



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 3RD DAY OF JANUARY, 2001 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales and Saltzman, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Acting Clerk of the Council; Ben Walters, Senior Deputy City Attorney; and Officer Peter Hurley, Sergeant at Arms.

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

CONSENT AGENDA - NO DISCUSSION

Mayor Vera Katz

- *1 Amend City Code relating to Purchases (Ordinance; amend Code Chapter 5.33.090)

Disposition: Ordinance No. 175212. (Y-4)

Commissioner Charlie Hales

- *2 Intergovernmental Agreement with the Portland Development Commission for 2000-2001 professional and technical services for transportation improvements (Ordinance)

Disposition: Ordinance No. 175213. (Y-4)

- 3 Outline duties and responsibilities of the Office of Planning and Development Review (Ordinance; amend City Code Chapter 3.30)

Disposition: Passed to Second Reading January 10, 2001 at 9:30 a.m.

- *4 Authorize the Director of the Office of Planning and Development Review to appoint Melissa Litin at the fifth step of the Technician III salary scale (Ordinance)

Disposition: Ordinance No. 175214. (Y-4)

Commissioner Dan Saltzman

- *5 Authorize a contract with Garry Struthers Associates, Inc. for design of the Lents crossing inverted siphon Project No. 6965 (Ordinance)

Disposition: Ordinance No. 175215. (Y-4)

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- *6** Authorize application to the Oregon State Weed Board for a grant in the amount of \$25,000 for funding the introduction of native herbaceous plants on project sites (Ordinance)

Disposition: Ordinance No. 175216. (Y-4)

- *7** Authorize a contract with Tetra Tech/KCM, Inc. and provide for payment for engineering services for the SW Cheltenham inline storage project, Project No. 6694 (Ordinance)

Disposition: Ordinance No. 175217. (Y-4)

Commissioner Erik Sten

- *8** Agreement with the Housing Development Center for \$40,000 to provide contractor capacity services for the Portland Lead Hazard Control Program and provide for payment (Ordinance)

Disposition: Ordinance No. 175218. (Y-4)

REGULAR AGENDA

Commissioner Jim Francesconi

- *9** Authorize agreement regarding Lloyd Business District license fee billing and collection services (Ordinance)

Disposition: Ordinance No. 175218. (Y-4)

Commissioner Charlie Hales

- *10** Authorize contract with Union Pacific Railroad for relocation of trackwork at N. River Street and Railroad Avenue (Ordinance)

Disposition: Ordinance No. 175220. (Y-4)

Commissioner Dan Saltzman

- *11** Authorize an Intergovernmental Agreement with the Metropolitan Service District so the city can receive \$77,000 to further the food waste collection pilot program and increase recycling during commercial construction and demolition (Ordinance)

Disposition: Ordinance No. 175221. (Y-4)

- *12** Authorize Solid Waste and Recycling to discontinue a commercial waste collection pilot project and contract with USA Waste of Oregon, Inc. and enter into two new service contracts with Waste Management of Oregon, Inc. for an amount not to exceed \$25,000 and Eastside Recycling for an amount not to exceed \$50,000 (Ordinance)

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Disposition: Ordinance No. 175222. (Y-4)

Communications

- 13 Request of Richard Koenig to address Council regarding Internal Affairs Division, Police Bureau, declination of his complaint (Communication)

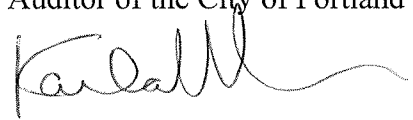
Disposition: Placed on File.

- 14 Request of Gregg Demaria to address Council regarding the Portland Police Joint Terrorism Task Force (Communication)

Disposition: Placed on File.

At 10:00 a.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland



By Karla Moore-Love
Acting Clerk of the Council

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

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WEDNESDAY, 2:00 PM, JANUARY 3, 2001

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

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Closed Caption Transcript of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

JANUARY 3, 2001 9:30 AM

Katz: Good morning. The council will come to order. [roll call] commissioner Sten is on vacation. Any items to be taken off the consent agenda? Anybody in the audience wanting to take an item off the consent agenda for discussion? No? All right. Roll call.

Francesconi: Aye. **Hales:** Aye. **Saltzman:** Aye.

