



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **15TH DAY OF AUGUST, 2018** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Fish, Fritz and Saltzman, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Karen Moynahan, Chief Deputy City Attorney; and Andy Bacon and John Paolazzi, Sergeants at Arms.

Item No. 859 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 10:10 a.m. and reconvened at 10:13 a.m.
The meeting recessed at 10:14 a.m. and reconvened at 10:16 a.m.

		Disposition:
COMMUNICATIONS		
846	Request of Tia Zilberstein to address Council regarding failure of Portland leadership to keep protests safe (Communication)	PLACED ON FILE
847	Request of Sarah Hobbs to address Council regarding recent protests (Communication)	PLACED ON FILE
848	Request of Robert West to address Council regarding ICE protest violence (Communication)	PLACED ON FILE
849	Request of Preston Pharaoh to address Council regarding homelessness (Communication)	PLACED ON FILE
850	Request of Scott Robinson to address Council regarding Portland Police Department (Communication)	PLACED ON FILE
TIMES CERTAIN		
851	TIME CERTAIN: 9:45 AM – Proclaim August 25 th to be Salmon-Safe IPA Day (Proclamation introduced by Mayor Wheeler and Commissioner Fish) 15 minutes requested	PLACED ON FILE

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<p>S-*852</p>	<p>TIME CERTAIN: 10:00 AM - Authorize a retroactive sole source contract with GSI Water Solutions, Inc. for CERCLA and Risk Assessment Technical Assistance at the Portland Harbor Superfund Site in the amount of \$2,500,000 (Previous Agenda 778; Ordinance introduced by Commissioner Fish) 15 minutes requested for items 852 and 853</p> <p>Motion to accept substitute documents: Moved by Fish and seconded by Fritz. (Y-4) (Y-4)</p>	<p>SUBSTITUTE 189113</p>
<p>S-*853</p>	<p>Authorize a retroactive sole source contract with GSI Water Solutions, Inc. for Source Control Technical Assistance at the Portland Harbor Superfund Site in the amount of \$1,500,000 (Previous Agenda 779; Ordinance introduced by Commissioner Fish)</p> <p>Motion to accept substitute documents: Moved by Fish and seconded by Fritz. (Y-4) (Y-4)</p>	<p>SUBSTITUTE 189114</p>
<p style="text-align: center;">CONSENT AGENDA – NO DISCUSSION</p> <p style="text-align: center;">Commissioner Dan Saltzman</p> <p style="text-align: center;">Bureau of Transportation</p>		
<p>*854</p>	<p>Authorize an Intergovernmental Agreement with the Port of Portland for the North Rivergate Freight Project to transfer \$4 million to the City (Ordinance) (Y-4)</p>	<p>189106</p>
<p>*855</p>	<p>Authorize an Intergovernmental Agreement with Metro for the North Rivergate Freight Project to transfer \$4 million in City funds to Metro in exchange for Metro applying \$5,185,063 in Federal Highway Improvement Funds to the project (Ordinance) (Y-4)</p>	<p>189107</p>
<p>*856</p>	<p>Authorize an Intergovernmental Agreement with the Oregon Department of Transportation for Right of Way Services for the North Rivergate Freight Project for \$5,000 (Ordinance) (Y-4)</p>	<p>189108</p>
<p>857</p>	<p>Amend contract with TriMet for Design and Construction Management Services for the Portland-Milwaukie Light Rail Project and increase the total grant award to the City by \$648,903 (Second Reading 827; amend Contract No. 30001514) (Y-4)</p>	<p>189109</p>
<p style="text-align: center;">Portland Fire & Rescue</p>		
<p>*858</p>	<p>Authorize agreement with Portland Fire Fighters Association to revise the premium pay eligibility requirements for Technical Rescue Team members (Ordinance) (Y-4)</p>	<p>189110</p>

