



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **20TH DAY OF JULY, 2016** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Novick and Saltzman, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Judy Prosper, Deputy City Attorney; and Jason King and Mike Cohen, Sergeants at Arms.

On a Y-4 roll call, the Consent Agenda was adopted.

The meeting adjourned at 10:24 a.m. and reconvened at 10:25 a.m.

COMMUNICATIONS		Disposition:
830	Request of Sarah Hobbs to address Council regarding American Foundation for Suicide Prevention Portland Out of the Darkness Walk (Communication)	PLACED ON FILE
831	Request of Nancy Schultz to address Council regarding Vancouver proposed oil terminal and transport of oil by rail (Communication)	PLACED ON FILE
832	Request of Aletha Bonner-Doherty to address Council regarding Homelessness: Closing The Revolving Door – A new approach (Communication)	PLACED ON FILE
833	Request of Matthew Sanders to address Council regarding passing ordinances to put limits on door-to-door solicitors (Communication)	PLACED ON FILE
834	Request of Meg Hanson to address Council regarding action on demolition permits issued for Historic Resources in violation of OAR 660-023-0200(9) (Communication)	PLACED ON FILE
CONSENT AGENDA – NO DISCUSSION		
Mayor Charlie Hales		
835	Appoint Whit Middlecoff to the Adjustment Committee for a term to expire July 19, 2020 (Report) (Y-4)	CONFIRMED

July 20, 2016

836	Reappoint Joseph Mark Campbell to the Investment Advisory Committee for a term to expire July 23, 2018 (Report) (Y-4)	CONFIRMED
Office of Management and Finance		
*837	Pay claims of Kyle Aukland and Meghan Graham for the total sum of \$43,227 involving the Police Bureau (Ordinance) (Y-4)	187896
*838	Pay claims of Aleksey Protopopov and David Kovalenko in the total sum of \$21,689 involving the Police Bureau (Ordinance) (Y-4)	187897
*839	Pay claim of Todd Torland in the sum of \$120,000 involving the Water Bureau (Ordinance) (Y-4)	187898
*840	Authorize a contract with MCA Architects, PC for architectural and engineering services for new construction and major retrofits for Sears Fuel Facility for a total not-to-exceed amount of \$357,877 (Ordinance; Contract No. 30005249) (Y-4)	187899
Commissioner Dan Saltzman Portland Housing Bureau		
841	Authorize Intergovernmental Agreement with Multnomah County and the City of Gresham for \$3,500 and \$10,000 respectively for production of updates to the Consolidated Plan fiscal years 2016-2020, annual Action Plan FY 2017-2018, Analysis of Impediments to Fair Housing, updates and other plans and performance reports as requested of the Consortium by HUD (Second Reading Agenda 817) (Y-4)	187900
Commissioner Steve Novick Bureau of Transportation		
842	Authorize a grant agreement with Clackamas Community College in the amount of \$12,000 for the production of a pedestrian safety Public Service Announcement in partnership with Representative Jeff Reardon, Clackamas Community College and Clackamas County (Ordinance)	PASSED TO SECOND READING JULY 27, 2016 9:30 AM
REGULAR AGENDA		
Mayor Charlie Hales Bureau of Planning & Sustainability		
*843	Accept and appropriate a grant in the amount of \$35,700 from Oregon Department of Environment Quality to support deconstruction workforce training and authorize an Intergovernmental Agreement (Ordinance) 10 minutes requested (Y-4)	187901

July 20, 2016

Bureau of Police		
*844	Authorize an Intergovernmental Agreement with Metro for Regional Illegal Dumping Patrol services (Previous Agenda 820)	RESCHEDULED TO JULY 27, 2016 AT 9:30 AM
Office of Management and Finance		
845	Accept bid of Tice Electric Company for the 2015 Traffic Signal Rebuild – Rebid for \$1,009,904 (Procurement Report – Bid No. 00000287) Motion to accept report: Moved by Fish and seconded by Saltzman. (Y-4)	ACCEPTED PREPARE CONTRACT
846	Accept bid of FD Thomas, Inc. for the Smart Park & North Precinct Repair and Recoating Project for \$1,095,093 (Procurement Report – Bid No. 00000298) Motion to accept report: Moved by Saltzman and seconded by Novick. (Y-4)	ACCEPTED PREPARE CONTRACT
847	Accept bid of R&R General Contractors for the East Burnside Safety Improvements for \$1,431,704 (Procurement Report – Bid No. 00000336) Motion to accept report: Moved by Saltzman and seconded by Novick. (Y-4)	ACCEPTED PREPARE CONTRACT
848	Accept bid of Kodiak Pacific Construction for SW Oak Street: SW Naito Parkway to SW 10 th Ave, for \$954,954 (Procurement Report – Bid No. 00000338) Motion to accept report: Moved by Saltzman and seconded by Fish. (Y-4)	ACCEPTED PREPARE CONTRACT
Commissioner Amanda Fritz Portland Parks & Recreation		
849	Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the Lents Park Play Area Improvements Project (Second Reading Agenda 825) (Y-4)	187902
Commissioner Nick Fish Bureau of Environmental Services		
*850	Authorize a multi-year Intergovernmental Agreement with Multnomah County for vector control services for an estimated annual amount of \$277,000 (Ordinance) 10 minutes requested (Y-4)	187903
851	Authorize the Bureau of Environmental Services to acquire certain permanent property rights necessary for construction of the Fanno Basin Pressure Line System Upgrade Project No. E10599 through the exercise of the City's Eminent Domain Authority (Ordinance) 10 minutes requested	PASSED TO SECOND READING JULY 27, 2016 9:30 AM