Katz: Mayor votes aye. Regular agenda. Item 9.

Item 9.

Katz: Come on up.

Jim Wadsworth, Director, Bureau of Licenses: Mayor Katz, commissioners, i'm jim wadsworth, director of the bureau of licenses. The ordinance that you have in front of you is to authorize the agreement between the lloyd business improvement district and the bureau of licenses to collect the monies from the different accounts in the lloyd business improvement district and remit that to the lloyd business improvement district.

Katz: Okay. Questions? Anybody else want to testify? Roll call.

Francesconi: There was an issue, apparently it hasn't come up. I heard there was some questions on the lloyd center part about whether licensing could waive some of the fees, et cetera. They're not here, so I guess the point we need to make is that there is no money in licensing to do this for this business district or any other. If the council wanted to do this, it would mean expending general fund, and I suppose we could consider it. At this point i'm not saying we should do that. I'm just -- I just want to clarify that when the bureau of licensing collects a business license fee for a business district or anybody else, the money goes into the general fund, and it's not kept at licensing. And I think sometimes there's some confusion about that. So I appreciate you setting this up and being a collection mechanism for the business district, and I appreciate the mayor's leadership on creating this one. But I want to clarify all of that. Aye.

Hales: Aye. **Saltzman:** Aye.

Katz: Yeah. Thanks, commissioner Francesconi. There is another issue with regarding the payment of the deputy district attorney at the lloyd center, and what we did is we've been funding -- I can't remember if it's whole or part of that, and we've used one-time money for ongoing purposes. And they're a little nervous that we aren't going to maintain that commitment, so I wanted to flag that as a general fund issue. It was the plan to do it ongoing, but it was one of those programs that we decided to fund with one-time money and see where we were financially. Aye. Thank you.

Item 10.

Item 10.

Katz: All right. Come on up.

Todd Liles, Office of Transportation: Good morning. I'm todd lyles with the office of transportation. I'm the project engineer for the interstate max and the lower albina overcrossing project. This is a contract with union pacific railroad for \$550,000. It's a lump sum contract. It's basically to contract with union pacific to relocate tracks in lower albina, to relocate an automatic equipment identification scanner, and do the railroad crossing closures in the lower albina area.

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We're required to do some contracting with union pacific because the union labor agreements require their employees to do tracking location work on this program. And that is the majority of the work. So that's basically what this contract will do.

Katz: All right. Questions? Anybody want to testify? Roll call.

Francesconi: Aye.

Hales: Without a lot of fanfare, we've actually started building interstate max, and people have been noticing the utility work going on out there, pete casting was exalting about seeing the work going on out there, and this lower albina project between the overcrossing itself and the railroad relocation work that todd just described is another big piece of that early stage work. It's great to see it underway. Good work so far. We've got a lot of miles to go before you and others get to sleep.

*****: We're just starting.

Hales: Aye. **Saltzman:** Aye.

Katz: Mayor votes aye. Item 11.

Item 11.

Katz: Who wants to come on up?

Saltzman: In addition to discussing this contract, I asked both lee and judy to take a moment to update us on our efforts to -- with metro to explore diverting commercial food waste out of the waste stream. This is one of the most -- the largest percentage of the waste stream that remains and it's the greatest potential to boost over overall recycling rate from 50% to 55 or 60% if we can get commercial food waste. So this relates to a pilot project we have going.

Katz: Okay.

Judy Crockett, Office of Sustainable Development (OSD): Mayor Katz, commissioners, i'm judy crockett, with the office of sustainable development, the solid waste and recycling section. What I thought i'd do is talk to you first about the metro iga and then talk about the pilot program when we get to the second piece. The ordinance -- first ordinance before you, the iga with metro, should be a fairly easy one to approve basis them giving us money for things we want to do.

Francesconi: That's good.

