talked about you out there, because I observed those toys, those locomotives.

Adams: Thank you. I'll take you up on that.

Potter: Thank you very much, phil. We really do appreciate our relationship with your city, and you introduced us to a lot of other good folk out there.

Houk: You guys are good folks. Thank you.

Adams: Thanks a lot.

Potter: Thank you very much. [gavel pounded] Karla, please call the roll. [roll call]

Potter: I'd like to remind folks -- I guess I don't have to. Anyway, why don't you read the 6:00 p.m. time certain.

Item 1537.

Adams: Really, normally we do have people attend these hearings.

Potter: I understand that's why they're in the evening.

Adams: Apparently.

Potter: Staff, please come forward.

Cary Pinard: Good evening, i'm cary Pinard with me is phil nameny, and we are from the code development division at the planning bureau. I'll -- [inaudible] there it is. Thanks. We're here to present the code amendments of what we call recap two for short, regulatory improvement code amendment package, number two. Which is part of the regulatory improvement work plan. The work plan has been an ongoing planning program since 2002, and the project names have changed several times, but we've done quite a few of these packages. The main goal is to deal with minor policy issues and technical glitches to streamline the code, to clarify the code, to add flexibility to the regulations, and to remove any contradictions. We have a kate base where people can request changes, and those changes can come from staff or the public, or from other projects we're doing, and they can be submitted in quite a few different ways. 24/7. Then the staff analyzes the items contained in the database, some of the items get included in other bureau projects or if they're large enough they may form their own legislative projects. Other issues make it -- may get forwarded to businesses responsible for their implementation. The technical and minor policy issues generally

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get assigned to regulatory improvement code amendment package, ricap for short. These are sent through an extensive public review process, both during the selection stage and during the formation of the code amendments. And I can go into that process more detail if you would like. Phil is here to talk about the most current package, which we're calling ricap 2.

Phil Nameny: Good evening. The ricap 2 amendments were based upon a work plan that planning commission originally approved last december. This work plan included several items for us to do research and potentially suggest code amendments to. From this list of work plans that was in the -- from this list of items that was in the work plan, there are a total of 19 items that are recommended for zoning code amendments at this time. There's several items that were in the original work plan that do not have any amendments proposed at this time, and the reasons for those are many. Some of the issues that we researched required some additional time and effort to come up with the adequate solution so they'll probably be on a future ricap such as 3 or 4. Many of the items actually would be better suited if they were investigated under a larger legislative project. So those will be incorporated into larger projects in our work plan. So what have you in front of us -- in front of you is a package of 19 issues that we're suggesting amendments for. In general with regulatory improvement we're always looking at having the intent of these amendments be to improve flexibility and readability of the zoning code for development while also ensuring that it doesn't negatively impact on neighboring properties. Some of the items here that are before you that have some policy implications are the following. One of them is providing some setback flexibility for institutions such as churches and schools in single-dwelling residential zones. Reducing the minimum street setback requirements in certain commercial zones. We had a very stringent minimum and maximum setback requirement, and this allows a little more flexibility to businesses expanding or new businesses locating on transit streets. We're revising our mixed commercial zone to provide flexibility for existing commercial development located in those zones. We have clarified how to classify recording studios and industrial oriented strayed schools. Which don't come up very often, but when they do it's sometimes difficult for our code at the present time to distinguish where we would put those uses. And we altered the finance height limits in the employment industrial zones. That allows a little more flexibility sometimes in the industrial zones businesses may want to secure their parking areas and they were limited in their fence height on that. So that allows a little more flexibility for that. We are available to answer any other questions that may come up on these items. Or others that you have read b -- about. The planning commission recommended that the -- recommends that the city council adopt the report and the resulting ordinance in the code amendments. And also if direct staff to do any further monitoring on any items if necessary. This wraps up our presentation on ricap 2. Once again, we're here to explain any of this in greater detail if you need us to.

Potter: Talk a little bit about the process to clarify how you came to these things, and the degree of community involvement.