July 20, 2016

852 Facilitate implementation of the City Stormwater Management Manual and Source Control Manual (Second Reading Agenda 828; amend Code Chapter 17.38) (Y-4)	187904
FOUR-FIFTHS AGENDA Mayor Charlie Hales	
Fire & Police Disability and Retirement	
*853 Amend the Fire and Police Disability, Retirement and Death Benefit Plan in order to comply with arbitration decision regarding reversion of alternate payee benefits to members of the Portland Fire Fighters Association, Portland Police Association and Portland Police Commanding Officers Association and to incorporate the requirements of applicable Oregon Revised Statutes pertaining to domestic relations orders awarding benefits to alternate payees (Ordinance) 10 minutes requested (Y-4)	187905

At 10:30 a.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

<u>2:00 PM, JULY 20 & 21, 2016</u> DUE TO LACK OF AGENDA THERE WERE NO AFTERNOON SESSIONS WEDNESDAY OR THURSDAY	
--	--

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

July 20, 2016
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.

JUNE 20, 2016 9:30AM

Hales: Welcome to the meeting. Please call the roll.

Saltzman: Here **Novick:** Here **Fritz:** **Fish:** Here **Hales:** Here

Hales: Welcome, everyone. It looks like we have a light attendance and a relatively light council calendar this morning. If you are here to speak on a calendar item, let our clerk know and she will make sure that you are signed up. As always, we practice the rules of decorum in this room, so interruptions and demonstrations are not acceptable so if you want to agree with a fellow citizen's point of view, feel free to give them a thumbs up or a polite wave of the hand, and if you disagree, a polite hand gesture to the contrary is ok. And we ask that we not make vocal demonstration this is favor or in opposition to our fellow citizen's points of view, and we make exceptions and provide applause to school children and visiting dignitaries so if you are one of more of those you might get a round of applause. Or if you're Alisa Kane and you just came back from a trip and back you might get one too, so welcome. I want to start out by commending commissioner novick and pbot for a great launch of our city bike share system. He's wearing his orange tie to celebrate because we had a wonderful day yesterday, and commissioner Fish was there, as well, and almost the whole council was there, and a whole lot of the community was there, and it's off to a great start. So congratulations.

Fish: Thanks. I have having dinner last night in the inner southeast, and there was a steady stream of orange bicycles going along the restaurant road there, which was very cool.

Hales: A new part of what we'll take for granted. Thank you. Ok, with that, let's move to the communications items, before we do that, I don't think that we have any request to take anything off the consent calendar. So, it's as printed, unless there is somebody to pull something, ok, let's take the communication item 830, please.

Hales: Good morning. Welcome.

Item 830.

Sarah Hobbs: For the record, I am Sarah Hobbs. October 1st of this year, the American foundation for suicide prevention will be having their out of the darkness walk, and memorial coliseum. The American foundation for suicide prevention is the national non-governmental organization. It is dedicated to suicide prevention research advocacy, and for both the state and national level, for suicide prevention research. They were a big lobbyist from the recent passage of the mental health bill that has made its way through congress. As we painfully realized that Oregon had 50 states since number ten suicide and out of all the cities in the United States, Portland is number 17, I personally believe that the work that the foundation is doing both nationally and here through the Oregon chapter has become very vital. I am happy to say that we have the Portland police bureau's behavioral health unit, and I would love to see each and every one of you there, as well. What is going to be important in pushing the issues of suicide prevention forward is the strength in numbers and people willing to go on the record and commit saying yes, we have got this problem. We want to be part of the solution, as well. I ask, as I have already been made aware, commissioner Fritz will not be in town on the 1st of October that if you can, please

July 20, 2016

have one of your staffers call and let me know. I would appreciate that. I really would be excited to hear from either yourselves or one of your staffers that you will be joining us, and as well I don't know if your offices, if you have break rooms, peg boards or somewhere where you can put this information up, but if you do, please post-it and please pass the word. When I am done here, I am going to read the current department of veteran's affairs suicide report that as an issue, that is going from bad to worse, so we want to come together and address this. I look forward to hearing from you, and I really look forward to seeing you all on October 1.

Hales: Thanks for the invitation and we'll check it out. Appreciate your work on this Issue. It's huge for our country but here, too. We losing more Portlanders to suicide than homicide and automobile deaths together.

Hobbs: That's a good point. Nation-wide, two-thirds of all gun deaths are suicide. So it is a huge public health issue. I want to mention something you heard you say at the press conference when you announced captain marshman's appointment to the chief of police, and correct me if I am wrong, that you did phone calls 24-7 when it's, with extremely high risk. It's a place you are responding to, extremely high risk. Suicide crisis calls, and that you also, as well, are constantly getting the reports from the other calls. So I sent you more than anybody from the first responder reports.

Hales: It's amazing, the work that they are doing in terms of the behavioral health unit. We had two people on the Fremont Bridge the other day, for eight hours. Talking someone off the bridge, so they are not successful every time in preventing a suicide but they are successful almost every other day. It's spectacular, the work that they are doing. I am glad you noticed the good the bhu's good work, and I am glad that they are going to be participating in the walk. They should be there.

Hobbs: And let's get things in place so we can stop the suicides before they get to the crisis point that we have the officers, Eight hours on the bridge, trying to talk to you then.

