



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 6TH DAY OF NOVEMBER, 2013 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5. Commissioner Fish arrived at 9:35 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees Deputy City Attorney; and Jim Wood, Sergeant at Arms.

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

COMMUNICATIONS	Disposition:
1040 Request of Michael Withey to address Council regarding revised six point plan to end homelessness in Portland (Communication)	PLACED ON FILE
1041 Request of Ivan Scharbrough to address Council regarding the City's camping ban (Communication)	PLACED ON FILE
1042 Request of Mark Bello to address Council regarding funding of Title 11 (Communication)	PLACED ON FILE
1043 Request of Kris Day to address Council regarding funding of Title 11 (Communication)	PLACED ON FILE
1044 Request of Karellen Stephens to address Council regarding corruption in the court system and City (Communication)	PLACED ON FILE
TIMES CERTAIN	
1045 TIME CERTAIN: 9:45 AM – Outdoor Maritime Display (Presentation introduced by Commissioner Fritz) 30 minutes requested	PLACED ON FILE
CONSENT AGENDA – NO DISCUSSION	
Commissioner Steve Novick Position No. 4 Bureau of Emergency Management	

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<p>*1046 Accept an FY 2013 Emergency Management Performance Grant in the amount of \$362,971 from the Federal Emergency Management Agency to administer an integrated all hazard emergency management program for the City (Ordinance) (Y-5)</p>	<p>186319</p>	
<p style="text-align: center;">Bureau of Transportation</p> <p>1047 Authorize application to Oregon Department of Transportation for a 3-year Safe Community Grant in the amount of \$85,000 per year to systematically apply specific engineering, enforcement, education strategies and proven traffic safety countermeasures on identified arterials in Portland (Ordinance)</p>	<p style="text-align: center;">PASSED TO SECOND READING NOVEMBER 13, 2013 AT 9:30 AM</p>	
<p>REGULAR AGENDA</p> <p>Mayor Charlie Hales</p> <p>Bureau of Police</p> <p>1048 Revise Ordinance for a contract with Cascadia Behavioral Healthcare, Inc. to correct contract amount and include sole source language (Ordinance; amend Ordinance No. 186088)</p>		<p style="text-align: center;">PASSED TO SECOND READING NOVEMBER 13, 2013 AT 9:30 AM</p>
<p style="text-align: center;">City Attorney</p> <p>1049 Authorize City Attorney to join brief of <i>amicus curiae</i> City and County of San Francisco, in <i>McCullen v. Coakley</i> (Resolution) 10 minutes requested</p>	<p style="text-align: center;">REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>	
<p style="text-align: center;">Office of Management and Finance</p> <p>*1050 Adopt findings and authorize exemption to the competitive bidding requirements of ORS Chapter 279C and City Code 5.34 and authorize a Construction Manager/General Contractor contracting method for the Streetcar Relocation Project (Ordinance) 10 minutes requested (Y-5)</p>	<p style="text-align: center;">186320</p>	
<p>1051 Amend the Business License Law to increase the Owners Compensation Deduction maximum for the 2014 tax year (Ordinance; amend Code Section 7.02.600)</p>	<p style="text-align: center;">RESCHEDULED TO NOVEMBER 13, 2013 AT 9:30 AM TIME CERTAIN</p>	
<p>Commissioner Dan Saltzman</p> <p>Position No. 3</p> <p>Portland Fire & Rescue</p> <p>1052 Donate surplus fire apparatus to Sister City Guadalajara, Mexico (Second Reading Agenda 1039) (Y-5)</p>		<p style="text-align: center;">186321</p>

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At 11:00 a.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

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

WEDNESDAY, 2:00 PM, [DATE], 2013

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

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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 and should not be considered a verbatim transcript.

Key: ***** means unidentified speaker.

NOVEMBER 6, 2013 9:30 AM

Hales: Let's go ahead and get started, please. We are expecting Commissioner Fish but he's not here yet. Good morning and welcome to the November 6th meeting of the Portland City Council. Karla, could you please call the roll.

Novick: Here. **Fritz:** Here. **Saltzman:** Here. **Hales:** Here.

Hales: We have a couple sadnesses to commemorate, unfortunately, this morning, and I would like to start first with a moment of silence to mourn the passing of reserve officer Robert Libke in Oregon City. Being a police officer is always challenging and dangerous work. And unfortunately, occasionally, an officer is put in a situation, as he was, where they make the ultimate sacrifice. And I've reached out to Mayor Doug Neeley and the members of the Oregon City city council to let them know that our community cares about their loss, and that we are all with them. So, could we please take a moment of silence in honor of Mr. Lipke. [moment of silence]

Hales: Thank you. Commissioner Saltzman, I believe you have a moment you would like us to participate in as well.

Saltzman: Yes, thank you, Mayor. Today the flag of the City of Portland is lowered at half-staff in honor of Abukar Madey. This is the 11th time that we have lowered the city flag since 2009 to honor children who have died from abuse, neglect, or homicidal violence. Abukar had just celebrated his 15th birthday a few days before he was fatally shot on October 11th. He was a first year student at Franklin High School and loved to play basketball. He had recently returned from his parents' native country of Somalia and had enjoyed the immersion into Somali culture. His family was eager to see Abukar graduate high school and go on to college. Our thoughts are with his family, friends, and loved ones, and today, we are joined by Abukar's family and by Musse Olol from the Somali American Council of Oregon who would like to make a few remarks.

Musse Olol: Thank you very much. Thank you Commissioner Novick, Commissioner Fritz, Mayor Hales, Commissioner Saltzman, and Commissioner Fish. I have talked to Mr. Abukar Madey's father, and I've been asked when your office asked me a few things to remember of their child. I've been involved in the community for the last three years, and this has been one of the hardest, the hardest issue that I have to deal with. I have to go to at night at the hospital, and help the parents to go through this. And for him to tell me this, one of the hardest -- after he told me the line of things that he wants to have mentioned about his son, what he added still stays with me. He said, he left his former country because of the violence only for his son to be met with a bullet in our streets of Portland. And that was words that are stuck with me coming from a father to a father. This is the tip of the iceberg. About two years ago, I've been talking about this problem that comes to our community. Our community are united on working together today, unlike what it was in the past. And this is diaspora throughout the country. Just last night, I got a call from Minneapolis that they have elected the first city commissioner, first Somali American, and that's a unity. They received 95% of the votes from the Somali community, and that's what I wanted the city of Portland to understand and to realize and to work directly with the community. As a parent, we already contacted with the Portland police and the office of crime prevention, and we would like to work also with the commissioners and the Mayor to work with us and to prevent another child to go through this. Thank you very much for your time. If you have any questions, I can answer it.

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Saltzman: Did you wish to say something?

*******:** No. Actually, I will only add one point. Abukar died, and every one of us will die one day. But, that was not a happy ending. That, I would like to share with you guys. Thank you.