Pinard: Let me talk about the database that we get information and suggestions from all over. And they're the more active community members know about our database and use it, you can access it all the time. So then when we're sifting through and deciding which of these ideas should go here, which should go there, which are potential minor policy and how to prioritize them, we've set up an advisory team that's made up of both neighborhood interests and environmental, and business interests, and we call it the reset, regulatory improvement stakeholder advisory team. We came to that process after some experimental early years where the focus group said, you know, it helps when you get people with different points of view in the room at the same time and to share early on, and I think that's proving to work very well. That group helps us prioritize which groups of these issues to take on, so which ones are more important than the other ones, and then once we have agreed to look at a packages, as we're coming up with the proposed solutions, they oversee that and give us recommendations on that. Once we've fin ied that we do the regular planning

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commission hearing process, we send out more notices, and planning commission listens to see if people agree or disagree with us or the advisory team, and then we come to you for a second hearing. We're doing two at once, so the package that we're deciding, what do we work on next, is going on while we're figuring out what to do with the package we have now, so we're starting three and we're finishing two before you here, and what I would like to emphasize I think commissioner Adams would appreciate, is that we're really trying to look at the impact of the code in question, but also the impact of the proposed amendment. And we believe that the answer isn't always to write another zoning code regulation. So the fact that we have less amendments for you than we potentially looked at shows that we're really trying to say, what's the best way to get this outcome, and it isn't always a new regulation, new overlay zone or whatever. So simple is one of our mottos.

Adams: It used to be there would be these technical glitches in the code that sort of hung around, and it would drive people insane. And it would waste a lot of staff time trying to work around it and figure out a way through what are basically just technical stuff that you do your best when you put code language together, but things change or those unintended consequences, so -- how many years of -- have we been doing this now?

Pinard: Four, five? Council adopted it in 2002.

Nameny: They used to be called policy packages. I think we did three of those, and that first one was in 2003.

Adams: The first one we did the chamber was full of people wanting to testify. So I really think that's a sign of the great work you've done on outreach and everything else.

Pinard: We did good on this one. We can't promise --

Potter: We actually had to drag people in off the street to come here. Other questions from the commissioners? Thank you, folks, very much. Excellent presentation. Good work, too. Do the commissioners have any other questions? Did we have a sign-up sheet?

Moore: We did, no one signed up.

Potter: Good. In that case --

Adams: Karin, do you want to say anything? You're sure? [laughter] anybody? Anybody at all?

Potter: So this is --

Adams: Kathryn? Do you have anything to say? Ok.

Potter: This is a nonemergency. It moves to a second reading.

Leonard: If we are going to do that, I was going to say, I do remember the first time we had this before, since Sam was a staff member, sitting out here I'm sure commissioner Sten remembers explaining to us why this was a good idea, and fulfilling a promise he had been working on implementing for some time, and the atmosphere then when the chamber was filled compared to now was a lot different. There were some significant challenges that all of us recognized existed with the codes, and duplications, and the kind of at times contradictory provisions, so I did want to acknowledge that Sam actually recognized this as a problem before he was on council, and worked very hard and with us in my office when I first arrived here four years ago on some of these changes. So it's -- you really do deserve a lot of credit for making this happen, and I for one appreciate it a lot.

Adams: Thank you. It's the boring important stuff, so thanks to you, mayor, for continuing it as the new person in charge of planning.

Potter: Ok. Anybody want to make a final statement? Nonemergency, it moves to second reading, and that will be next --

Moore: Next Wednesday.

Potter: We're recessed until 2:00 p.m. tomorrow. [gavel pounded]

At 6:24 p.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

NOVEMBER 16, 2006 2:00 PM

Items 1538 and 1539.

Potter: City council is in session. Karla, please call the roll.

Adams: Here. **Leonard:** Here. **Saltzman:** Here.

Moore: Sten.

Potter: Here. Please read the 2:00 p.m. Time certain.

Moore: Did you want 1539 also?

Potter: Will staff come forward. It's my understanding that this item has been postponed until december 21. Could you explain just very briefly the reasons behind that.

Douglas Hardy: And if I could, the applicant may be best to explain that. My understanding from the applicant, and I am sorry. Douglas hardy, bureau of development services, land use services. My understanding is the applicant, as the contract purchaser, is having some last-minute negotiations with the current owner and they would like those to be resolved before further pursuing this.

Potter: Ok. Is there anyone here to testify on this matter? Did you have a signup sheet?

Moore: We didn't set one out.

Potter: Is there anybody here who wishes to testify on this matter? Ok. We are postponing this until december 21. And we are recessed until 3:00 p.m.

At 2:09 p.m., Council recessed.

At 3:00 p.m., Council reconvened.

Item 1540.

Potter: Will you please call the roll. [roll taken]

*******:** I'm ready to vote: [laughter]

Potter: Please read the 3:00 p.m. Time certain. [item 1540 read]

Potter: I would like to remind folks that part of city council, the lobbyists must declare which entity he or she is authorized to represent. Turn it over to commissioner Saltzman.