Hales: Exactly, yeah, thank you very much. Appreciate your work. Thank you both. Thanks. Ok. Let's move on to 831, please.

Item 831.

Hales: Let's get 832 and take the other two because I understand miss Doherty is running late -- oh, she is here so let's take 832, please.

Item 832.

Hales: Come on up and good morning.

Aletha Bonner-Doherty: I have three minutes and I'm counting.

Hales: Ok, go right ahead.

Bonner-Doherty: I was homeless. I may not look like that person, and I didn't dress or wear the uniform. I still had to get up and leave the place by 6:30, 7 find something to do so I went to deedee's and bought a nursing outfit, and some clogs from payless so I looked like that I had some place to go. When I went to the hospital, the first thing that they had on my chart was shortness of breath and homelessness. Well, needless to say they did not treat either one. I ended up in isolation at Kaiser Hospital in Clackamas in isolation for eight days. I have had multiple unrelated cancers. That's my hair cut, after a while it does not grow back. But I am cancer-free. I have an idea. It will take the city money, and we want to do that, it could house, if there is -- there is a hitch in the giddy up because affordable housing would have to be at the end but I never was able to hold my head up until I started volunteering. You could throw a dead cat, excuse me, anywhere in this city, and you are going to find five or ten places to go and get free food. It's not a solution. You guys I live at the alder house apartments, but I'm moving, thank god. I don't need to be in a halfway house or a rehab situation. And basically, they have cameras everywhere but in the bathroom. And it's not a bathroom because you think it's in the other room, and I am

July 20, 2016

paying. And there is a lot of people using these funds, tpi, central city concern, and they are temporary solutions. You have got so many businesses right now that need people to volunteer. It made me smile. I was at a tournament the Fourth of July weekend at Edgewater, I volunteered, because I cannot work. And I feel like well, I did make a little promise to god, I promised that I would give something back if she let me get it through the cancer this time, so it was a way of paying the debt because she could get pretty mad when you don't do your part. I said let me do it, I was not feeling well, and I went. Needless to say that I was speaking to somebody giving me a ride in the golf cart, and I didn't know that he was the assistant district attorney. His first name is Jarrett. Spoke to him about my idea, and gave him -- he gave me his card and I spoke to him, and he let me speak to his chief who said that I should come here because it's a -- it would be a circle of giving. Instead of news you know, about needles and tents because a lot of those homeless people don't have a place to go. You have people sitting in tpi, and transition projects, and literally, from 7:00 in the morning until 5:00, until the night shelter opens back up, and all of them need mental health. And I give that mental health. I have a college degree, and I was a station manager at the bay area rapid transit and I went to school while I was going through counseling. And this was -- they have a couple of the people in my building that volunteered, and I saw it got turned on the Easter seals. And so I volunteer with them. And there is so many places right now that they cannot afford to hire people. Some of these people you would be surprised at the intelligence and the gifts that some of these people have. They are not being utilized. There is no reason, nobody should have to sit, sneak and ride the max, all day, sit at the Lloyd center, when they can be volunteering. It's a way to hold your head up. I have not smiled in months, and I am happy, and I am motivated. You get re-acclimated to the community, and they have dress for success, and what you guys are doing now is not working. They get in these places like the alder house and you get somebody with a swelled head and they put you in a cycle, and then you literally tell somebody Last week, you have got 24 hours to get out. First, it's not legal. Second of all, state law, supersedes any lease. A lot of people equate homelessness with a lack of intelligence. They are so wrong and they have all these people you hear on the news, they cannot afford to hire anybody, but we got volunteers. And the same people that sponsored this golf tournament have been here. So it's like completeness, circle of giving, and I am telling you, it will save you money. You look at any institution, and people get out of prison, and some people are lucky enough to find mentors and my grandson, my oldest grandchild, he wrote this thing about me when I was going through cancer and talking about how he saw me run across a four-lane highway to feed a homeless person. Because a homeless person doesn't need food. I mean, doesn't need money, but need food. Now my grandson, he said what can I do, and I said you can graduate because, because of that influence they might go in and kicking and screaming but they are going to reap the benefits. My mother used to make us go to the convalescent home after church and read and visit people. That's what gives you character. That's why I was able to survive this.

Hales: Thank you very much. I appreciate that.

Bonner-Doherty: I just want to say that there is a way to save money and do it. We already provide mental health and if they don't do it, guess what, they don't get to reap all the benefits. Free rent for two years and a bus pass? You need some place to go.

Hales: Thank you, you take care and appreciate that very much.

Bonner-Doherty: Got to go. My asthma is killing me.

Hales: Take care, all right, thanks so much. That's helpful. Let's take 833 please.

Item 833.

Hales: Ok and then 834.

Item 834.

July 20, 2016

Hales: Mr. Hansen. Are you here? Ok. Well, we have had some folks have a hard time getting here this morning. All right. We'll reschedule those as you can. Let's take action on the consent calendar, and again, nothing to be withdrawn, and then let's take a vote on the consent calendar as printed, please.

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

Hales: Aye. [gavel pounded] ok. Regular items. 843.

Item 843.

Hales: Welcome back, Alisa, nice to have you back here and talk about this next step in Portland's path-breaking working on deconstructing rather than demolition wherever possible. Thank you.