Saltzman: I would ask that we have a moment of silence in honor of Abukar Madey. [moment of silence]

Hales: Thank you for coming this morning, and Commissioner Saltzman, thank you. Before we begin the council calendar, we also have a proclamation this morning. And Rachel, I'm not sure if Michelle Romanick has arrived or not. But, oh, there she is. Michelle, come on up, please. I will read this proclamation and give Michelle a chance to speak as an advocate for prevention and cure of a disease that's stalking too many of our fellow citizens. Whereas in 2013, an estimated 45,220 people will be diagnosed with pancreatic cancer in the United States, and 38,460 will die from the disease. And whereas pancreatic cancer is one of the deadliest cancers, the fourth leading cause of cancer death in the United States, and is the only major cancer with a five-year relative survival rate in the single digits of just 6%. And when symptoms of pancreatic cancer present themselves in the late stage, and 73% of pancreatic cancer patients die within the first year of their diagnosis while 94% of pancreatic cancer patients die within the first five years. And whereas pancreatic cancer is the third leading cause of cancer deaths in Oregon, and approximately 520 deaths will occur in Oregon this year. And whereas the incident and death rate for pancreatic cancer are increasing, and pancreatic cancer is anticipated to move from the fourth to the second leading cause of cancer death in the United States by 2020. And whereas the Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community in the city of Portland and nation-wide through a comprehensive approach that includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer, and whereas the Pancreatic Cancer Action Network and its affiliate in the city of Portland support those patients currently battling pancreatic cancer as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure. And whereas the good health and well-being of the residents of the city of Portland are enhanced as a direct result of increased awareness about pancreatic cancer, and research into early detection causes an effective treatment. And therefore, I, Charlie Hales, Mayor of the City of Portland, Oregon, the city of roses, do hereby proclaim the month of November 2013 to be pancreatic cancer awareness month in Portland, and encourage all residents to observe this month. So, welcome, Michelle. Some thoughts, and tell us what your network is working on.

Michelle Romanick: The Portland affiliate would like to thank the City of Portland and Mayor Hales for making the proclamation for us this month. The Pancreatic Cancer Action Network is a nation-wide organization that has three main objectives: to advance research, support patients, and create hope. And today, this proclamation has helped to give hope to those here in Oregon. Pancreatic cancer is the fourth leading cancer killer in the U.S. but actually, here in Oregon, it's number three. And so our organization, our affiliate works really hard to help raise awareness, raise funds to help put an end to this deadly cancer. This past Saturday, we actually had our purple stride fundraiser walk here at the world trade center downtown. We walked the waterfront, and the numbers are still coming in, but we believe that we have currently raised \$80,000. So, we're very proud of that. Later this month, we are going to have our purple light vigil at Director Park here in downtown Portland. It's a ceremony where we remember those that we've lost to pancreatic cancer and honor those fighting this terrible disease. That will be held on November 24, and if anyone is interested, they can visit purplelight.org for more information. Thank you.

Fish: Mayor, may I ask a quick question?

Hales: Please.

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Fish: Thank you for being with us. I lost my dad to combination lung cancer and prostate cancer, so I know a bit about the science of those cancers. What triggers pancreatic cancer -- what are the risk factors for pancreatic cancer?

Romanick: They're still doing research to try to determine those factors. I know they believe diet could have a lot to do with it. Smoking, eating certain foods. I know I read an article that's trying to put a link between pancreatic cancer and diet sodas. So, we have a lot of -- our organization is raising money for research, so we can determine what are the factors that are causing this disease. I know by the time that it's diagnosed in most people, it has spread, and that there is nothing that can be done. I know my own father was diagnosed the first weekend in October, and then he passed away 50 days later right before Thanksgiving. So, by the time that they found it in his body, it had spread to his liver, and the doctors just told him sorry. And they told him to go home and get his affairs in order. And unfortunately, that is what we hear from a lot of the people that we work with in our organization. How their loved ones get the diagnosis, and they are told to go home and, you know, say goodbye to everybody, and get your affairs in order.

Fish: I'm sorry for your loss, and thank you for your explanation.

Hales: Thank you for taking your loss and turning it into advocacy. And that's a service to a lot of people. We happen to live in a city with a great research institution, OHSU, that's doing great work on cancer, and I hope that your advocacy and their science come together.

Romanick: Yes, thank you.

Hales: Thank you. [applause]

Hales: Thank you much for coming. Okay. Let's begin with the regular calendar, please.

Item 1040.

Hales: Michael, is he here? Let's see if he comes later. Let's move on then.

Item 1041.

Hales: Ivan? Okay, next.

Item 1042.

Fish: Mark, we're used to seeing you in different contest.

Mark Bello: I have reformed. [laughter]

Hales: That remains to be seen. Good morning.

Bello: Is it possible for Kris to begin first?

Hales: Sure. Go ahead, Kris. You are on here as well.

Kris Day: Great. Good morning. My name is Kris Day, and I come before you today from the urban forestry commission, where I serve as chair of the policy committee. I would like to start by thanking all of you, Mayor Hales and Commissioners, for your on-going support of title 11. Portland is looked to from across the country for its innovative investments in green infrastructure. Yet, despite the bold and forward thinking that has earned us our green reputation, it will be the management and the maintenance of this living system that will amount to real stripes on our proverbial sleeve. The current and widely dispersed rules regulating trees, arguably the largest component Portland's green infrastructure system, are, as a body, unwieldy and difficult to understand. Developers and residents alike have a hard time knowing what they need to do and with which city bureau it must be done as well as what penalties they are subject to should they fail to do the right thing. Most agree that it is reasonable that certain development activities or other changes in property use involving trees should instigate regulations. Although it should not take the skimming of hundreds pages of code or policy experts to determine just what these are. Portlanders need and deserve a set of tree regulations that more adequately protect our urban forest, and that do so in a user-friendly way to ensure robust and well distributed resources, and to encourage greater awareness and respect for it. As you well know, thousands of hours by city staff, private consultants, and other stakeholders have been dedicated towards this end. Toward consolidating, simplifying, and developing a better and new set of tree regulations, now known as title 11, to protect and grow

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Portland's urban forest asset. Though sadly, extra tight city budgets in recent years have left our new tree code in a holding pattern for two fiscal cycles now. From reviewing previous council minutes, it seems that many, if not all of you, feel strongly that title 11 cannot be further delayed. Although, your commitment to find and allocate funds for the proper staffing and coordination efforts will stand to prove this. The Portland urban forestry commission urges you to prioritize full funding for a January 1st, 2015 implementation of title 11. And to make the funds necessary to staff up available July 1st at the beginning of fiscal year 2014-2015. We also would like to impress upon you how important it will be to fund the program coordinator position at a full-time level throughout the first year of title 11's implementation. In earlier meetings, you have recognized how crucial this role has been in coordinating transition activities. Clearly, this position will continue to be essential, both to help train existing and new staff as well as to ensure inter-bureau coordination systems working well. Again, thank you all for the energy you've put towards title 11.

Hales: Thank you. And for the energy that you have. Good morning, Mark.

Bello: Good morning, my name is Mark Bello. My address is 2146 northeast 9th avenue, Portland, Oregon, 97212. I'm also a member of committee of the urban forestry commission. The following three points add to Kris's presentation. These points are timely, as we lay the groundwork of this implementation of this wonderful tree code.

Hales: Mark, pull that microphone a little up. There you go.

Bello: First point, title 11 is complex. It needs your help. It needs the city's help. Just to mangle a little poetry, "a rose is a rose is a rose," but not in Portland, a tree is not a tree is not tree as far as title 11 is concerned. Our new code regulates trees differently based upon their location. They can be on private property, they can they can be in the right-of-way, they can be in the median. It regulates it differently by species, by size, by zoning location, environmental zonings, and planned district, whatever. There's so many categories in varied situations, I looked at all three tables and spent at least 15 minutes working my way through the three tables in your new code. So, the code will also require enforcement because there must be a response when trees are cut that shouldn't be cut. So, the complexity plus the need for coordination among the five bureaus that will implement, parks, of course, development services, title 33, but water, environmental services, transportation, of course, intergovernmental agreements, and all of that, they will lay additional requirements upon the parks bureau, city forester, the urban forestry commission, and development services and frankly, as a long-time planner, I know that the new tree code will benefit but also tax the service bureaus I used to work with. Also, in the future years, this effort will require monitoring, evaluation, future hearings by two commissions and title 11 and 33 must work together. And they slip a bit, we'll need to fix that. So, there is a need for resources. The second point is that proper rollout of these resources, excuse me, proper rollout of this title is critical. We need to have those positions in play in July of 2014 next year to be able to get the ball rolling and we need the project coordinator. We need three and a half tree inspectors, two development service tech folks, maybe in BDS, and one and a half city planners. And we need that program coordinator. Finally, the third and last point is we thank you for requiring a report to be given to you no later than December 18 of next month. And we look forward to hearing that report and working with you in any way that we can. Thank you.