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<p>*859</p>	<p>Authorize agreement with Portland Fire Fighters Association to settle employee grievances and revise the City's reprimand policy (Ordinance) Motion to amend Exhibit A to add that the reprimand policy will sunset at the end of the current contract: Moved by Fritz and seconded by Saltzman. (Y-4) (Y-4)</p>	<p>189115 AS AMENDED</p>
<p align="center">Commissioner Nick Fish</p>		
<p align="center">Water Bureau</p>		
<p>860</p>	<p>Authorize Intergovernmental Agreement with Portland State University not to exceed \$50,000 to prepare population, housing unit and household estimates and forecasts (Ordinance; Contract No. 30006240)</p>	<p>PASSED TO SECOND READING AUGUST 22, 2018 AT 9:30 AM</p>
<p>861</p>	<p>Extend term of contract with Murray, Smith & Associates, Inc. for the Fulton Pump Station Replacement Project (Second Reading 830; amend Contract No. 30001492) (Y-4)</p>	<p>189111</p>
<p align="center">City Auditor Mary Hull Caballero</p>		
<p>*862</p>	<p>Assess property for system development charge contracts, private plumbing loan contracts and safety net loan deferral contracts (Ordinance; Z0832, K0174, T0188, Z1204, K0175, T0191, Z0833, W0062, P0153, P0154) (Y-4)</p>	<p>189112</p>
<p align="center">REGULAR AGENDA</p>		
<p align="center">Mayor Ted Wheeler</p>		
<p align="center">Office of Management and Finance</p>		
<p>863</p>	<p>Accept bid of Just Bucket Excavating, Inc. for the NW Front Avenue—Naito Parkway LID Project: NW 9th Ave to North of NW 19th Ave for \$1,941,425 (Procurement Report – Bid No. 00000944) Motion to accept report: Moved by Fish and seconded by Saltzman. (Y-4)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p align="center">Commissioner Dan Saltzman</p>		
<p align="center">Bureau of Transportation</p>		
<p>864</p>	<p>Accept status report on the progress towards the actions and items listed in the Division Transit Project Locally Preferred Alternative Conditions of Approval (Previous Agenda 843) (Y-4)</p>	<p>37378</p>
<p>865</p>	<p>Authorize an Intergovernmental Grant Agreement with TriMet for the Division Transit Project in an amount not to exceed \$15,730,000 (Second Reading Agenda 844) (Y-4)</p>	<p>189116</p>

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Commissioner Nick Fish Bureau of Environmental Services		
866	Authorize a contract with Brown and Caldwell, Inc. for professional services for the Inverness Pump Station 24-inch Pressure Line Rehabilitation Project No. E10887 for \$1,100,000 (Ordinance) 10 minutes requested	PASSED TO SECOND READING AUGUST 22, 2018 AT 9:30 AM
867	Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the Downtown-Old Town: Caruthers-Mill Sewer Rehabilitation Project No. E10986 for \$3,296,200 (Ordinance) 10 minutes requested	PASSED TO SECOND READING AUGUST 22, 2018 AT 9:30 AM
Water Bureau		
868	Authorize a Cooperative Utility Agreement with Oregon Department of Transportation for the US26 Powell Blvd: SE 122nd Ave - SE 136th Ave Project to replace water lines for an estimated amount of \$856,000 (Ordinance)	PASSED TO SECOND READING AUGUST 22, 2018 AT 9:30 AM
*869	Authorize an emergency construction contract with Stettler Supply & Construction for an estimated amount of \$681,500 for the rehabilitation or replacement of failed pumps and motors in drinking water Production Wells 3, 13 and 26 (Ordinance) 10 minutes requested (Y-4)	189117
870	Authorize a Joint Funding Agreement with U.S. Geological Survey in the amount of \$1,623,235 for Streamflow and Water Quality Monitoring (Second Reading Agenda 837) (Y-4)	189118
871	Authorize the Water Bureau to acquire certain permanent and temporary property rights necessary for construction of the Penridge Mains Replacement Project through negotiation or through the exercise of the City's Eminent Domain Authority (Second Reading Agenda 838) (Y-4)	189119
872	Authorize the Water Bureau to acquire certain permanent and temporary property rights necessary for construction of the North Jantzen Avenue Main Installation Project through the exercise of the City's Eminent Domain Authority (Second Reading Agenda 839) (Y-4)	189120
873	Authorize the Water Bureau to acquire certain permanent and temporary property rights necessary for the Conduit 2 Trestle Rehabilitation Project through negotiation or through the City's Eminent Domain Authority (Second Reading Agenda 840) (Y-4)	189121
DUE TO LACK OF AGENDA THERE WERE NO 2:00 PM MEETINGS WEDNESDAY OR THURSDAY, AUGUST 15-16, 2018		

At 11:27 a.m., Council adjourned.