Alisa Kane, Bureau of Planning and Sustainability: Thank you, mayor and good morning. I am Alisa Kane the green manager with the bureau of planning and sustainability, and today I am here to ask for your approval to enter into an intergovernmental agreement with Oregon department of environmental quality, deq. This grant will allow us to host a workforce training to help support this ground-breaking policy that you passed about three weeks ago that requires all homes that are going to be removed that are older than 100 years old or built before 1916 or designated historic resource, must use the destruction, and through that policy development process we heard from the industry that we really need to have training in place, both for certified construction firms and for the workforce. Yesterday I was out at the site where we were removing a house and there was a three-day training going on for the contracting firms, and there were 11 that were present, so 11 will be certified to do that work. Nine of which came from the city's prime contractor development program. So it's a great feet in. The next phase is what this grant will support and help us to attract more so people can go out and day-to-day be pulling buildings down safely and carefully and to maximize the use of the materials. And we anticipate a 12-day training, that this grant will cover a 12-day training and the curriculum and the trainer. Also we will be working with our community referral partners, Oregon tradeswomen, constructing hope, to attract participants. As well as through the city's prime contractor development program. So it's a great opportunity for us to really advance our training and in a timely manner. This will happen in October.

Hales: That's great. Questions.

Fish: Just a comment, mayor. Loosely, and this is loosely related to the topic, you may rule me out of order. But I think this is a timely conversation. We have, as a city, said that the destruction is going to be a mandate. As a city, we have said that we are going to participate in clean energy works and help people retrofit their homes to make them more energy efficient. I read an editorial in the Oregonian, which raised a very interesting and provocative question which was in a city in which we deliver water that is lead-free, to a million people, where we know that there are some properties that have crummy pipes and fixtures. What is our collective responsibility to help people remove the crummy pipes and fixtures so that once and for all they are put beyond any risk of having lead? Other than things like lead paint and the like. And I think that that's worthy of a conversation of council in the fall. It, actually, it gets at the problem instead of solving a problem and overcorrecting for a million people, it looks to where the problem is and let's fix the problem forever. We have come up with an innovative solution on the destruction. We have helped the homeowners finance energy upgrades, and why not tackle this as the next big challenge, figure out a way to help the people replace the plumbing so that once and for all, lead is not an issue in their homes. After all, that is the only way that we know of, to get the lead risk down to zero. We can tinker with the water all we want but we can't compensate for a really bad pipe and a really bad fixture so I just put this out there because the editorial raised an interesting question, and I would like to get the feedback

July 20, 2016

from my colleagues and in the fall we'll do a work session and talk about this at a bigger level.

Hales: Other questions or comments? Anyone want to speak on this item? If not, then it's an emergency ordinance and let's take a vote.

Saltzman: It's very impressive how this program is coming together and how you are providing the opportunities for minority prime contractors and the workforce that goes with it, to deconstruct homes so thank you. Aye.

Novick: I am glad that you had so many contractors engaging at this stage. Thank you. Aye.

Fish: Welcome back, and we're no longer approving any vacation requests for you or your spouse, aye.

Hales: Well, yeah, we have gone have an environment where a few years ago the members of the local, one of the local business organizations were running around with pins that this jobs because the theory was that we were behind in creating jobs in Portland, and now we have unemployment under 4%, and a lot of people struggling to find employees. And so connecting people who aren't yet benefiting from that huge overall improvement to the workforce opportunities is a great idea. Now, we're, in effect, creating a new business niche in our economic structure so I think that filling in this piece of the puzzle, how do we make sure that they are the people to do the work for the contractors qualified to do it so we deconstruct a few houses rather than demolish a lot of them. That's an important piece, and I am glad that we have got that in place. Thank you, and Shawn and the rest of the team at bps, aye. [gavel pounded]

Hales: 844. We're going to reschedule that but read it.

Item 844.

Hales: This is being rescheduled, there is no objection for July 27. 845.

Item 845.

Hales: We have gotten ahead of the purchasing office this morning. I don't know if you have any comments on this one, commissioner novick, but we're just accepting the bid for work that we have already authorized. So anyone else want to speak on this item.

Fish: Mayor I just will note that the mwesb participation is over 70%.

Hales: I had not seen that.

Fish: Why Amanda Fritz had to choose this week to be on vacation.

Hales: Yeah. She can praise you from a distance, Steve. Good work. Any further discussion or motion to accept the report, please?

Fish: So move.

Saltzman: Second.

Hales: Roll call.

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

Hales: Aye. [gavel pounded] ok. 846.

Item 846.

Hales: Any comments here? Anyone want to speak on this item? Motion to adopt the report.

Saltzman: So moved.

Novick: Second

Hales: roll call, please.

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

Fish: I think mayor, it's worth celebrating that the original construction estimate was 1.5 million. The bid amount was just under \$1.1 million. And so that's good news for our taxpayers. Aye.

Hales: That's right, usually going the other way is more often likely, aye. 847.

July 20, 2016

Item 847.

Hales: Good work, any questions on this one? Anyone want to speak on this item? Motion to adopt the report.

Saltzman: So moved.

Novick: Second.

Hales: Roll call.

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

Hales: Aye. [gavel pounded] and 848.

Item 848.

Hales: Anyone want to speak on this? A motion please.

Saltzman: Move adoption of the procurement report.

Novick: Second.

Hales: Roll call.

Saltzman: Are you forgetting me? Aye.

Fish: We go confused a lot.

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

Hales: Aye. [gavel pounded] ok. 849.

Item 849.

Hales: A great presentation on this last week. This is our second reading and roll call vote please.