Hales: Thank you very much. Questions for either of these folks? Good to see you, Mark.

Fish: Mayor, I appreciate Kris and Mark coming here. I do believe we had a budget note coming out of the last budget that required a report to council in December. Commissioner Saltzman and I were particularly, I think, insistent that we come up with the funding to keep this, and I have to go back to Hannah Kuhn back in my office. She's been working on this for years. I have a personal incentive to see that we launch it. But this is -- we're talking about title 11 as the city-wide tree policy review and regulatory improvement project, which is a multi-bureau effort. We adopted it and we made a

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commitment to begin to fund it, and I believe that this council has been clear that we want to have a path forward. So, thank you for holding our feet to the fire.

Bello: Thank you for listening.

Hales: Take care and see soon. Thank you. And I think Mr. Withey has arrived. Michael, come on up.

Michael Withey: I was hoping to come today and sort of give a proud salute to everybody. Even though everybody has been working hard, don't get me wrong. Unfortunately, the plan that you guys are talking about coming up with, the \$3.4 million, you know, once everything has been matched, is going to put 700 people off the street for few months. And some people are going to get paid rent, right, for their property. But really, the thousands people that are out there on the street right now aren't going to get a place. Quite honestly. So, if you would just reconsider, Mayor, before you make any final decisions, and think about using other options available to us, and get five times the people off the street for six months. I know that \$3.4 million, if we put it in the right places for shelters, and I know they're not permanent housing, but either as paying someone's rent, that's not permanent housing either, we could use existing buildings, schools, churches, whatever buildings are available, take that \$3.4 million and house 2,500 people for six months. Now, they will have the amenities, the kitchen, the showers, the bathrooms, like churches and schools do, but, even if we built a relief camp, just a barracks style, army style relief camp, and demanded that pretty much everybody that goes through the process are going to need to get a job. It's all about getting back to work. It's all about going back to school, all about getting your life together and putting the broken pieces back together. That's what we're going to offer at the shelters. But, to put \$3.4 million into the kitty of the landlords, where people more likely are going to end up back on the street, it's so repetitive. What we're doing now so repetitive, we're getting nowhere. These people, the neighbor committees, need you. St. John's, and all the rest of the communities need you. There's an explosion of homeless population on the street. It's getting very, very bad, so let's think about schools. I know that I've been told no. You can't have our schools. We've got lots of schools for sale. We're willing to sell them and rent them out to office space and buyers, but we cannot use them for shelters. They are our schools, right. So, I will cut off early. That's about it. I hope make the right decision this time. And if you choose to spend all this money on that project alone, just the families and the mentally ill, which I condone in essence, but, at least add to that, and don't make that your final thing, that that's all you are going to do for the homeless, you know, because we really do need to get people off the street. And as far as I'm concerned, once you offer that to people, once they have a place to go, and all that's left are the lawless, as you say, well, you know, I can't really help them. But, people need jobs. And they need a place to stay to get a job. So, think about the big picture, not just what's politically motivating you. Okay? [applause]

Hales: Thank you very much. Okay, I think that we have one more communication item, 1044.

Item 1044.

Hales: Karellen, are you here? Okay. Maybe next time then. Then let's move onto the time certain. Number 1045.

Moore-Love: Did you want to get to the consent calendar?

Hales: The consent calendar. Sorry, did it again. Yes, we have some revisions to the consent calendar. I have requested to return item 1049 to my office.

Moore-Love: Those are both on the regular agenda.

Hales: Boy, am I off today, yes, thank you.

Fritz: You're jet lagged.

Hales: Jet lag, I'll plead jet lag. Actually, it's me not putting on my glasses. Vanity is the greater problem. We have no requests, I believe, to remove items from the consent calendar. Is that correct? Anyone here want to request any -- alright, vote on the consent calendar please.

Roll on consent calendar.

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

[gavel pounded]

Hales: All right, now time certain.

Item 1045.

Fritz: Thank you, Mayor Hales, and thank you all for being here for this presentation. We're going to hear shortly from Parks, and then from the folks who are behind this wonderful concept. The greenway and south waterfront has been in the planning stages for decades, culminating in a 2004 design plan that was adopted by council resolution at that time. Today, we have short presentation on a concept emerging from the community to enhance and celebrate the maritime history along the greenway. This work is the brain child of Dr. Roger Gertenrich, a former mayor of Salem, who is now a south waterfront resident, I believe. And very much appreciate his work informing me about this project. Before we hear from Dr. Gertenrich, we want to provide some background, and also update the council and the community on the progress being made on the greenway. How this design concept could move forward with the greenway, and development -- as the development along it accelerates. Mike Abbaté, the Portland Parks & Recreation director, and Brett Horner, the planning and design manager will begin with a brief background report.

Mike Abbaté, Director, Portland Parks & Recreation: Thank you, Commissioner Fritz. Mayor, members of council, Mike Abbaté, director of Portland Parks here with Brett Horner, our planning and design manager. And as you know, much has changed in the ten years since the 2004 design plan for the Willamette greenway, including the addition of new bridge across the Willamette, located between the Marquam and the Ross Island. A large remediation and cleanup of the river bank on property owned by the Zidell Corporation, an updated street plan, actual development of many OHSU facilities, and Zidell-owned properties in the north district of south waterfront. And recently, in June of 2012, construction began on section of the greenway in the central district between Gibbs Street and Lane Street. Planning has evolved over time with regard to the greenway. Formally began with an ambitious 1969 plan, and here you could see a list of the relevant milestones, plans, and concepts that have gotten us to the point where we are today. Together, with all the development additions that I have just described, plus the long-term planning that we have, what lies before us next is solving for several critical links in the greenway. These links will complete city-wide mobility goals and capitalize on improved connectivity between downtown and the south waterfront. With that, I will ask the park planning design manager Brett Horner to walk us through our current status.

Brett Horner, Portland Parks & Recreation: Thank you, Mike. So, it's important to remember the south waterfront greenway is part of the larger Willamette greenway which stretches along the Willamette in Portland, and beyond. And is a statewide planning goal, state planning goal number 15. So, you see here, it's just one little piece of the entire greenway. This section in south waterfront of the greenway is a defining feature of the district. On something that will provide critical open space and river access within what will be and probably already is the highest density neighborhood in the state. Here you could see the goals set forth for the greenway as adopted by city council in 2003. As you could see, there are several goals for the greenway. And they are very much in line with the state planning goal. The greenway is currently under construction in the central district between Gibbs and Lane streets, and in this series of slides we'll be showing how it has transformed the river bank. Phase one of the project, which is from the water up to where, essentially, the top bank will be, will be substantially completed in December. And shown here is the ramp for light watercraft access down to the water that will be opening soon to the public. The new shallow water habitat for fish, you see on the left, and the new more gently sloping bank has been retransformed. So, what was looking like this, will look more like this. And again, this is really not the full after-picture yet. We're still working, as you could see, but you are getting an idea of what it is evolving into. River access is a big part of the greenway plan and much desired by the community. This ramp

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will allow kayak launching into the river, in an area of the river that virtually has had no public access for many decades.