Crockett: It's four projects, two different sections. The first one is to work on mainly food waste issues to work primarily with grocery stores and restaurants to find out if we can reduce the amount of waste that they're producing. Starting at the beginning of the pipeline rather than trying to recycle the stuff that comes out at the end. That's a fairly difficult and technical project, and we're going to be looking for a consultant to help us on that. And then the second food waste piece of this money that we're getting will help us come up with an accurate and well-founded ordinance that will decide which businesses are the right size to be part of the food waste collection, and which ones are too small. And in order to do that we have to figure out how much food waste the small businesses are producing compared to the large ones. We know that large businesses are going to generally produce enough food waste to be covered by the ordinance, so we need to find out where that line should be drawn. Then in the second project we're going to be working with the green buildings section as well as with our staff to work on finding ways to reduce the amount of construction and demolition waste that's still going to the landfill. There's a lot of that going on in Portland, and most of it is unlike the surrounding area, is focused on commercial tenant improvements, which go on inside the building when people move, and you really can't tell that it's happening until it's already underway. So it's hard to monitor. We find that we have about 26% of our waste is still tenant commercial demolition waste, so if we can make a dent in that, we'll be doing a good job. The first project on that is to work with the contractors who are actually doing the demolition inside the commercial buildings and find out why more recycling isn't taking place.

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The second one is to work with building owners and managers to alert them to the fact that they can specify recycling and waste reduction when they're contracting with people to do the tenant improvements and to come up with model language so that they can do that. So that's what these four projects are. We're happy to have gotten the money and that metro has picked us out a -- out of a competitive field.

*****: I wanted to address --

Katz: Identify yourself, please.

Lee Barrett, OSD: Lee barrett, city of Portland, office of sustainable development. I wanted to address issues related to the second agenda item.

Katz: Why don't we read the second one at the same time.

Barrett: Madam mayor, members of the council, i'm lee barrett, city of Portland, office of sustainable development, solid waste program. Coming before you to give you some information, a little bit of information about what's going on with the current food waste collection pilot program and try to explain why it is that we want to rewrite the existing contract. As you may recall in the fall of '98, we came before council and had them pass a resolution directing us to come up with an ordinance directing certain generators of food wares to recycle that material by July 1, 2001. Certainly back then we thought that we would be able to go through a process to identify which size food generators were going to need to set aside food waste for recycling, and obviously at that point in time we anticipated that by 2001, middle of 2001, we would have been able to find a processor for that material. Actually i'll start off on a sour note perhaps and tell you I do not believe we'll have a processor in place by July 1, 2001. We're currently working with metro to try to secure that processor, but we haven't done so yet. As part of this process, we conducted a pilot program, started about five months ago, six months ago, with waste management. We really, to be honest, didn't exactly know what we were getting into. I think outside of the city of San Francisco, we're the only city of any size in this country that is even attempting to collect food from commercial sources, so it's really uncharted territory for us. At that point in time, when we were -- before -- when we were before you for approval of the contract, we thought waste management was going to be able to secure 40 or 50 customers, and reimbursing them on a per ton basis was going to make sense. As it turns out, it was much more difficult to secure participants in this program than both waste or ourselves anticipated. We have about 16 participants, and unfortunately for the tonnage portion of it, most of them are the smaller customers, because that's really where it's going to be -- that's where we're interested in finding out who's going to qualify and who isn't going to qualify when an ordinance gets written. It doesn't take a great deal of research to realize that grand pack foods, and the big generators, under any scenario, they're going to be included. But it's going to be the smaller restaurants like the Higgins, and places like that, where it may be questionable as to whether or not it makes economic sense. So the pilot program is concentrating on those. We got authorization to spend up to \$50,000 with waste management for six months. In the first four months of the program, they billed us less than \$5,000. So we're spending far, far less than we anticipated. What I guess you could say is a great deal for the city, but they were taking a financial bath participating in this program with us, and that's really not how we like to do business. We'd like to work in cooperation with the haulers, so we sat down with purchasing, we talked to waste management, we decided the best way to handle this is have both of us agree, walk away from the existing contract, and rewrite a new contract that's based on a per hour basis for the amount of time they're on route collecting. It's a little more reasonable for them, and more reasonable for us as well because I think it continues to secure their continued cooperation in this. And even at that, we don't anticipate that the total cost of the pilot program with them, which is now going to run more than the original six months, I think it will run seven or eight months, won't cost us \$25,000.

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So it won't be half of what we originally thought we'd spend anyway. We're about to enter into a contract with the second group, the east side recycling consortium, and we want to obviously not make the same miss tack with them, so we want that contract with them that's also based on a per hour basis. That's essentially what we're trying to do, right or wrong -- is right a wrong. We are going to spend more money than we would under the old contract, but we really don't think that contract was reasonable for both parties. And we're still going to spend way less than we originally anticipated. So that's basically a presentation about the agenda item in front of you. Judy would be happy to take a couple minutes and give you a little update on what's happening the first few months of the pilot program so far.