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

Fish: I just want to acknowledge colleagues that yesterday pbot and Nike launched bike share and Lents Park is where the founder of the Nike got its first job working for the city of Portland. Something that we try to remind him from time to time, issues of the east Portland parks come up but that's where Phil knight got his first gig. Aye

Hales: Sounds like another sponsorship opportunity to me. Aye. 850.

Item 850.

Fish: As stated this would authorize a multi-year governmental agreement for vector control. As you know vector control is a fancy word for addressing things like rat complaints in the sewer system and to treat our storm water facilities for mosquitoes. Multnomah County has been providing these services to the city for at least 50 years through inter-agency agreements, this ordinance would authorize a new iga with Multnomah county vector control for the next five years. I am pleased to introduce Joe devorak and Chris wirth. Joe is with bes and Chris with Multnomah county for a brief presentation. Gentlemen.

Joe Dvorak, Bureau of Environmental Services: Good morning, mayor. Members of council. For the record, I am Joe with the bureau of environmental services with chis Wirth to my left we are here to talk about the vector control real quick so what exactly is a vector? It is anything, an organism that can carry the disease to human beings. So within bes's sewer and storm water system, rats and mosquitoes are the two most common. So unfortunately, rats do live in the sewer system. That's not an urban myth as evidenced by the token photograph of the rat and the pipe. So unfortunately these rats are in the sewer and they can leave from the street inlets and into people's homes our combined system and service branches. In addition to the sewer system, des owns 180 storm water facilities which detain water and where there is standing water there is the mosquitoes. So why contract with the county? As commissioner Fish mentioned, we've been contracting with Multnomah County for health services since 1968, and bes specifically for vector control through these multi-year iga's. And so after Chris tells you about the program highlights I will tell you what's new with the iga and we will have the opportunity for questions. Chris.

July 20, 2016

Chris Wirth: Thank you. So council, again, I am Chris Wirth from Multnomah county health department, and thank you for this opportunity, Mayor Hales, and the city council. Just some brief background, so the vector control is positioned and primed to do this work. We get our authority statewide through the Oregon revised statute 452, and that really gives us the ability to go on to all lands, and to do abatement control and surveillance of the vectors like mosquitoes, and rats, and etc., we are highly regulated, and we're regulated by the numerous agencies including the Oregon department of Fish and wildlife and Oregon health authority, and the state health division, and the Oregon department of ag and deq and a higher level up which is also the EPA. There are three components that I wanted to highlight with you today, and it's really an educational-based rodent control program, so, and any constituent can call up and they can say that they are having a rat problem at their business or home, and we go out and we provide an inspection, and really the purpose of that inspection is to design, to pinpoint why they are having a rat problem, and there is usually three issues. And to get them to sort of do some of those behavior changes and things that will change the -- ideally they will not have a rat problem in the future. We might provide some rodent control material simultaneously. The mosquito control and surveillance program, we do about 1,000 acres of control work throughout Multnomah County annually, and we have an integrated mosquito control program, and what that really means is sort of a multi-tiered approach and this is a best management practice for doing the mosquito control and surveying not only for mosquito species but also mosquito-borne disease. And you probably -- to most people, a mosquito is a mosquito, but a fun fact that we have 25 species of the mosquito present in Multnomah County and seven have a potential public health threat. We also provide all sorts of educational opportunities for our citizen base, and some examples are the programs people come up and they get that one-on-one with our rodent inspector to learn how to, you know, to seal up the open pipes, and if you have a shallow foundation and things like that, and it's a really good opportunity. We also do lots of public outreach with our entire community, and in fact, coming up soon I will be doing a Zika virus presentation that's an emerging mosquito-borne disease with our southeast Portland based Slavic community. That will be something interesting to look forward to, and of course, we're looking for emerging issues, and I just mentioned Zika, in Oregon and in Washington, we're kind of lucky. We don't have the prime, the primary vector or the mosquito species that's able to vector it. But as things progress in the United States over time, we suspect that there will be more species, some here, that we'll be able to transmit the disease so that's something that we're continuing to monitor so thank you.

Hales: I heard that they think the first mosquito-borne transmission in the United States just might have occurred in Miami Dade County, a different climate, or at least it used to be different, and therefore, we may be dealing with that now and not on a theoretical level in the United States.

Wirth: Very similar to West Nile virus where you see sort of an onslaught of disease as it moves into different opportunities in the northern climate. So it's interesting, you see the mosquito species in the ones of the, that can vector the disease so there is a lot of emphasis looking at southern Oregon and watching that progress up to the valley.

Fish: This is an example of yet another relationship we have with the county where they are a key partner in achieving goals that we have set up. The county does the outreach for the discount program with the utilities, and the county health department, and test children to determine whether they have elevated levels of lead, 15,000 tests in the last three years. We are very proud of the partnership, particularly with the health department, and the good work that we can return. Thank you.

Saltzman: What are the three conditions that lead to a rat problem?

July 20, 2016

Wirth: It's basically food shelter water. So we're blessed with all of those fruit and nut trees and throughout Portland, great food source, if you don't pick them up that's rat food, and of course wild animal feeding, bird feeding, Pet food feeding and shelter can really be anything overgrown, ivy, there was a lot of work down on waterfront park it used to be the big ivy fields, and before it was managed by the Portland parks and rec, you would often see the rat communities underneath it. So just some examples of that.

Hales: Other questions?