Abbaté: The next phase, currently unfunded, is to build the portion of the greenway between the top of the bank and the existing residential towers. That includes the separated bicycle and pedestrian paths, overlooks, seating, and art. Working with Commissioner Fritz, we're putting together a strategy in place so we can start this work as soon as funds are identified. There's other funds, including --

Fish: You said that's unfunded?

Abbaté: Currently.

Fish: Is it budgeted in the urban renewal district?

Abbaté: No, sir.

Fish: So we don't have tif identified.

Abbaté: Not identified.

Fish: Okay.

Abbaté: Yeah. But, that's where I was going, is Parks SDCs, and we're working with Commissioner Fritz to look at Parks SDCs --

Fritz: System development charges.

Hales: Just so people know what the acronym is.

Abbaté: I apologize, thank you, thank you. I thought I got my commissioner name wrong again. But those are two sources of funds that we're looking at. And frankly, it would be tremendous to be able to move ahead. We already have a contractor mobilized in place, and to be able to roll into the next phase of construction. It will be coming back to you in December early January for some housekeeping contractual items now that the phase one construction, the river bank and all the remediation is complete, and to share in greater depth some of what we learned about working along the waterfront, and the challenges we've encountered. We continue to explore the funding opportunities to complete the greenway in the central district. And the north district, as well. So in 2015 -- 16, we expect to receive a \$500,000 grant to look at the unbuilt portions of the south waterfront greenway. So the north reach from Zidell property north up to the Marquam Bridge. This design effort will take the 2004 plan and the design features that will be constructed in the central district, including art that invokes maritime themes. There is a slide from the 2004 plan that shows just one little slice. This is a concept for the barge way. But looking at that north section, the upcoming design and engineering work for that will be a part of the opportunity as part a public process to bring forth ideas, such as the one that you are going to hear about in a moment. There have been several ideas for themes along the riverfront. Native American tribes have suggested some ideas about signage, naming, and even some of the design elements. But today, I would like to hand it over to Dr. Roger Gertenrich to explain his concept and idea for the north reach central district.

Fish: Can I ask a procedural question? Because it's fairly unusual for us to get presentations on community visions before there is a public process. So, is it your intention to bring all the other groups before us? Or will we have a public process that decides these questions and you come to us with a vision?

Abbaté: Working with Commissioner Fritz, and I think when we get to the point of design, there will be much -- it will be a very robust public process that would include a wide range of ideas, and many of which we probably haven't even heard yet.

Fritz: Commissioner Fish, after you have heard the presentation, I think that you will understand why I thought it merited having a brief presentation before us today.

Hales: Thank you. Other questions for staff? Roger, come on up. Good morning.

Roger Gertenrich: I want to thank Brett and Mike here. I've been talking with them, and they have been helping me guide along a bit on this project. I want to thank the council and especially,

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Commissioner Fritz for setting this time aside and allowing an unofficial, grassroots, bottom up, small group of retired seniors to report to you. I think that it's a good example of open government. Our maritime goal was out to answer just one question, and the question was, is there community support for an outdoor maritime display on the banks of the Willamette River here in Portland that would honor and celebrate Portland's history, maritime history both of the past and the present? And it would be free to the public. Not many things are free to the public any more. I don't have enough time to tell you how or why we got started but I want to tell you a bit about who we are. So, our team is here today, and I am going to introduce them, and I am going to ask them to hold our hands up, and when I do. The first person is absent, he could not make it today, and that is Dr. Ed Thompson. He's a professor emeritus of OHSU. In the past, he was one of seven directors picked by the Pentagon's DARP program, Defense Advance Research Project, which included the invention of the stealth bomber, GPS, and the internet. Although I'm not too sure about the internet, because I think that Al Gore said that he invented it. [laughter] The team is over there. And the first person is Frank Ansari. He is an engineer in the construction of dams. He also managed Jaguar dealership so if you are interested in a Jaguar, you might want to contact him. The next person is Don Hill. He is a mechanical engineer. He served in the U.S. Navy and U.S. Air Force as a jet pilot and worked in the private area on missile systems such as the Polaris missile. The next person is Jim Stroup, he is a retired Northwest and Delta airline pilot and he served in the U.S. Air Force. And the next person is my wife, Carol. She deserves more credit than anyone for making a strong contribution to the community, she was a middle school teacher, and that's -- it takes a lot to do that. She also was a past owner of the wool gallery, which is a mail order business dealing in imported Swedish yarns. I am a dentist, and I served seven years on the city council in Salem, both as a city councilor and Mayor. I served in the U.S. Army and Korea. We feel it's an honor and a privilege for us to meet and learn so much from so many people of Portland. Personally, this has been a fun project for me. Everybody has a story to tell. I just can't wait for the next story. There's ship-building stories. There's stories about the design of an American -- a Native American canoe paddle. There are people that have said, have you checked into the Belgium blocks? I had no idea what they were but, I do now. So it's been a really educational thing, and I am going to get right to the support that we found out when we went out there. It's been almost a two-year project. First, we talked to individuals. And when it comes to individuals, what we did, is we got signup sheets, so we got dozens people signed up in support. Key individuals that you would be aware of would be Powell's bookstore owner, Michael Powell; local historian Chet Orloff, former Mayor Vera Katz and just this week, former secretary of state Norma Paulus, wanted to be included. The next group is one that took a lot of time. We went to 27 organizations, and every single organization gave us a letter support. They are the Oregon Maritime Museum, they have a lot of artifacts and storage including the battleships, Oregon smokestacks, and its anchor. The anchor is laying out there in the ground out there covered with weeds. And it has a story to tell. The PT Boat Inc., the Oregon World War II Memorial Foundation, the Amphibious Forces Memorial Museum LCI 713, that's a ship. The JHI Engineering, they're building with a daycare center, they're located by the tram. And that daycare center served the Rosie Riveters and the Wendy Welders. One-third of the workforce in that period of time were women. And these daycare centers were set up to service and take care of their children. They want to contribute their engineering services. Next, the Oregon Health and Science University, they're a major landowner. The south waterfront community association, the South Portland neighborhood association, the Oregon Historical Society, they said if you cut a ribbon on this they will put a special maritime display in their building. The office of healthy and working rivers, which I wish were still there, they were very helpful. The river is a very important part of our community and should be -- gain strength rather than see it go away. The south waterfront nature and green spaces committee. The next one is a very important one, the working waterfront coalition. People don't know what that is. That's another 27 companies that hire 40,000 people and contribute

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\$1 billion into our economy today. They represent today's maritime history, they want to be part of this. They want to contribute. And I am thinking in a significant way, if you ask them. I just got a call from the Port of Portland, and they have the Oregon dredge, a huge ship that dredges, and they have a big pump, and they said, do you want to take a look at it and I said, absolutely. And if it's big, I want to take a peek at that because there is a lot of dredge history. This maritime history needs to be out where it can be seen and where people can learn from it. We got a letter from the Portland parks foundation, a letter from the regional art and culture council, they have 2% potential grant possibility. They are a major contribution because you want to interject the culture and to any project that do down there, it's important to have the culture involved. The Portland Spirit, and they did not come by easy, by the way, and they are not too happy with a lot of government things. It took me about two hours, I think.

Fish: Now get a check.