Saltzman: Thank you, mr. Mayor and members of the council, we're here to accept the master plan for four parks and to acknowledge the work of the citizens in helping to craft these plans. The parks, east holladay, errol heights, hillsdale, and stephens creek are great examples of important gathering places for our citizens. These are the sites that neighbors will often visit because they are easily accessible, offer a variety of experiences that make Portland such a great city. When fully improved, these four parks will provide opportunities to walk through natural areas, to participate in youth sucker, for people to play with their dogs, enjoy a playground with -- enjoy a playground with children, or to relax and be alone. From the survey week we have done, we know that Portland values their parks and that access to nature at our parks is an important aspect of living in the city. Although the funding for the parks is yet to be identified, we know that the citizens of Portland have always stepped up to transform plans into reality through partnerships, grants, supports for park levies, and volunteer efforts. I will now turn it over to parks manager robin greenway to give us details.

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Robin Grimwade: Robin grimwade, manager of strategy finance and business development. Mayor, commissioners, commissioner Saltzman, we're here to speak about the formal adoption of four master plans, hillsdale, east holladay, errol heights and stephens creek. These plans are fundamental to guiding both the day-to-day and long-term decision major league of the, of these particular parks. More importantly, they give the community a sense of security in their mind as to what will happen into these areas in the future. The plans have been undertaken in accordance with the park master planning guidelines established by the parks board in 2004, and a key component of those guidelines relates to the community's involvement. I would like to hand it over to david, who will briefly summarize the key recommendations within these plans.

Dave Yamashita: I'm dave yamashita, a planner with Portland parks, and what I am going to do is to run quickly through the recommendations in the plan, and nancy grenowski is going to help with this. We're going to move through these in alphabetical order, and we'll start with east holladay park, which is about 5.7 acres in the hazelwood neighborhood. It's flat. No trees. It does include a parking lot for an off-leash area. We acquired it from the county, and, and it's in a residential neighborhood that really, as you could see from, well, the big map that there are few opportunities for parks and recreation in that area. The planning for the park was done through a one-day program, and we attracted about 25 or 30 people, and it was followed by a public comment period. The plan for the park is pretty basic. We're proposing a low intensity park with basic improvements at the south end. There will be a large open grass meadow, which is a major use of the site along with an off-leash area, and then at the south end we have a play area, benches, a spray pool, and adjacent to the parking lot. The next site is errol heights. And the errol heights park is about 14 acres in the brentwood darlington neighborhood. Unlike east holladay, this has lots of topography. It includes, basically, three areas, and another part in the middle that includes steep slopes and a lower wetter area that includes a creek that flows into johnson creek. Planning for this park included a six-person committee that met over six months with a public open house, as well, along with briefings to a variety of groups. The plan for errol heights proposes a mix of uses connected by a series of paths and trails. The upper area would be a more traditional park with playground, with the playground, lawn, basketball court, and a space for children soccer. The lower area is focused on restoration of the wetlands with limited human access. The next site is hillsdale park, which is a five-acre site when, which we acquired in 1952. Like errol heights, this has lots of topography and consists of three parts. An open meadow in the north, which is used for an off-leash area, a wooded noel in the nettle, and a grassy, flat area along the southern part of the park. That includes a variety of trees. As in east holladay, planning for this park, because of its size and relatively simple issues, consisted of a one-day charrette that included about 25 people. The plan proposes a low intensity park, which maintains the current character and includes a path system to connect the main attractions around the park and within the park. There's a path to connect the park with robert gray school, as well, which is being proposed, and nancy will speak to an amendment to the plan that speaks to the trails on that in that park. Finally, we have stephens creek park, which is a four-acre natural resource site in the hillsdale neighborhood, as well. It's directly off of southwest berth and the major feature is stephens creek, which flows through the park. Planning for this park was prepared, was done by a group of citizens that included representatives from neighborhood groups and city staff. In this plan, we focus on maintaining natural resource values while providing trails that connect the park to adjacent streets. We would also like to address an amendment for this site, as well, for a community garden, at least to explore the idea after community garden at this site. This was proposed after the master plan was completed. I'd like to call up maggie from b.e.s. To talk about b.e.s.'s involvement in at least one of the plans.