Novick: At some point in the past year, metro had advertising with the trimet buses saying how do I get rid of the ants that are killing my dog? Ask metro, and I proceeded to ask every metro council what is the answer to that question. Likely, they are wondering, what is there a division of responsibility between the counties and metro about unwanted animals? Do they have ants and you have rats or should they just be staying out of this issue and letting the county handle it?

Wirth: I don't think that I can answer that question, either. Yeah. Definitely, you know, we're doing our work throughout the County, but I am still not understanding the correlation on the ants and dogs.

Novick: I think that they were saying, you know, that yes, there are safe ways to get rid of ants without poisoning your dog, but I was curious of why metro was involved because I thought that the counties were in charge of unwanted animals.

Fish: One thing that the county, as a metro does do, is they, and I think that we voted on this last week, they pick up the debris in some of our bio-swales. So when you are at the bus stop and you see that someone has dumped their couch into a bio swale, we call metro and they cart that, that way.

Hales: I'll not sure why they are in that business. A fair question. Other questions or comments?

Dvorak: Just a couple more in terms of what's new from the business side of things on the iga reimbursement will be based on actual services performed. We can adjust those rates annually as we proceed through the agreement. In terms of the program development, we will be recording data and metrics spaciouly so, and that's the engineer in me getting excited trying to figure out where we can identify the trends with respect to the broken sewer and is rat reports. And then just a commitment to develop the performance measure, how are we performing against last year, or the year before, and how are we benchmarking against other utilities with regard to the vector control and just looking to improve the efficiency. Finally with budget and Schedule, 277,000 from the fiscal year 2017, and iga will go into effect immediately if approved, and good for five years.

Hales: So this is an iga, but this is a bit like a not to exceed contract. They are on call to you as you need them, and you drawdown that amount.

Dvorak: Correct.

Hales: Ok.

Fish: We are going to a fee for service and we will test that over time.

Hales: Other questions? Thank you both.

Wirth: Thank you.

Hales: Does anyone want to speak on this item? Come on up.

Saltzman: Take a seat.

Hales: Good morning.

Charles Johnson: Good morning, commissioners. For the record I am Charles Johnson, and I would like to thank you for finally disclosing this secret government program. I only say that because we may remember that things were a little different here in 2012. Of course you are just getting started but if you look on the west side window of the auditor's office you will see one of the orange camping signs. There used to be a time regardless of

July 20, 2016

whether this was called a rat infested building people slept around this building and the local media had stories about rats that were supposedly illegally imported by occupy terrorists or something like that. But I hope that a bit of the conversation that Steve Novick raised bringing metro into the picture, will encourage our -- everybody around here from here to Salem to think about, if it's time for Portland and Multnomah county to grow up, we mentioned zikka, in Miami Dade, and we say that because they have a unified government. We would not have to have so many iga's if we had a unified government. I don't know if any of you have a personal feeling on that, but some day, maybe during the reign of senator novick we will be able to get there. The rat issue, I don't know apparently there is -- it's not in the press any more so hopefully these two gentlemen up there did something wonderful and there's been a drastic or total reduction of rats or maybe they were seeking federal refuge, I don't know. But I've been a frequent participant in city hall and in the three years since that rat crisis, I had never heard of this, so it's good to know that we have documents on the pdfs going back to 1968. Whoever did the electronic submission for this deserves kudos for going back and finding the 1968 intergovernmental agreement, so too bad for the rats and hopefully they won't be around to complain about it for long.

Hales: Thank you. And thanks very much. Anyone else? Come on up.

Shedrick Wilkins: Yeah. I am shedrick Wilkins about this rats or last year I had a bed bug problem in my apartment. These things come from the walls, and they are in buildings anyway, and it almost got me evicted. Watch out for this stuff, and I think that the climate here is -- the rain -- there is bushes around here, if you are living in Arizona, where there is, basically, sand or something, things don't crawl around, probably Seattle has a similar problem. And San Francisco, where it rains a lot, and a lot of these -- I don't like the idea of picking on homeless people, saying that they are the ones tracking around or bringing in rats or stuff like that. Or terrorism. These things basically come out of the buildings and grow outside and they get rain and they get water and they come back in.

Hales: Thank you. Ok. Anyone else? And it's an emergency ordinance so let's take a vote, please.

Saltzman: I want to give a special thanks to the Multnomah County for providing a very important service that goes unnoticed until somebody really has a problem but vector control is really one of those cornerstones of a civilized society, so thank you. Aye.

Novick: Aye.

Fish: Thank you, Joe and Chris and Multnomah County vector control. By the way to, both of you, thank you for an excellent presentation. Aye.

Hales: Aye. Thank you. 851.

Item 851.

Hales: Commissioner Fish.

Fish: This is a straightforward matter. This ordinance would authorize the bureau of environmental services to acquire the property rights for a project to upgrade the fanno basin pressure line system. The system includes two parallel 30-inch seal pressure lines, and completed in 2010, and one of the lines developed cracks and leaks. This project would repair the line and return it to the service, and the condemnation that we are seeking the authority to do here is what's called a friendly condemnation worked out with the property owner. Here to walk us through this is Dan Hebert.