Gertenrich: OMSI, they love the idea because they see their people coming right over the new bridge right into the middle of this display. The U.S. Navy league, the river place planned community. The next one is a very important one, the Kaiser Permanente. Took me a while to convince them that they had a reason to become aboard, they are now a medical facility but they started out as a ship building. They built hundreds and hundreds of ships. And then they took care their people and became a medical thing. Many of their people were housed in Vanport, people don't know about Vanport, they should know about it. It was the second biggest city in World War II in Oregon. And it was a home to many of the workers who were Native Americans, Native Africans. And it was the birthplace of Portland State University, by the way. 100,000 people moved to Portland during World War II. It increased Portland's population 35%. That's a significant piece of history that people need to know about. This maritime history needs to be out there where it can be seen and where people learn from it. Another letter from the national college of national medicine, we got a letter from the Columbia River fish commission, one from the hood-to-coast relay, one from the march wellness and health center. The next one is very important, Zidell Corporation gave us a very strong letter, they intend to be involved. They are saving artifacts, they have 33 -- 32 artifacts. I almost said 33 because they have the big ship bell that they said they might not give. And I would like to see them give it because I would like to see that blown at certain periods of time. It's a huge thing. They own almost all of the land. Almost all of the land this would go on. They have done all the heavy lifting, the cleanup is done, it's flat, it's ready for a bike trail. This maritime history needs to be out there where it can be seen and where it can be learned from. The next one is a very important one, the Native Americans. Just this week, the Grand Ronde confederate tribes came aboard. They were the first living people on the river, with the exception of the salmon, and maybe the original ducks and beavers. They represent the early maritime history and they have a lot of stories to tell. We gave them, as Caucasians, diseases that wiped out 97% of the population. That story is important for people to know about. That maritime history needs to be out there where it can be seen and where we can learn from it. Just this week, I got yesterday, I got the last -- a letter from the U.S. Army Corps of Engineers. They said all ten of their commanders nodded like that when they heard about this project. They think it's a great idea. In summary, the Oregon maritime display will be free to the public, low in cost, low in maintenance. There's not much maintenance to an anchor, and nobody's going to pick it up and steal it. The land is designated by the City as a Willamette river greenway. The project requires no building. No building. No capital costs. No operation costs. All the artifacts would be donated. You don't buy any of them. Many of the displays would be donated, all you have to do is ask, but you have to ask. If you pick up the phone, Mayor, and ask the working waterfront to do a display, I think that they will say, yes. And those displays come -- are expensive. I would ask them to maintain it a little bit, too. I think that the same could be said of Zidell's and the American Natives, as well as some of these others. Funding, as we mentioned that Commissioner Fish asked about funding, there is \$2 million in the north macadam

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and urban renewal budget to the year 2016. Every three months, a million dollars goes into that fund. So, it would be, I think, not unreasonable to ask for few more million to be put in that because urban renewal is to increase the tax base, but it's also to make the place where we live a better place to live and work. Most of that money goes for infrastructure. OHSU is tax-exempt, and that's okay, but two months' supply, once in a while you can increase that. And of course, there is the money that Mike Abbaté mentioned in terms of the grant. In conclusion, the maritime historical artifacts lining the edge of the paths -- so I see it as a linear thing, as you walk down that path, there would be these displays, big anchors and things with markers and QR codes on them to tell what they are. And one section of the Willamette River, just one section you would set aside for the maritime history. This is a one-time unique opportunity, if you miss this opportunity and that goes away, you are not going to get that maritime history up in that river again. What the city needs to do, in my opinion, is to prioritize this project. Give it a priority. This project needs to be put in the waiting line for projects to be done. It doesn't have to be in front of the line, it just has to be in the line. To answer the question, does the community support an outdoor maritime display that celebrates and honors our Portland maritime history both past and present? The answer is yes. If you have any comments and questions, I am open to them.

Hales: Roger, thank you very much. Questions or comments?

Saltzman: This sounds great. I just want to make sure that I understand. You are talking about a series of artifacts, maybe for lack a better word, along the greenway trail.

Gertenrich: Yeah. We have dozens and dozens laying out there in the weeds. Tons of anchors, you could have an anchor roll. The Native Americans have -- just last week, they said, well they might build a dugout. There's a dragon boat that could go there, there's dredges. It just -- what's going to happen is just it's going to blossom. Every project that's ever been done, I've done several of them, they start out -- it starts out as World War II, and then it just -- it went like that to everything. The only people that I haven't been able to get to are the tugboat guys. They don't -- they have a chip on their shoulder about government, but I hope to get to them. But, I think that you will see --

Saltzman: You've got the Portland spirit. [laughter]

Fish: Roger, will be our ambassador at large on this?

Gertenrich: I would love that.

Fish: I have a couple questions if I could, also. First of all, because I heard from Roger on monthly basis when I was the Parks Commissioner, I want to begin by saying that he is the most persistent person behind a vision that I dealt with when I was the Parks Commissioner. I say that as a compliment. But, I have some concerns about this approach that I want to put on the record because I think it will help to shape our discussion. I understand, and am drawn to your vision of honoring the maritime history of that site. As you know, once upon a time we thought of naming the new affordable housing development Liberty Landing, until John Gray's name was proposed, and we went with John Gray because he carried the silver star. And he was an affordable housing advocate. So we thought that was, in fact, a way to honor his service in some of the maritime history. The concern that I have right now is that we have a framework that the council has adopted, which has a very specific set of guidelines for how we're going to do the greenway. And it has, in its concept, a place for some maritime history, although, the framework the council previously reviewed and adopted looks at it as public art and calls for the re-purposing of some of that scrap metal and some of that historical stuff as art. You are proposing an evolution of that, which is maritime time history in some way. And I will tell you that that the concern I have is that while I want to embrace your grassroots effort today, there are others that are in the queue that have equally passionate views about what should happen to that greenway. And I remember when we opened Elizabeth Carruthers Park, and I learned from the Native American community -- with all due respect, the Grand Ronde is not located in Portland. The Grand Ronde has treaty rights here, but there are a host of other Native American groups that were at our opening, and we had Native drummers, and we had

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speeches. And what they said loud and clear was that Portland had failed to honor the Native legacy of the first peoples here, and that they had a vision of this greenway being a place where we would set the record straight. So, I say that because, my guess is that like a lot of issues we deal with, there are going to be competing vision from people who are very well intentioned. And I just want to -- I want to be clear that for me, there has to be a process for the community to resolve that, and not just a series of events where people come and pitch good ideas here, and I appreciate all the work you have done because I think you are the most persistent person I have dealt with, and I say that as a compliment. But, this -- there is another piece of the history there that predates the maritime history. And I, for one, believe that it is time that we got past honoring the pioneers who came after them, and the folks who made the initiations for war, and go back to the original peoples and honor them, and I think that this greenway gives us a unique opportunity. So, without throwing cold water on this, I just want to put down that marker down because there is an ongoing discussion about that vision, and it sounds like it's time to engage the community again about maybe updating this vision. But I think it needs to be done outside of the chambers and I think it has to be done with people who often don't have a voice in the chambers. And I think that the Native American vision for this, for me, is the most compelling presented to me as a leader. And I would want them to have a full voice for how we could reclaim their history on this greenway, consistent with the vision that the community has already developed, which is a greenway which is not a museum, but is a community resource. So, I just offer that as a balance because I think that it's important, and I don't want us to be picking winners and losers prematurely.

Gertenrich: Let me respond, you didn't throw cold water on it. You just warmed it up because I'm saying, it goes back to the maritime history of the past. It includes of the Native Americans, they are the early history, they were the first on the river, and their history can be a major part of this. But it shouldn't preclude the other maritime history. I am talking about all maritime history, and that's inclusive, but, indeed, when this comes to the public hearing, any competing proposals is on the table. And if there is a better proposal than this one, that's the one that you should pick.

Fish: Roger, my comment is not directed to you because we don't typically have proposals come in advance in a public forum to the council for comment, because in my view, what that does is skews the process. And I appreciate very much your enthusiasm, but I think that we're putting the cart before the horse here, and frankly, your vision would need -- we would need to reopen a vision for that greenway to accommodate this vision, and I don't feel like that is my view -- my role. I think it's the community's role. And many of the artifacts you are talking about go back to the history of this community where we built warships and military ships, and that's a very important to honor, but I personally just don't know whether that's the first priority of this particular greenway. And I don't feel like it is for us today to call that question.