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MARY HULL CABALLERO
Auditor of the City of Portland

A handwritten signature in blue ink, appearing to read 'K. Moore-Love', written in a cursive style.

By Karla Moore-Love
Clerk of the Council

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

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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.**

August 15, 2018 9:30am

Wheeler: Good morning everybody this is the Wednesday morning August 15, 2018 morning session of the Portland city council, it is a beautiful day in August, Karla please call the roll.

Saltzman: Here. **Eudaly:** **Fritz:** Here.

Fish: Here. It's a beautiful day, mayor but my son's soccer tryouts at high school were canceled today because of air quality. The district sent out a memo saying no outdoor sports today. So we are -- this thing is impacting lots of people.

Wheeler: So everybody collectively wish for, pray for, hope for the breeze to pick up and I think it is supposed too.

Fish: They are rescheduling for tomorrow, hoping for the best.

Wheeler: You know what, I never said I am here, it all comes as a huge shock to everybody. I am here, good morning, good morning legal counsel.

Karen Moynahan, Chief Deputy City Attorney: Good morning mayor and council. Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer presents order and decorum during city council meetings so everyone can feel welcome, comfortable, respected and safe. To participate in council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or the first readings of ordinances, your testimony should address the matter being considered at the time. When testifying please state your name for the record, your address is not necessary. Please disclose if you are a lobbyist, if you are representing an organization please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left a yellow light goes on. When your time is done a red light goes on. If you are in the audience and would like to show your support for something that is said please feel free to do so with the thumbs up. If you want to express you do not support something, please feel free to do a thumb's down. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed. If there are disruption a warning will be given that further disruption may result in the person being rejected from the remainder of the meeting. After being ejected a person who fails to leave the meeting is subject for arrest or trespass. Thank you for helping your Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Very good thank you. First up is communications, this is an opportunity for people to address the council on any subject that they wish and express their opinions. It's a listening session. Karla please call the first individual.

Item 846.

Wheeler: Good morning.

Sarah Hobbs: We're speaking on the same issue.

Wheeler: Can you call Sarah as well?

Item 847.

Wheeler: Very good, thank you.

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Tia Zilberstein: Good morning city council, mayor Wheeler. My name is Tia Zilberstein I am a Portlander and a mom, and I am here to discuss how Portland police has been behaving during the political demonstrations in our city. On Saturday June 30th Portland Oregon experienced perhaps its worse scene of open political violence in living memory, this is a quote from a article in Haaretz in Israeli newspaper. I want to know why on June 4, 2017, police used flash bang grenades on largely peaceful protesters and arrested them as a group without it a warrant and required them to be photographed with their ids before being freed. I also want to know why police cooperated with far right extremists, arrest demonstrators in that protest. I want to also know why on June 30, 2018, the police opened the police line and allowed one group of people who were armed with sticks to engage with another group, antifa were stripped of the same weapons before being allowed into their demonstration. I also want to know why on June 4, 2018, the police opened the police line allowed one group of people who were armed with sticks to engage with another group, I am sorry, the police launched first flash bang grenades into the crowd of protesters almost killing one protester and injuring a number of others, as a citizen I want to know that I can join in any side of a demonstration and be protected by the police. Favoritism and outright attacks on the demonstrators cannot be the behavior of the Portland police, and cannot be supported by the people overseeing them who are chief outlaw and mayor wheeler and I am not sure exactly who else but these are the people in charge of this. As a citizen, the far right wing protesters, excuse me, the right wing protesters are being shipped in from out of state by the same groups patriot prayer, proud boys and other violent white supremacist that were responsible for the death and violence in Charlottesville, north Carolina. These groups promote violence against anyone who doesn't agree with them, you know this. You know these are not peaceful people and you know that they were a group whose purpose was to cause mayhem in Portland. So why did you allow this? Why are the newspapers reporting the police see them as more mainstream and favor them. A violent profascist anti-american group over the safety of Portlanders? Why is Portland police regularly seen across the world as making violent situations worse. We are known as a city that supports fascists, and I don't believe this is what you want your legacy to be seen as mayor Wheeler, and I want you to know that people in this community are going to be safe when we go to express our opinions in public. I want to know at least that the Portland police are not going to endanger us because of what side of protest that we are on. I want to know that the Portland police policy on demonstration has been, and I want to -- and why we are seeing this pattern of violence against Portlanders at demonstrations, and is there a policy that favors one group over another, favors violence over self-defense. Please explain.