Dan Hebert, Bureau of Environmental Services: Good morning. And I am Dan Hebert, senior engineer with the environmental services and the project manager for a number of fanno innovation projects. This particular case, we have had a temporary pressure monitoring station at this location, which is the southwest 69th and railroad our intent is to convert that to a permanent pressure monitoring station, with the connection to the fiber

July 20, 2016

optics system. So we can monitor it and respond. But to do that, we have to require a 259 square foot piece of property on a northwest corner of a small triangular piece that's sandwiched between Multnomah Boulevard and southwest 69th and Railroad Street, and it is not buildable because of the setback requirements at this point. Right away, pbot has been working with the property owner and there is a transfer for this property, in the recent past, to the owner of the old town pub and brewery right adjacent to this site. And the title is not recorded quite correctly on the recommendation and working with the property owners, that we proceed to the process to gain access to the parcel while we work, they work out the title and uncloud that title.

Hales: Questions? Thank you very much. Anyone want to speak on this item? This will pass to second reading next week. So as a former resident of the neighborhood I can't resist the trivia point which now Steve may know, the reason this is called railroad avenue is that 100 years ago it was electric inter-urban rail service on what we now call Multnomah boulevard so what is old is new again, and maybe it will eventually have trains back on that street, too. This passes to the second reading next week. 852.

Item 852.

Hales: Second reading. Roll call.

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

Hales: Aye ok. 853. Our final item this morning.

Item 853.

Hales: Good morning, I will turn this over to the director.

Sam Hutchinson, Director, Fire and Police Disability & Retirement: Thank you commissioners and mayor. Sam Hutchinson, bureau of director at fpd&r I have the Stacy Jones the Financial manager of fpd&r. This ordinance as we stated in the title with the fire police disability and retirement death benefit plan outlined in chapter 5 of the city charter to comply with arbitration decisions regarding the reversion of the alternative benefits to members of three sworn unions. Pffa, the firefighter's association, Portland police association, and the Portland police command association and officer's association. The arbitration decisions were fully favorable to all three of the unions. I think that as you remember in April the city council met in an executive session with the fpdr board to discuss the grievances. The complications of the city complying with the arbitration decisions and the legal issues impacting the fpdr. For the Oregon statute, alternative payees who are former spouses are entitled to a portion of the pension through a domestic relations order. In 2009 the board of trustees revoked an earlier board resolution that allowed the reversion of an alternative benefit to the member if the alternative payee pre-deceased the member, in other words to make it simple, should a divorced spouse or the alternative payee be receiving a part of the member's pension per the domestic relations order and that alternative payee dies while the member is still alive, the amount going to the ex-spouse will revert back to the member. The 2009, the fpdr board revoked that for various legal reasons and interpretations of the state statute. They felt that the passing of that, at that time, originally was inappropriate and incorrect for the statute. And this is all of the stuff that we discussed in the executive session. So to find -- so the fpd&r could not begin paying the benefit to the impacted retirees for the legal reasons that I had mentioned, and in the meantime the fire bureau was authorized to pay the reversionary benefit to three impacted firefighters, the retired firefighters through July 1 of 2016. And so to find a resolution to the situation city council and the board of trustees met in the executive session, and during that time it was discussed or concluded that they could make payments if the city council passed an ordinance amending the fpdr plan and the authority to amend the plan when required by law to extend additional benefits as found in section 543a of the charter. So assuming that you approve the ordinance, we will make the

July 20, 2016

next payments to the three impacted retirees. Get the reversionary benefit due on August 1. We will set ongoing payments for the retirees until they decess themselves. Fpdr will also establish rules for the payment of alternative payee benefits and reversionary benefits to these retirees and any future retirees impacted by a similar situation. Should the council not approve the ordinance there is no entity in the city, not the Portland fire nor fpdr could make these reversionary benefits. And this could result in an unfair labor practice if we cannot pay those in accordance with the arbitrator's decisions.

Hales: We mentioned in passing this affect as very small number of retirees.

Hutchinson: Yes. And the interesting thing, the history on this, since the state required the alternative payees to be paid in the reversionary benefit, that was 20 years ago, 1994, and in that time we have only had three firefighters that have had a, an alternative payee or the ex-spouse died before they did. And interestingly that occurred in the last couple years so we went 20 years with nobody being impacted and then we have three people suddenly impacted which I think, which brought up the grievances. So it's not going to happen a lot in the future. And it is a benefit that was set up many years ago, revoked, and per the arbitrator's decisions, we have to reinstate, and the best way is to correct in the charter versus the board resolution. And that's what we're doing.

Fish: The net effect is that we will pay that portion of the payee benefit which reverts back to the member for the duration of the member's life.

Hutchinson: Yes.

Fish: Or the difference between when the member's ex-spouse dies and when the member --

Hutchinson: Yes.

Fish: It is the same benefit just the clock is extended because it reverts back to the member, corrected?

Hutchinson: Correct.

Fish: Ok.

Fish: As you said, that will not likely happen in a lot of circumstances.

Hutchinson: No. It's a very rare thing. It has only happened three times in the past 22 years, and we don't expect that to happen a lot but it was a benefit that, per the union, they felt was --

Fish: If it reverts back to the member, is the cumulative benefit that is the benefit, the member was receiving, plus the alternative payee benefit does that put the member above what he or she would otherwise get?

Stacy Jones, Fire and Police disability and retirement: It probably does. We have -- we have spread the payment to the alternative payee, for their expected life and since they are usually women and younger, that is the same higher amount and is going onto the member so most likely, yes. And it is not financially neutral to the plan to offer the benefit if that's the crux of the question and that's why the board revoked the benefit and the resolution.

Fish: But whether we agree or disagree with that proposition we have an arbitrator's decision so the choice is to amend this or address this to an unfair labor practice.