Fritz: We're not voting on this. It is a presentation. And a lot of work has been gone into this particular concept. We don't own the land just yet. So, just like when we had a whole bunch of folks in the Colwood hearing about the rezoning coming to ask us about how that would be developed, that happened fairly organically and my response was first, we have to own the land and then we have to do a planning process, then we have to figure out how to pay for anything, and we do the construction. That is still to come here. One of Dr. Gertenrich's suggestions before was that the doctor was going to have the group sign up for five, three-minute spots under citizen testimony, which is another way of giving a 15-minute presentation. I felt that it was going to be more useful to have this kind of a conversation so that you could make exactly the response that you did, Commissioner Fish, even though I didn't know you were planning to say that. This is opening up the on-going conversation, but we're not even, actually, at this time, ready for that -- to go back to the greenway framework and discuss things. There's many other steps. This is a presentation about this concept because I think that it's interesting, and I think that the community would think it was interesting.

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Gertenrich: Ultimately the people make the choice for you when the public hearings come.

Novick: I thought it was interesting and I really appreciate this discussion. And it prompts three totally random comments, Mr. Mayor, if you will indulge me. One is that I encourage everybody to visit the Columbia River maritime museum in Astoria, which is a fascinating place to visit. And two, I have to say in defense of Al Gore, that Vint Cerf, who is commonly referred to as the father of the internet, gave Al Gore a lot of credit for funding the initial work. And third, this may be the wrong place to raise this, but there happens to be park in my neighborhood called Custer Park. And I don't know if it's named after George Armstrong Custer, but I was thinking that given the people might assume that it is, that might provide us an opportunity to honor one of our -- part of our Native American history. I was thinking Crazy Horse Park but that was lazy of me, and maybe we could pick a local native historical figure.

Fritz: We have a lot of public process in Parks just as we have in other areas of government, and there is a naming and renaming policy. So, if the community wanted to do that, we could consider putting it on our to-do list, but I'm seeing my director challenged already by the number of staff that we have and the number of requests that we have, which -- so that was why we wanted to give a grassroots organization who has done a lot of legwork an opportunities to come present their concept, and I appreciate it.

Gertenrich: Mayor, at your fundraiser, I asked you that question, could a basic idea of grassroots be successful, and you said yes, and you said, bring it back to you when you got elected. And of course, I did that. So, that's where I am at.

Fritz: Check that one off.

Hales: I appreciate that, and I want to reflect one on this sort of persistent positive approach that you're taking to this idea, and that you are being very inclusive of other people's suggestions and ideas, other constituencies of the river and so I think that that's absolutely the right approach. And you know, we have a history in Portland of this kind of advocacy getting us somewhere, whether it's a downtown public square or Forest Park, in both cases there was persistent positive advocacy from somebody in the community that organized their neighbors to work on something. And that's -- I appreciate so much, you and your partners doing this. Actually I was reflecting on a previous presentation in this council chambers about 20 years ago, that actually, was -- had a champion on the council then, as we do here with you now. Gretchen Kafoury talking about the really crazy idea of relocating the completely derelict Simon Benson house up the street and onto the PSU campus as a student center. And frankly, I didn't say anything, but I thought she was nuts, I thought that building was too far gone to save. So sometimes, these presentations at the early stage seem a little whimsical and one wonders, can it be done? And I think that the only way to find out is to do what you are doing, which is to keep taking in new ideas, and positive suggestions, and keep trying to gather more allies, as you have so effectively done. So, I think you are on the right path in putting this idea forward. And I appreciate Commissioner Fritz putting this on the council calendar today so that we could see as a body what you're up to. And hopefully, this feedback you are getting from us --

Gertenrich: And the staff have been very helpful, by the way, in helping me keep on the relatively - on the track because there is a tendency to take off.

Fish: Mayor, I think that we should acknowledge the gratitude that we have that the former Mayor of Salem chose Portland for his retirement. We appreciate that very much.

Hales: It's great.

Fritz: Thank you.

Hales: Yeah, thank you all, very well done. Anybody else that wanted to speak?

Moore-Love: I didn't have sign-up sheet but people are requesting to testify.

Hales: Okay. Come on up. Good morning.

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Lightning: Good morning. My name is Lightning. First of all, I'd like to thank the doctor for looking in this area, the maritime history. I think it's very important to view the river, and also understand the history of what we have, and the importance of the river in Portland. Because one of the things that I really think needs to be looked at also on some of the future bike trails -- and I've mentioned that before -- one of the most amazing things to me on the east bank esplanade is when you walk, you can ride your bike, you can actually sit on the benches, you can fish there. But what really is amazing to me is they actually have the Kevin Duckworth dock over there, and that really brings the whole river together, because what you have is the boaters coming in by boat, they tie off, they take their bikes off the back of their boat, they go on the trail, they talk with the people fishing. And I think that's such an important thing to have on these trails, to actually be out on the water with some of these walkways because it really brings the community together as a whole. What I want to see is a little more input from the boating community on these projects. And maybe a name like sundance yacht sales, rick buck. People like that who really have an interest in seeing the boater community come together and be part of the river. And as you know, we have SKS wave runners. We have all these different groups out there on the river. But we need to bring these bike paths to these boaters, too, and keep them part of the process because we're talking about maritime history here. And who has a better understanding of maritime history than the boating community in this city? It is imperative that they have their voice, that they have an input on this, and this is bringing everybody together, and I -- one of the people that did the art project in front of city hall, and carved out a canoe and various things like that. I have a tremendous respect for the Native Americans and what they have done, but this whole process is bringing everybody together, and the history together, on the river. And truly enjoying the river for what it's meant to be. Thank you.

Hales: Thank you. Good morning.

Joe Walsh: My name is Joe Walsh. I'm speaking only for myself because we have not taken a position on this. I'm in agreement with Commissioner Nick Fish. Don't tell him that I'm in agreement with him, because he won't believe it. I think, if I understand what you are saying, is that there are other entities that are concerned about this land and how it's used. The presentation that you heard sounds really good. But many of the people that are involved in this, with their short bios that I heard, are very militaristic. They have a military background. So do I. But, that makes me a little nervous about this maritime museum, it could go a number of different directions. If you have a lot of military people involved in it, we're going to end up with a very military maritime museum. And that would be a disaster. I would ask Commissioner Fish to get in touch with those entities that he's concerned about, and have them come before you and do a presentation. I didn't understand why you were doing a presentation now. Don't own the land, you don't have the money. And it seems, in its infancy -- are you giving this organization or group an advantage over the other ones by doing it now? And making it public? That's one of my concerns. I couldn't figure out why you were doing it now if don't own the land, and you don't have the money, and you can't build it. Is that an advantage to have this group come before you now? So, I would just suggest that the other groups involved in this, Native Americans, and anybody else that has a concern about this land and how it is used, have the opportunity and get invited to come before you and tell you what they would like to see, and their vision. It's one thing to say that this is a huge vision that's going to incorporate everybody, but, it's a very small group that's going to make those decisions. And that always makes me nervous. I would not want to be part of this group unless it was a lot larger. So, I don't trust my own instincts, and my own prejudices, so would small group of dedicated, persistent people -- and I heard that word used a lot. And that makes me nervous. Invite the other groups in to talk to you. That would be fair. At this stage, because you allowed this group to come in and talk to you at this stage. And then, have public testimony about what we think about which way we should go. Thank you.