Wheeler: Very good. And by the way communications is not the opportunity to interrogate the city commission. I do want to respond to what she said because you have asked some specific questions. First, there is no specific policy that favors one group over the other. Legally, and you asked the question why are they allowed to come here. The first amendment of the united states constitution gives people the right to assembly and the right to express themselves, even if that expression is abhorrent and reprehensible and I am sure if you talked to some folks here from the aclu, they will confirm that that is the case. That being the case, the role of the police bureau is to keep groups separated, particularly those who in advance of the demonstration make it clear through social media or other means that their intention is, actually, to get into it. To have what Willamette week described as a quote, "sanctioned street fight," unquote and so then the question becomes which tactics do the police bureau use? And I will simply pare it with chief outlaw has already said with regard to the tactics. There is going to be an investigation of all the tactics used, including potentially an outside review. She had expressed some concern about injuries that had taken place during that protest, and I expressed similar concerns.

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She made a decision, as she can, as the command in control leader for the Portland police bureau to suspend the use of certain tactics until that review has become clear and I really want to hone in on something that you said because it's been what's keeping me up at night, which is the community voice in opposition to hate and to violence as a means of expressing political views. In San Francisco it wasn't just the mayor who said we don't want this here, and we abhor these perspectives of hate and violence and bigotry. It was a broad swath of the community, a broad swath of the political leadership, it was bipartisan, it was local, it was around the state and they were able to dissuade this kind of activity, at least in one circumstance. As you know a year ago in June, I took what I believed to be a principled legal and constitutional stand asking the patriot prayer group and their affiliates not to come to the city of Portland. I knew constitutionally that I could not prohibit it, but I also understood that with rights come responsibilities. I felt coming to our city merely days after a double murder on the max train and a severe injury and two young women being terrorized in a very hateful racist manner. I did not think it was a good idea for people to come and protest particularly given the affiliation of the alleged perpetrator with the people coming to our city, and as you will recall I stood alone. It was a very lonely couple of weeks, while not only the local folks excoriated me for allegedly stepping on people's constitutional rights, but dozens of editorial boards around the United States and some overseas excoriated me and in retrospect I have no regrets about the decision I made I believe there was an imminent threat and unfortunately that, you know, my worst fears were realized several weeks later in Charlottesville. We as a community need to have a unified voice on this subject. I will continue to do what I need to do as the police commissioner to be insuring that our chief who has the command and control authority over the police bureau, is impartial to the message. They cannot be partial to one side or to the other. Their job is to protect safety, protect lives, protect property, but over here as mayor I want to work with people in the community who agree with me that when people come here from out of state and they seek to create a violent or provocative situation in our community, we should stand together as a community and say that that is not acceptable. We do not want you to come here to our community and to create havoc that potentially puts our residents and our lives and property at risk. So going forward I hope we don't continue to be divided on this subject. I hope we are unified as a community, but I appreciate your testimony and I thank you for raising the question. Good morning.