Katz: Thank you, lee. Go ahead.

Crockett: Mayor, commissioners, I don't need to reintroduce myself for the record?

Katz: You're fine.

Crockett: Well, the pilot has been -- we keep reminding ourselves it is a pilot and we're here to learn things. We're not here to do a perfect pilot. So we have learned a great deal in -- the first thing lee mentioned already was that without financial incentives in place, or an ordinance in place, it's been very, very difficult to persuade businesses that they ought to participate in the pilot. And that's made it harder, a lot harder to recruit, and we've spent a lot more time recruiting businesses than we ever anticipated that we would. Or that our conversations with other cities that have tried this would indicate that we would have to spend. So we learned that. We also were trying a couple of systems to see if we could reduce the costs of collection, because the big cost in all this is sending an extra truck to pick up food waste. And we tried a system that we called the bag it program, where the food waste would be put in a container loose, and then the business would bag their garbage and also put it in the same container. That would be collected together, and then at the transfer station the theory was that they -- we would pull out those tightly closed bags of garbage and have a clean stream with only one truck to collect both food waste and garbage. Unfortunately that was a complete failure. A complete and utter failure. And so we've learned --

Katz: Because?

Crockett: Well, there are a couple of reasons. One was that, a, we couldn't persuade the businesses to use the special perforated bags we provided them. They kept using their old bags, which would split and come up and so the garbage would be loose. And secondly, there's a lot more large garbage in restaurants and grocery stores than we anticipated, and there are things that are just too big to fit in a 60-gallon bag. And so it was contan -- contaminated with a lot of garbage and it was really like a garbage pile with food waste accompanying it. So we stopped that. We have also learned that it takes a lot of education to keep the program on track and keep the waste stream clean, because in the grocery store and restaurant service areas, staff turns over a lot. They have a lot of other priorities taking out the garbage and sorting food waste is not among their main missions, and so getting people in there to educate them and making the system simple is important. And one of the things we found when we had the waste sorted by deq was that even in the participating businesses, where they had the capacity to put food waste in a special container, they were still throwing a lot of their food waste into the trash. Somewhere between 30 and 80% of their trash remained food waste. So the second half of the pilot we're going to be focusing on that problem to see what it is that we can do to get as much food waste into the collection system as possible, and out of the trash. So basically we're learning a lot. As lee said, there are very, very few major cities that are doing anything like this, even attempting it. But it is a good portion of our waste. It's something that we ought to be able to take care of, and we're happy to be working on it.

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Barrett: As it turns out, it ended up being I think -- judy had a very good idea at the beginning of the program, we had to respond -- two respondents, and we had 100,000 dollars available, and each one proposed to spend \$100,000. And it was judy's idea to break it into two six-month programs. That ended up being a great idea, because all the mistakes we've made, and what we've learned in the first program we're now going to be able to correct them and see what we can do in the second half of this pilot program with the east side recycling consortium and hopefully see if phase ii, if you will, of this food waste collection is going to be able to be a little better and more successful. But as judy said, we are learning a great deal about what type of material is being generated, how good of a job can the restaurants do in separating the food wastes, what kind of contamination there is and so on. We're quite confident at the end of the whole pie loot program we'll have enough information to come back to you with an ordinance where we can make a good economic decision about who should be required to recycle that material and who shouldn't.

Katz: Thank you. Thank you both. Questions? Anybody in the audience want to testify on these items, 11 and 12? If not, roll call.

Francesconi: Just what you're trying to do is hard. But you're doing -- but important, as commissioner Saltzman said n. Trying -- in terms of trying to improve recycling. This is the next important mission. I guess the main thing I want to say, i'm confident that you will do it. Your testimony was very candid and very good. You know, we learn. The key is not whether we're on the right course from the beginning, but do we make the right corrections as we try to do hard things. You're doing a very good job. Thank you for -- commissioner Saltzman for your leadership on this as well. Aye.

Hales: Aye.