Hales: Thank you. Anyone else?

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Fritz: Thank you for testifying, and thank you all for being here today. And for the hard work you have done.

Hales: We have one more.

Fritz: Oh, sorry.

Moore-Love: Was there a Michael Karnosh? Did you want to speak on this item? The maritime? Come up, and anybody else who wants to speak on the maritime item. Thank you.

Susan Spitzer: My name is Susan Spitzer, I'm vice president of the Oregon maritime museum, which is here in Portland and has been here for 33 years. We are an inclusive museum. We represent the entire maritime history of the area. We may not fully represent the Native Americans, I'm afraid. I don't think that our archives contain much Native American material. We are not, according to the previous testimony, a military museum. We reflect the working river, we even reflect the tugboats. Our boat is a tugboat. I want to thank you for allowing us to speak. I think that it is a bit early in the game, but we're very enthusiastic because Roger, as you know, has been very persistent. When he came to us, we immediately agreed that we would support his efforts. That means that we will ultimately probably be one of the places that can supply stuff. We have stuff, we have anchors, we have a tugboat, we have pieces from the battleship Oregon, we have things that represent Kaiser. And those can be incorporated into a sturdy outdoor exhibit that we think represents the meaningful relationship that this city has to its river. I want to thank you. I thank Roger for being a cheerleader for this cause and I hope that you also will ultimately be. I understand that this is a long process. And I just thank you to letting us speak at this time.

Michael Karnosh: Hello and good morning. I am Michael Karnosh, I work for the Confederated Tribes of Grand Ronde. And I won't go into details about the tribe's 10,000 plus-year history in the area, but the Multnomah, Clackamas, [indistinguishable] and [indistinguishable] peoples were master canoe builders and still are. Over the past dozen or so years, there's been a big resurgence in the canoe culture, not only at Grand Ronde, but amongst all the tribes in the northwest. I'm just here to say that for the tribe, the tribe very excited to hear about this, and the tribe looks forward to the opportunity to be able to tell its part of the maritime story. No matter what stakeholders are at the table, no matter what the process is or what's decided. That, you know, I'm hearing loud and clear that decision has not been made, and this is not the place to do it right now, but, I'm just hear to thank Roger and to say that the tribe is excited.

Hales: Thank you.

Fish: Can I just say, for the benefit for our friends at the Grand Ronde, since, in the last three or four years, we've actually been organizing government-to-government communications, exchanges, frame works. I saw Warren Jimenez here earlier, I know he's been involved in that, and I appreciate the fact that in those discussions you've been very clear that you would like to see a naming opportunity for greenway, and you would like to see historical markers that remind the public of the great history. And I think having you at the table is very important, as would, frankly, having NAYA and NARA and some of the local groups that you collaborate with at the table. They also have a voice in this. And I think it's great to see you here, and this I think is an offshoot of the ongoing discussions that we have had about public spaces, history, co-use, naming, and I feel better about this enterprise knowing that you are speaking loudly at the table about the vision that you have previously articulated for our greenway. Thank you.

Karnosh: Thank you.

Hales: Thanks very much. Commissioner Fritz.

Fritz: Thanks to everybody. This has been a good discussion. We are sometimes accused on city council of only bringing things that are fully packaged and done deals to council. And this is not one of those. This is great -- a lot of hard work has been done with this concept. I wanted folks to know in the community that this -- these conversations are happening. There are others who have different suggestions for what might happen. We are not yet ready to do the planning process to look at the

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framework and to figure out the design of the greenway in this section. We have other sections that we actually do have ownership or easements over that are priorities for funding at this time, coming right up, and I will be bringing that back to council shortly. I appreciate the time that you have put into this and the robust discussion we've had up here. A little different but a good thing. Thank you.

Hales: Here, here. Thank you all. Okay. Next item, please, Karla.

Item 1048.

Hales: I don't believe that we have a presentation on this this morning, unless there are council questions. Anyone signed up to testify?

Moore-Love: I did not have a sign-up sheet.

Hales: If not, then that moves to a second reading. [gavel pounded] And then, item 1049.

Item 1049.

Hales: I have requested this item be returned to my office. So, if there is no objection. [gavel pounded] It is.

Item 1050.

Hales: Good morning. Christine, are you on first?

Christine Moody, Bureau of Internal Business Services: Good morning, Mayor and Commissioners. Christine Moody, procurement services. We are asking for an exemption to the traditional low-bid process using an RFP process to select a construction manager, general contractor, for the streetcar relocation project. This project involves technical, complexities that require specialized expertise for its construction within a very tight time frame. This project has a series unique construction requirements not normally encountered on public works project, and construction must be completed by January 2015 to meet the funding requirements of the Connect Oregon grant. Procurement services and the Portland bureau of transportation will conduct a competitive RFP process to collect the CM/GC, using this process will result in substantial cost savings to the public because the CM/GC will participate in value engineering and constructability reviews, and will develop a construction phasing plan and a well-coordinated project schedule. Using a CM/GC will also allow the city to negotiate with the selected contractor, a minority women and emerging small business subcontractor and workforce plan. This method has proven to be successful in achieving results and is part of the social equity contracting strategy. The engineer's estimate for the CM/GC is 2.5 million and includes cost for the preconstruction services and construction of this project. I am going to turn this over to Kathryn Levine if the city council has any additional questions on the technical pieces this project.

Hales: Okay, Chris and Kathryn are here to answer questions or any more information we need for this.

Saltzman: I thought it was a budget of 3.7 million. So when you said 2.5 million.

Kathryn Levine, Portland Bureau of Transportation: The total project cost currently estimated at \$3.7 million. That's correct.

Hales: But the grant makes up the difference?

Levine: The figure that Christine was quoting was related specifically to the construction contract and related services.

Saltzman: So the CM/GC contractor. And how much -- what's a guess of what we can say for value engineering on this? I mean, order of magnitude?

Hales: You mean going through this process?

Saltzman: Yeah, I mean, to me it seems like relatively a small project, but kind of pushes the margin of whether it's an appropriate CM/GC project versus a low bid. So, what are we going to gain? I know that the minority contracting is certainly a valid point, but, it's also mentioned in here, significantly, that value engineering is going to reduce the cost, so, give me a ballpark estimate on what we would expect off of that 3.7 million through value engineering.

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Chris Armes, Portland Bureau of Transportation: I don't know if we can give you a specific dollar figure but what it does allow is the contractor to be involved in the track procurement and the -- we know that they will have the overhead experience. So there are complexities in the project, even though it's a small segment, there is a complexity that we don't normally have in the project because of the type of work.

Saltzman: Given the streetcar track we've laid in the city, this is somehow more complex than we have done elsewhere? I realize that we have probably used CM/GC for most of our streetcar system.

Hales: We have.

Armes: But for all of the previous projects, they've been CM/GC. And so we did have a conversation about looking at a pre-qualification process or a CM/GC process, and after a lot of discussion, we felt that CM/GC provided the best opportunity for us to get a contractor that had the experience with this work.

Fritz: How many contractors do have experience with this kind of work?

Armes: There are three that I know of in the Portland area, which is [indistinguishable], which is in a joint venture right now with Stacy Witbeck, and then Kiewit, which also worked with Stacy Witbeck. So, there's three that I know of in the area right now, and we're hoping that there will be several RFP responses, so we'll have a competitive review of that.

Fritz: But it will all come back to Stacy Witbeck?

Armes: Well, not necessarily. They have been the prime for previous streetcar projects but they have had joint ventures with other contractors.

Fritz: I look to the Mayor, your experience of streetcar development over the country, are there other contractors in other places that might want to bid on this and might -- how might the difference between this approach versus the low bid affect their ability to bid?