Maggie Skenderian: Good afternoon. I'm maggie, the water shed manager for b.e.s., and just started to say a few words of appreciation for parks' efforts on these master plans. I think that they are really, they are really important tools in setting out goals for these areas, and that, particularly,

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is important in terms of the framework that gets established for both office staff and for the community for citizens so that we're clear about what the goals are and aren't for some of these areas. I think as David mentioned, while there aren't projects with specific designs in place, different portions of the sites have been identified as priorities for certain types of activities, and this kind of master planning work is really important to help all of us understand what the parameters are and what the possibilities are of working different parts of the site. I also really wanted to emphasize what a pleasure it has been to work with parks in this area. We have very collegial relationships with folks there, and we have done a great job for, I don't know, well over five years now building on each other's efforts and, and work collaboratively on purchasing land and planning and implementing restoration work there, and also engaging with the community. We have done that as a strong team from the city, and it's really a model, I think, and work that we're all proud of. And then lastly, I just wanted to, to thank and congratulate parks for their awesome work on just taking a leadership role in the stewardship of the Errol Heights property. For more than five years, they have been, um, organizing work parties, and Mayor Tom Potter is nodding because we were out there pulling ivy with them once one Saturday, but they have been doing work Saturdays once a month for over five years, maybe six or seven, and it's just been a remarkable turnaround of that site, so I just wanted to say from another bureau's perspective that, that we really appreciate this work. It's important, I know, that B.E.S. Probably has been involved in at least one of the other sites, perhaps Stephens Creek, I suspect. I'm so focused on Johnson Creek that that's what I'm able to speak to, and I just wanted to thank them and let you know that connection between our bureaus here.

Potter: Thank you.

Nancy Grinowski: Is good afternoon. I'm Nancy, senior planner with Portland Parks and Recreation. We would like to offer a brief amendment to the Hillsdale Park plan to clarify an issue that we have with trails. And it's a minor language change on page 1 -- page 11, and the new language is to develop a comprehensive wording between the school district and Parks Recreation that includes youth of the L-shaped property, adjacent to the park, school, sports fields and the paths on school property that provide access to the park. The paths will be built to Portland Parks and Recreation specifications. This is just necessary to clarify our intentions on this. It puts together two things that were in different parts of the plan, and it brings them together so we're all real clear on what it is that we're talking about. So there's no confusion, and we ran this by the school district, and they are fine with the language. I think we're clear on that.

Saltzman: Do we have copies of that? Or do we need to move that as amendments?

Grinowski: I don't think we need to formally move it as an amendment as long as you are comfortable with adjusting the language and the final preparation of the documents in circulation.

Potter: Questions from the commissioners? Thank you. Do we have a sign-up sheet?

Moore: Yes, we have five people signed up.

Potter: Please call the first three.

*****: Right there. Come on up and sit down.

*****: Ok. Ok.

Yamashita: One of the other amendments that we had proposed is that in the, I think it's page 31 in the Errol Heights plan, there are some dates there listed concerning the Schnaubel House and the structure, and because the plan was finished last year, and we're now bringing it to council, we're suggesting that the dates be adjusted to reflect this, this delay. So, um, Moshi, I think, has asked for, in addition, instead of saying 2010 to extend that to 2012. So, that's the proposed amendment.

Saltzman: That's -- you are comfortable with that?

Yamashita: Yes.

*****: Ok.

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Potter: Thanks for being here, folks. When you speak, please state your name for the record, and you each have three minutes.

Don Baack: Mayor tom Potter, members of council, i'm don baack. I live in hillsdale, chair the neighborhood and I am speaking for the neighborhood today. We're pleased with the results of the plans. Two of the parks are in hillsdale. We have worked -- this has been a long midwifing process. Seven or eight years on stephens creek and about four on hillsdale park. The hillsdale park has a dog off-leash area that is working and functioning well. The key components of this is keeping the dogs off the school grounds, and in that regard, I would like to make a note for the record that, that the trail shown here for hillsdale park is to also include a connection from the upper corner of the map to 23rd, which is along the north boundary of the school, and basically, the idea there is to provide a way for people walking to the dog off-leash area to go directly to the dog off-leash area and not go to the school grounds and making a perimeter around it, so it's good for everybody, and we just want to make sure that its part of the process. And that amendment is very much appreciated, and we appreciate parks' flexibility in making that happen. Second, also is there is an amendment that was noted to, to allow consideration of, of a community gardens in the hillsdale park, which we very much appreciate because this is, actually, immediately across the street from our town center, and we increase, anticipate increasing density in this area, and we feel that this is a very good use of this. We understand that there's a lot of issues to be sorted out in terms of making this happen. But we appreciate these plans being adopted. Thank you.