Saltzman: I just wanted to mention in addition -- this is a pilot and we're learning, but one of the very innovative things this office also did during the holiday season was to send a most card to every food catering company in the region, or in the city at least, alerting them to places where they could take leftover food from all the parties and holiday functions that were going on. So it was just a notification to let people know where their extra food could go. There's plenty of leftover food at these holiday functions. Good work. Aye.

Katz: This is exciting. You know, lee, and commissioner Saltzman, coming from another part of the country, residential -- we're separated, wet and dry. And we had two bags and we managed it. So I don't know if at that time there was a commercial separation. May not have been. So as commissioner Francesconi says, this is much harder work. So I wish you luck, and when you fix all the problems with this, I want you to come back and get us to do the same thing so we can really take the garbage out of the garbage stream. Aye. Item 12.

Item 12.

Francesconi: Aye. **Hales:** Aye. **Saltzman:** Aye.

Katz: Mayor votes aye. All right. We're under communications. Item 13.

Item 13.

Katz: I don't see richard in the audience. Are you here? No, he's not. Item 14.

Item 14.

Katz: Is gregg demaria here? Come on up, gregg. You just made it.

*******:** I know. Thank you.

Gregg Damaria: I'm gregg damaria from southeast Portland. With all due respect, mayor Katz and council members, two weeks ago I sat in disbelief as you read to the public a written reassurance from the fbi which restated the bureau's commitment to respecting the free speech and privacy rights of those it intends to investigate in the progressive community of Portland. You cannot seriously begin to accept these justifications and false promises from an organization which

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is deeply rooted in policies of repression, spying, intimidation and murder. This report sadly stinks of the empty rhetoric which the federal government has always used to sway the status quo into submission. It is a lie and will not stand. Think about it. You cannot stand by your original consent agenda resolution on the grounds that this decision came from above. That you have no control or say in this matter. By passing this resolution you're insulting any -- every person group and organization who is working for change in this town. We are the people participating in our democracy. We're not sitting around watching tv. We're actively engaging in the system. By inviting the fbi into our town you're punishing the same people who help you do your job, who create the culture to make Portland one of the most livable places in america. We are union organizers and members, women, and moms, bikers, environmentalists, socialists, small business owners, teens on the street, farmers and educators, anarchists, church groups, city officials, media, students, and anyone that has the strength to question one's own assumptions to the core in order to live by the rule of international morality. There are far more obvious and insidious reasons for the infiltration by the fbi which is occurring in 30 cities across the country. The reasons are tightly bound within the driving principles of the global movement against the forces of free market capitalism. They are here to divide and plot our communities against each other. They are here to spy on us. They will intimidate, threaten, force information from us in any attempt to create a case which benefits only the industrial elite. Don't think because you're the ambassadors you're safe from their grasp. In the end you're just a different number from me. They are not your all lies or the city's, for that matter. I feel brushing into -- this issue under the table will alienate into the street. The voice stand in solidarity with anyone who is left behind or ignored. The choice is to refuse to recognize the progressive voice as a contributing element to the growth of Portland by condoning the formalization of fbi relations with the Portland police, or engage in a time-honored act of civil disobedience and say no to fbi. The same cost of creating a terrorism task force cure we can spend our money on some prevention. Here's a news flash -- a nonbiased publicly elected police review board is coming your way soon. Its same is to prevent abusive power. See this as an opportunity to merge forces with the civic public, to regain trust of those who you are alienating. We are not going away. Say no to the fbi. Say yes to the civilian review board or the people will speak for you. Thank you.

Katz: Thank you. All right, everybody. We have the opportunity now to elect the next president of the council, and it's commissioner Hales's turn. All in favor? Signify by saying aye. For those who are watching, this is -- we rotate this from one member to the other, so everybody over a period of four years has the opportunity to be president, and when i'm not here takes over the gavel and runs the meetings. So commissioner Saltzman, i've watched you when I wasn't here in the replay, you've done a wonderful job, and now we pass the baton back to commissioner Hales.

Hales: Okay.

Saltzman: My vacation is scheduled for august.

Katz: There you go. All right. There is no agenda this afternoon. I want to wish all of you a happy new year. Congratulations to commissioner Hales and commissioner Francesconi for starting their third terms? Second term -- third, second term. And commissioner Saltzman, and thank you. And happy new year, everybody. And we'll be back next week. Thank you. We stand adjourned.

At 10:00 a.m., Council adjourned.