Hales: I think that there are other contractors nationally that are interested in this kind of work. But the trouble is that this project is so small and so particular to our system that frankly, I think negotiated approach rather than a traditional competitive approach is going to do us better service. Realistically it's just too small and too specialized to have the other players that are now nationally doing more work, bother to come to Portland, frankly.

Fritz: How do we -- to follow-up on Commissioner Saltzman's line of questioning, how do we know that we are getting a good price?

Hales: The negotiating ability our team.

Armes: We will develop an independent estimate before our contractor, so then we will negotiate prices. We will have a base what the cost is for construction.

Fritz: And in previous streetcar contracts, there's been a huge overhead markup. Is there something that we can do about that prospectively for this one?

Armes: When you are referring to overhead, is that the contractor's fee or is that the overhead for City's cost?

Fritz: No, the contractor's -- the pass-through overhead.

Armes: So in our RFP we outline what is included in their fee, whether it is home office overhead, and those types of items and they put that in the RFP response, what the fee is, once we outline for them what should be included in their fee, so there is profits.

Fritz: That's something that I'd like to be different from the previous contracts. There was a particular employee who was -- a couple of years ago, who was -- they got a new person into the job, and they had more experience so they wanted to pay that person based on their experience. And as a course of looking at that, which was a \$20,000 contract, it was not -- the amount of money wasn't that big but it turned out that \$20,000, \$7000 went to the contractor rather than to the employee. So, that was like a third of the price was overhead. So, that's -- I am concerned, Christine remembers that particular case. And so I would like you to look at that for this contract. The other

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question that I have for the Mayor and Commissioner Novick is about moving forward with this contract when we are not sure how we're going to pay for the contract.

Hales: That is work in progress, as I think it will involve a mixture of both urban renewal tax increment and general fund dollars to fully fund the work. You know, there's some revenue now flowing from the education, urban renewal district that's cash flow. Doesn't necessarily involve debt, so we don't have to cross the threshold of incurring debt for that district. And there is also the option of using general fund.

Fritz: So when are we going to have that discussion?

Hales: Next week with the bump, I think.

Novick: There is some urgency here because, Kathryn, could you explain the situation we're in with the state and putting the \$1.9 million at risk?

Levine: That's correct. The Connect Oregon grant has deadline for completion of construction at the end of this year, so we're moving forward to release the RFP for the CM/GC to go through the evaluation. Part of the evaluation will be looking at what the proposers identify as their profit margin, as their fee. So that will be an explicit part of the evaluation process, and we'll be able to compare among the proposers on that point. We do have \$1.9 million from the Connect Oregon three grant. It does expire at the end of the year. We are under a very tight time line at this point because when the grant was originally accepted in 2010, it was done so with the assumption that this double track was going to be part the Oregon sustainability center. So, it was caught up in the time line for that redevelopment. When that project ceased moving forward, this project was then rescoped, and became a double track alignment in the street. But, certainly, coordination with the OSC took a considerable amount of time and puts us in jeopardy of not completing the project by the grant funding deadline.

Fish: Can I be heard on this? This is a very useful -- it's a very helpful colloquy. So, Commissioner Fritz has raised a couple of questions that are very important to me. So, number one, it's my understanding that there may or may not be a future discussion about the education URA, but that now based on our most current thinking, we don't have to call that question in the next week.

Hales: That's correct.

Fish: Second, while there was a place holder in a bump document that I saw for potentially some general fund money, I understand that by identifying money within the education URA, it's non debt, that's in the account--

Hales: Right.

Fish: That to the extent there is a shortfall that may be included in the bump, it is now south of \$250,000. Which is different than, I believe, the placeholder that was over a million.

Hales: That's right.

Fish: And then in my conversation with Commissioner Novick, I'm also sensitive to the fact that there is a timing question in terms of the grant. So, because we are not deciding the future of the urban renewal district, which, by the way, council has already adopted, but the council could revisit that. Because the bump ask would be south of 250, if necessary, to cover our gap and because of the timing issue, I am comfortable proceeding, but I wasn't until I had those issues clarified, and those are important issues to me.

Novick: And in further answer to Commissioner Fritz's question, I mean, the time -- we would not be bringing this to you today if we weren't in danger of missing our commitment to the state in terms of timing. So, I felt like we had to bring this issue today and even -- you know, we can always pull back the RFP if we decided for some reason that we aren't going to fund this at all. But in terms of -- we're worried that we're missing our chance to meet the time line entirely.

Fritz: Right. I appreciate that and am willing to support this ordinance. I would like a commitment that we get the specifics next week as part of the bump, because I didn't have the information that

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Commissioner Fish had about the different areas of money, or what kind general fund ask we're being -- that might be coming.

Hales: Yep, we should be able to detail that.

Fritz: So, we will have a rundown on that next week, as a separate thing. The challenge with the budget monitoring process is there's a whole bunch of things on the list, and I want to make sure that this is a very important one. And as Commissioner Fish said, it brings up other questions.

Fish: And since I share the same questions. But based on the representation that the Mayor -- our conversation yesterday during our regular check-in, I'm satisfied that we're not bootstrapping that discussion now, and it's not necessary for us to decide that question. Because there's money available in the district that's non-debt that we can grab.

Fritz: It would have been helpful had I had that information, also.

Hales: This says evolved. Let's say it that way. And the deadline looms, so a lot of fast footwork has been necessary on the staff's part to get us to this point. We'll get that detail of what the likely request for general funds to the bump will be before us next week. Okay. Further questions for staff? Anyone signed up to testify on this?

Moore-Love: We have one person, Shedrick Wilkins.

Hales: Come on up. Thank you very much. Good morning.

Shedrick Wilkins: I agree with the Mayor. I think the west side streetcars are great. And they go up and down and they make this way that we can have health care between Good Sam all the way down to the others, the stem cell research center by the waterfront. But I do have problem with streetcars on the east side, and people honk all the time. This is my personal thing, so -- I don't know if one should, should expand the streetcars, really, on the east side or doing anything like that. So, the idea of opening things up nationally, is not a good idea.

Hales: Alright, thank you. Thanks very much. Okay. Any further council discussion? This is an emergency ordinance. So let's take a roll call.

Item 1050 roll.

Novick: Aye.

Fritz: Thanks to Christine Moody and her team for their usual good presentation and work. Aye.

Fish: Aye.

Saltzman: Aye.

Hales: Aye. [gavel pounded]

Hales: Thank you very much.

Item 1051.

Hales: This carries out a council directive in the budget but because we have moved the fall budget management process decision to next week, I am going to move this to next week's calendar if there is no objection. [gavel pounded] Next week. November 13th, rather.

Item 1052.

Hales: Commissioner Saltzman.

Saltzman: This is the second reading.

Hales: Oh, sorry. You had this last week.

Fritz: We took care of it for you last week.

Hales: Roll call.

Item 1052 roll.

Novick: Darn, I had a pun worked out for this, and now I forgot what it was. [laughter] Aye.

Fritz: Good work on this. Aye.

Fish: Thank you for bringing this forward, Dan. This is one of the great rituals of our fire bureau that we were able to take equipment and share it with the sister city. And I think that the most amazing part of this is that historically, the bomberos have come up here and driven these vehicles on i-5 back to Mexico, which is astonishing. Good job. Aye.

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Saltzman: Well, that is indeed a long journey. I just want to thank the fire bureau for helping to identify this apparatus to help our friends in our sister city Guadalajara, Mexico. These apparatus will make them safer and further solidify the great relations between Guadalajara and Portland. Aye.

Hales: Great work. Aye. [gavel pounded]

Hales: And we are adjourned until next week.

At 11:00 a.m., Council adjourned.