Moshe Lenske: Mayor tom Potter, commissioner, i'm moshi, and just take note in the master plan, how many times the schnaubel property is one after kind and especially unique, which it is. This occurs one, from the topography which george purchased in the 19 40's. A secret violent isolated is, unknown, hidden hollow, with running springs. Nobody knew it was there. Expect a few neighbors. All within the city limits. Two is vision created ponds and three, a homestead, frank lied wright, and [inaudible] with structures of singular design. It's been 25 years since george died, and we can now pick up the pieces and share his combo of vision of place and of architecture, and offer a tour to any of you who would like to enjoy any type, just let me know. The site offers the wonder of an architectural experience. It can be a place of riparian learning for youths, as well. B.e.s. students, classes analyze the ponds, and there's also the symbolic presence in a one-time indian campground on the place where artifacts have been found, where they trotted right here in this place Portland. Kids could really get a diversity feeling and understanding from that. We look forward to continuing recovering this meaningful package. I want to thank the staff, past and present, for amending, correcting the dates, excuse me, in the old document relating to structure, etc. Want to praise the detailed botanical study, [inaudible] expecting random appropriate wildlife to appear, could be improved with a full force concept, including the area requirements for different species for a more predictable and wider, wider wildlife family. In the same vein, reduced use of chemical sprays to control unwanted plants could be considered, in terms of the their effect on amphibious life and the food chain, and on the west end of the park property, which my father assembled, is a high, unobstructed exposure. The manager of p.g.e. renewable energy programs scoped the possibility of a structure with solar facilities, both as a demonstration and learning center. A solar architect highly praised the location, and we're looking forward maybe to something better than a sunshine bissey, but some kind of a building utilizing [inaudible] adopting this master plan opens the avenues for us to cooperate with the city regarding the requirements for the structures, and thank you very much.

Potter: Could I ask you a question? What's a sunshine bissey? [laughter]

Lenske: Well, I think that, that odot has some, some solar, um structures along the roadways, and that's what I was referring to. I think.

Potter: Thank you for clearing up that important point. Thank you for your work.

Lenske: Well, as opposed to the present plan just called for a port-a-potty.

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Potter: That's what a biffy is?

Lenske: No.

Potter: It's a rest room.

Lenske: Yes.

Potter: A portable restroom?

Lenske: Substitute restroom for whatever I said and that would be correct. [laughter]

Saltzman: Is that an amendment? [laughter]

Potter: Ok. Thank you.

Chris Johnson: My name is chris johnson. Your honor and respectable commissioners, live at 4543 southeast harney drive, 80% of the property adjacent to me is owned by the city of Portland. There is two things I would like to achieve here is one, that the city of Portland respect my riparian rights, and that they honor [inaudible] regarding riparian rights. In the past that hasn't been the case. The other important thing that I have in mind is the use of herbicides. I've been around and around with all your departments, with the different people, and I don't get anywhere. That's fine. You can use what you want, but if king county can phase out the use of herbicides and take a four front in doing so and studies in sweden and in other places realizing inherent danger in these chemicals, I think it's worth the city of Portland's time to, to put some effort in preserving our natural wonders that we have. Even the national scientist -- i'll leave this with you, they tend to look for d.d.t. And other, other common known elements, but urgarla, which is what the park sprays, gallons and gallons on, it comes into my property, and i'd like to have a bile swale or some kind of buffer to prevent that from coming into my property. I would like the park to honor my riparian rights and not alter that stream because it does not allow you to do so unless you have specific court orders to do so. I've had a park person break the culvert and flood my back property.

Two or three inches of water coming into my property. You don't have that right. And i'm, you know, I don't mean to be argumentative or disrespectful to any of you people, but parks bureau has been the worst neighbor I have heavier -- I have ever had. There is a person that used to live in the linsky place, and he was fits forensic, and he was a better neighbor. I used to take the property around, and all I would get is the run-around from the city of Portland. That's all I have to say. I do want my rights respected, especially the riparian rights because it backs me in these things.

Potter: Did you give that information to our council clerk?

Johnson: Yes, I will, sir.

Potter: Thank you.