Hales: Any other questions? All right. Thank you both very much. Anyone want to speak on this item? If not, it's an emergency Ordinance and let's take a vote please.

Saltzman: Aye.

Novick: Actually like the arbitrator's decision because the previous policy created an incentive for the city to break up the employees and kill off their former spouses and although I have no evidence that the city has given into that temptation. I prefer to have it removed so I am pleased to vote aye.

Fish: Aye.

July 20, 2016

Hales: We have a group of graduate students who are here job shadowing omf, and I told them that the council agenda would be relatively tame and relatively ministerial, although there's been some variety in it but I appreciate them being here in this day, and one of the things that they are all future public administrators and we want to welcome you to the business of the public administration so, and one of the things about Portland that only gets occasionally noticed but we get to benefit from in these discussions is that we're extraordinarily well financially managed and we have been for a long time, and we have -- we keep winning awards from folks like gfoa and we had our outside auditors come here and sit at this table and drop a comprehensive annual financial report on the desk and say that we have no issues and we have a pension system that is balanced and pay as you go so we have no unfunded pension liability in this city. So when I talked to the fellow mayors from around the country and describe our situation, they turn some shade of green with envy because most cities can't say anything like that. They cannot say, you know, that their cafr looks that good or financial practices are so sound, and in fact, we mentioned Miami Dade county, and there is folks in jail there for financial malfeasance who used to be the public officials, so just to name the names, and so Portland is -- benefits from really capable management of this particular fund, as well as the rest of them, and that's one of the reasons why this meeting didn't have a lot of people yelling and screaming because these people do their jobs very well. Thank you. Aye. [gavel pounded] and we are adjourned for the week.

At 10:24 a.m. Council Adjourned.

Meg Hanson: I apologize for being late.

Hales: Oh I'm sorry. Yea I'm sorry your late do you want to reopen and give her a chance, well let's reconvene since you were signed up to speak and we have a light agenda. Council is reconvened for your communication item.

At 10:25 a.m. Council reconvened.

Item 834.

Hales: Good morning.

Meg Hanson: Good morning thank you. I had hoped to actually provide you some copies of documentation of what I had to say, but I think I can wing it.

Hales: Ok and you can always send it to us afterwards as well.

Hanson: I will. Thank you. So there's been a lot of discussion.

Hales: Oh Megan put your name in the record please.

Hanson: Meg Hanson, thank you. There's been a lot of discussion recently about Oregon's owner consent regulations delisting of historic resources. I know that this council has heard a lot of that, there's been a lot of public discussion I'm also aware that our state allows—it's one of the only states in the country that allows owners to remove historic status, so that's not necessarily what I'm here to talk about. In my research and in some of the discussions I want to focus on the administrative rules the purpose of which is to clarify to further define state statute. And so one of the things that I wanted to focus on is the statute that is cited here Oar 660.23.200 sub section 9, which states that a local government shall not issue a permit for demolition or modification of a historic resource described under sub section 6 of this rule for at least 120 days from the date the property owner request removal of historic resource designation from the property. So With this clarification I set out to do some analysis and some cross referencing, that says to me in no uncertain terms that 120 days goes in both directions so I wanted to gather some metrics and see exactly where that was and too knit together some of these desperate sources of information so we could get a good narrative. So first we gathered a list of all the hr removals since 2012 then that information was cross referenced with bds demolition, land use intakes, lot splits and other permit data, we also cross referenced with

July 20, 2016

the tax assessors sales records to include sales dates, amounts, owners, contractors, builders and replacement structure data if it was available. In some cases we also included a ownership information for llc's by going to the secretary of state's office just so we could get some visibility once everything was assembled. And we also reviewed and downloaded bds permit documents hr inquiry forms other relevant documentation assembling a library of documents. We also included research information from business journals other search results, so from that consolidated vantage point the goal was then be able to not only see some prevailing patterns and how everything is relate, but to draw some more meaningful and informed conclusions from that. So I set of sort of from a scientific stand point and then to analyze it in my day job, that's my specialty data analysis.

Hales: Well obviously that's complex stuff and you've used your time, but I wanted to suggest that you send that documentation to us because obviously you've done a pretty thorough review and we ought to see that so councils very interested in making sure that historic preservation system works better than it does now so this is a potential gap to fill.

Hanson: Yes and we do have some request and I do understand your telling me my time is up.

Hales: yea your times up so wrap up just briefly.

Hanson: I will wrap it up thank you. Some of the data showed overwhelmingly that 83% of relevant delisting was for the purpose of demolition. 84% of those were permits issued less than 120 days most of them on the same day. And then we were also able to show that the period between a delisting and a sale was overwhelmingly 74% less than 3 months so we're talking about the difference between the property and a flipper and developer. So between those two things that paints a picture as well. So from there one of things we would like to ask the council the biggest ask is that hri removals be published in the weekly metro reports that becomes our sort of defacto demolition delay if and when we get to actually establish that the law also said we enforce the 120 days from delisting and don't issue a demolition permit up to that point and if it is list still which it they all take them off that, that information be public we at least have an opportunity to discuss right now we don't its hidden and we have that would go a long way.

Hales: Well thank you for calling this to our attention I hope you'll follow up with Camille tremor in my office.

Hanson: I will and we are publishing all our research online as well all of the documentation for the public.

Hales: Good, look forward to seeing it.

Hanson: Thank you for the time.

Hales: Thank you all, ok and we're adjourned till next week thank you.

At 10:30 a.m. council adjourned.