*****: This is king county study.

Linda Robinson: Thanks. I'm linda robinson and I live in outers east Portland. I came to talk about the east hollywood park master plan. It's just a little park that, that doesn't have real good access. The park bureau worked hard wind gust to figure out a way to make it accessible. It surround almost entirely by residential and a p.g.e. Substation with very little street frontage, but, but the other thing I wanted to say was that it was recommended by citizen group out in east Portland for an off-leash area, so when it was designated as an off-leash area, and they start making the plans for it, all sorts of other questions came up about the property and access, and so I really appreciate the fact that, that park bureau moved it up. It was not scheduled for a master plan for another two or three years, and i'm, i'm very grateful that they moved it up and did that planning simultaneously with a dog park plan because it was creating all sorts of issues and questions to do part of it and not have the rest of the plan in place, so I appreciate the fact that it is done, and now we can begin looking toward developing the minimal development with a few benches and a little trail and that kind of thing, so we really much appreciate that. In fact, I have had neighbors, two or three call me in the last few months saying they would like to help do some fundraiser, some events in the park so we can actually get the picnic table and the bench there sometime before too long. One other thing, though, is that, you know, it does -- the off-leash area is a big piece of it, but we're

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still waiting for the off-leash area to open because of some negotiation that needs to be done with p.g.e., which is the owner of the stakes so i'm hoping, the master plan has been done for a year, but we're still waiting, and the parking lot, the dog park, we're still waiting for the dog park. Just hopefully that can be moved forward, and that can happen sometime soon.

Wes Risher: Mayor tom Potter and council, i'm wes fisher, and I live in south Portland in the hillsdale neighborhood. I am the past president of the hillsdale neighborhood association for over 10 years, and don has precede me. I am very pleased today to be here in front of you with regard to the stephens creek nature park master plan. It's called a functional plan, not a master plan. There's a difference. It's not as protective as a master plan would be, but i'm still pleased with the level of protection that the park is getting. The area where the community garden may go is an area that we looked at, as a way to get additional eyes on the park for purposes of people actually going there and using it for other purposes than just simply viewing nature. Perhaps, that will happen. We have to deal with some parking issues and access, but as don alluded to, the neighborhood is expected to get denser, and we would like to see these amenities available, and hopefully we can partner with parks and make that happen. I'd like to champion our program that, that made this park restoration happen. It's the Multnomah county alternative community service program. It's where people that have time that have to be worked off for community service projects, they bring out crew leaders from Multnomah county, and they work with the community groups, and without the assistance of the a.c.s. program, I would venture to say that we wouldn't have been able to do the level of restoration that's occurred today, and I would really hope that program could get expanded because I think that there's better uses of those folks's tomorrow than simply raking leaves in parks.

I think removing blackberry and doing some of the works project is something that's worthy of that program. And commissioner Leonard, working with your hydroparks is another opportunity with that program, and I would definitely hope that Multnomah county continues to fund it, and the judges get some feedback on how important that program is. Lastly, i'd like to address hillsdale park and specifically the right-of-way along beaverton-hillsdale highway. As you notice at the bottom of the graph there, parks doesn't actually have property right along beaverton/hillsdale beaverton. I believe it's the p-dot right-of-way, and that stretch is a missing section of sidewalk. The christian center to the left was required to put in a very long stretch of sidewalk when they did some enhancements to their church, and the condominiums to the right, actually, installed their sidewalk, but this section is a missing section, and I would champion p-dot to put a little budget into that fix and do a the right thing for city property. This is, again, not a parks commitment. It's a p-dot commitment, and I wanted to raise it today since the plan was coming before you. Thank you.

*****: Thank you.

*****: Thanks.

*****: Is that it?

*****: That's it.

Potter: Commissioner Saltzman.

Saltzman: I was going to ask arlene --

Potter: Thank you for being here. When you speak, would you state your name for the record, and you have three minutes.

Arlene Kimura: I am arlene, and I live in outer east Portland. I'm here on behalf of the master plan work, the parks bureau has done for east holladay park. It is one of the most vigorously debated park usages, and I think with the master planning and, and the work that patty did, we got a nice compromise in terms of the residents that live there plus the usage and the need for off-leash dog areas. I do want to thank the parks bureau and hope the council will agree to this master plan. Commissioner Leonard, thank you very much for your work with the hydropark. I'm really looking forward to seeing it in the springtime. Thank you again.

Potter: Thank you.

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Saltzman: I was going to ask either jim or robyn, maybe, or dave. Dave to respond to some of the issues mr. Johnson raised about use of herbicides, riparian rights. I know you are familiar with these issues.

*****: Somewhat.

Jim Sjulín: I'm jim with Portland parks, city nature. Actually, north zone manager now, but in prior years, I actually worked with, with the johnson creek projects, including errol heights, and I met chris johnson a couple times, and we tried to resolve some issues. Obviously, we haven't resolved every issue, but we have been working at it diligently for, I would say, at least two years, chris, maybe, and, and one of the issues, obviously, is the use of, of herbicides, which we're using on a population of blackberries, although there are other weedy species in the area. We abide by all the regulations, and in fact, I know that we have done some water quality testing at that location. I don't have the results for you right now. But, I would be willing to bring those back to council and certainly share them with mr. Johnson. I can't report the result right now. I just don't have that information. And as far as the water right issue, we would take that seriously. I'm not familiar with that one, but I would love to have the opportunity to follow up with mr. Johnson on that issue.

Saltzman: Ok. I guess I would like to see a follow-up with him on both issues, and the report back us to on the water quality monitoring result, as well.

*****: Ok. Very well. Thank you.

Potter: Are you done? Karla, please call the vote.

Adams: Well, this is very exciting, and a lot of people have put in a lot of time. You make it seem very easy, but I know from talking to some of you individually that there has been months and months of efforts and lots of collaboration and you have really moved forward significantly down the math of bringing these parks to a level of development that would result in a level of use and enjoyment that will be unprecedented. I want to thank you individually and thank the parks bureau staff, as well, and commissioner Saltzman's leadership and, and matt and his office, and it's very easy to vote enthusiastically, aye

Leonard: Well, i'm also happy to have an opportunity to say nice things about this work. This is an example of, of why, why, um, I think parks is, is, um, one of our premiere institutions in the city, and any time that we're adding resources and adding open areas, that is a really good thing, and I appreciate the work very much, and commissioner Saltzman bringing this forward. Congratulations. Aye.

Saltzman: Well, I want to thank the many citizens who worked diligently on these four master plans, or three master plans and one functional plan. I want to thank the parks bureau employees, b.e.s. for their cooperation. These are wonderful plans that will help make these parks truly become accessible for recreation, for contemplation and for simply playing with your dog or just going for a walk. Now that these plans are in place, we can begin to move on the next step, which is to get the funds to implement the master plans and work out issues that may still this ward some of our things like the off-leash area. I think the master plan will help us get these talks with p.g.e. resolved satisfactorily. Great work by everybody. Pleased to vote aye.

Potter: I want to thank the parks bureau, commissioner Saltzman. Particularly, the citizens. Having been out to a couple of those parks and seeing what citizens do to help preserve our, our natural areas. It's very rewarding to know that, that -- I understood over the last few years that about a quarter of the parks' efforts are done by citizen volunteers, so we certainly appreciate that, and moshi and don and all you good folk, I really, really appreciate what you do for our city. Thank you very much and I vote aye. [gavel pounded]

Potter: Recessed until 4:00 p.m.

At 3:34 p.m., Council recessed.

At 4:03 p.m., Council reconvened.

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[roll taken]

Potter: Please read the 4:00 p.m. time certain.

Item 1541.

Potter: Today is a great example of what happens when the entire community and government, the private sector and neighbors and activists collaborate to find a solution that meets so many different needs, and at the same time, preserves an important part of Portland's downtown history. The ladd carriage house was owned by William S. Ladd, and is listed on the national register of historic places. For more than two years the community has worked together to find a way to save this unique piece of Portland history while meeting the very real needs of the First Christian Church, its current owners. I think almost everyone in this room will agree this wasn't an easy process. I want to take a moment and recognize the folks who made it a successful process. They deserve our recognition and the community's thanks. First Christian Church and their developer, Opus Northwest, they were willing to engage the community in a search for options at the time when they didn't, when there didn't seem to be options. They agreed to modify their development plans and dedicate resources towards saving the carriage house. John Carroll, a civic-minded local developer who stood in to partner with Opus and made it clear his involvement was predicated on a real engagement with citizens to find a way to save Ladd Carriage House, and finally the Friends of Ladd Carriage House, a group of passionate, dedicated and knowledgeable citizens who organized to preserve this important historical resource. I think it's safe to say that without the commitment of these folks, their advocates, their advocacy, and expertise and willingness to work with all the parties, we would not have gotten to what appears to be a successful conclusion and plan to preserve this beautiful home. I don't think that we have any folks from staff here, but do we have a signup sheet?

Moore: We have two people signed up. Brandon Spencer and John Carroll.

Potter: Please come forward, folks.

Brandon Spencer-Hartle: Hi, my name is Brandon, I am a P.S.U. student and president of the newly created historic preservation club there. I've been working with Friends of Ladd Carriage House for about a year, and I have to say it's amazing that we're here today. A year ago when I got involved there was absolutely no hope for the building to remain on-site. It was going to be lost from downtown forever. And, you know, through the process over the last year, I think that there has been some amazing connections made between the preservation community in Portland and the developers in Portland and the city. I think that if all goes well and this ordinance is passed and the building is moved offsite, I think Portland will have an amazing general of a historic building right in the downtown part. I definitely support you guys passing this ordinance. Thank you.

John Carroll: My name is John Carroll. I can't tell you how pleased I am with the outcome of the last six or eight months. I can only tell you that the city has done an excellent job of working through a lot of issues relating to a very important site in our city of Portland. Working with Charles and Nora, they have done a wonderful job of getting us through a process, and I am so appreciative of the fact that you, as a council, have focused on a really important asset of our community, and I can't thank you enough. We're through a couple of steps, design review now. All we have to do is bill, it sell it, and finish it and do a few things like that. But, I can tell you that this should be a good example of how the city and the private sector works, and again, I want to thank you very much. I also want to thank the, the Friends of the Ladd Carriage House. They looked like deer in the headlights for a while. Where are we going to put this thing and how are we going to save it, and the, the wonderful experience has been highlighted by the fact that, that they weren't sitting there and saying, over my dead body are you going to touch this building. They said, we understand there's a practical side to preserving our history. We want to work with you, and that's what they have done, and I want to thank them profusely. Brandon, this young punk college

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student, you know, where did he come from? Or what -- well, what he's done is he's put together a wonderful excavation plan. I've now volunteered for the on-site of sifting through the dirt and rocks and debris and the like, and I can tell you that this young gentleman just, just on his own initiative has really initiated a wonderful process, and in fact, we're going to, to hire him to take and look at the history of the Elliott tower and the work that Thomas Elliott did in our community.

Adams: And just to sign up another volunteer for you is that I know someone who is, has a lot of experience in archaeology and is passionate and experienced amateur archaeologist, and I think he would love to help you sift through --

*****: Mr. Mayor? [laughter]

Potter: Always nice to be volunteered by other people. You know, I am really excited about that, Brian. Are you folks -- when do you start your archaeological dig there?

Spencer-Hartle: We are not going to call it that. It will be more along the lines of an architectural dig. We're going to look at the subterranean elements of the building that will get lost in the construction, and we're going to look and see what originally had been there and what the function of the basement of the building had been and what the original functions had been of the entire building because through the historical research, we haven't been able to find enough good photographs to show us that, so hopefully through the process of the excavation, we're going to work with the development team and see what we can't find out through him and photograph and document everything along the way.

Carroll: And it's always a surprise. We found one bottle, and then another, and then another. This was the back-up. Eight houses, fronting 10, and the final, when it all finished up, we had 360 alcohol bottles, medicine containers, porcelain dishes, I mean, it was incredible, so our expectations are very high, plus Brandon came up with the idea of the stone foundation in the Ladd carriage house. We're going to do that as a landscaping wall in the plaza that we're creating, so a good collection of ideas.

*****: Great.

Christine Baldrice: I am Christina, and I am here as a member of the Friends of Ladd Carriage House, and part of what I'm committed to is also finding a viable use for this building when it's moved off-site and when it comes back so, the commitment that we bring to this is a commitment to bring a viable economic building back into the downtown core that also has a historic background. I'm a third generation Portlander, so my grandparents actually lived up the block from the Ladd estates, and this is the only piece left. It's the only thing left that I can actually look at and go, that's something my grandparents walked by, so we want to make it open and somehow accessible. We haven't found where, what's going to happen to it or what's going to be, business is going to be in it, but we're all committed to finding the right thing down there in that central core area, and we just really appreciate the opportunity to be able to look forward, and instead of always being in the back, being able to go OK, we made this, this leap, now let's see what we can do to really make it a wonderful building.

Potter: Thank you very much. Appreciate it.

Moore: That's all who signed up.

Potter: OK. Do you want to make closing comments? This is a non-emergency, moves to a second reading so we're not going to vote.

Leonard: I just appreciate how far this has come. It certainly didn't appear that it would be a successful conclusion, appreciate everybody's work, but, but thank you, too, Brandon for your good work, and carrying on the tradition of P.S.U. I do appreciate all the work and look forward to a successful --

Saltzman: I too appreciate the work and look forward to a sufficiently move and redevelopment.

Adams: Congratulations. I didn't think it was going to happen for quite a while, thanks.

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Potter: So this is a nonemergency. It moves to a second reading, as you can tell. It's pretty perfunctory in terms of what the outcome is going to be, but it will be heard next week.

Moore: In the morning.

Potter: Wednesday morning?

Moore: Yes, the 22nd.

Potter: Ok. Thank you folks very much for being here. Thank you, brandon. We're adjourned.
[gavel pounded]

At 4:12 p.m., Council adjourned.