Sarah Hobbs: Okay for the record my name is Sarah Hobbs and having become riot response team collateral damage during the riot in Mayday that got me apologies from everybody because it was so wrong. I would come today very triggered about what happened at the recent protests. So I want to start with a quote. I wonder when an officer is handed a grenade in a bag, have they ever really practiced firing down the city street? My guess is no. Marcelo professor at Northern Michigan University and former director of the weapons and equipment research institute, a person who is engaging in their guaranteed constitutional right to protest have the right to expect that the people who are sworn to protect the peace are not the ones who will become the aggressors. I often tell cops who don't have to like us, but you do not have the right to hurt us. Portland Police Bureau's use of flash bang shot into crowds put protesters at great risk. On August 4, the person got hit in the head. Another suffered third degree burns, and as the expert I quoted at the beginning of my testimony stated, these are used after training rethink their use, no. It is time to remove them from the Portland Police Bureau arsenal.

Wheeler: Thank you Sarah. As you know all of this is the subject of investigation and potentially litigation. I personally believe the police officers have a very, very difficult role to play here in keeping people separated and as the chief has said and I support our chief and I support our police bureau, they have to be a learning organization. As I indicated the chief has made some decisions about tactics until the results of the investigation can be

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completed and that's really all that we can say on that subject right now, but I appreciate what you are saying. Commissioner Fritz.

Fritz: Thank you for being here. I just wanted to tell both of you and people at home that there is an opportunity for a peaceful protest on Sunday or a peaceful demonstration of love and that's the walk for immigrants and refugees, which will be at gateway discovery park starting at 11:00 on Sunday. That's 106th and halsey northeast, and there's also simultaneously going to be events happening at knot park close by, which is where the walk is going to go from, so I have seen you before.

Hobbs: That's a highlight for me, and those at the events right now that giving me hope because I posted on my Facebook page yesterday, the only thing that is keeping me here in Portland at this point is ohsu cause they've got national experts for the very rare disorder that I have, or I would be out of here. I am tired of the -- of this going on, but yes, the walks with refugees and immigrants, that's a highlight of mine every year and I hope to see you all.

Wheeler: And Sarah thank you for your myriad of services to the community. You are very open about your health afflictions but you bring a high degree of energy to so many good causes in the community, and we're all appreciative. Thank you both for being here. Next individual.

Item 848.

Wheeler: I don't see Mr. West here. Next individual, please.

Item 849.

Wheeler: Is Mr. Pharaoh here? I don't see Mr. Pharaoh. Next individual. Please.

Item 850.

Wheeler: Good morning and welcome.

Scott Robinson: Hi, my name is Scott Robinson, I am here today to talk to you about my experience with the Portland police bureau. After I was viciously assaulted and severely injured, my jaw was broken, they call it a LeFort II facial fracture. The police officer called to make a report at my request, officer asked, do you really think it will make a difference? I asked why. He said my partner saw you on your front porch yelling at drug dealers going by. Just then I realized the investigation was over, or rather wasn't going to be investigated. The police officer then showed my i.d. to his partner, and in fact, I was the wrong person, being identified as the person on the front porch. He forgot to include that it was a vape that he used to strike me five times in my face and then by activating my vape, he burned my side so badly that I have a varicose capillaries. I am done. This has brought my great fear in my life, not only that my assailant is still out amongst the general population, in northwest downtown pearl district, but I am more fearful of the Portland police bureau because of the complaining and work that I have had to do to try to get justice. I don't have the right to be seen before a judge to allow a measure 11 crime because it has already been made by the Portland police bureau central precinct.

Wheeler: Thank you for your testimony and I want to bring to your attention an avenue that you may or may not be aware of for purposes just like this. There is an independent review process that is completely separate from the city council and separate from the Portland police bureau. I would encourage you to go to the third floor and visit the auditor's office, and they can introduce you to the independent police review process. You can file with them. They conduct completely separate and independent investigations.

Robinson: Yes, it's been done and it was too late. So it's been forwarded to the chief.

Wheeler: Very good. Thank you. Could you state your name for the record.

LaQuida Landford: My name is LaQuida Landford. Good morning mayor and commissioners.

Wheeler: Good morning.

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Landford: Scott and I -- I work at urban league of Portland, and Scott is a client of ours. During this incident, which was probably about a year ago, when he came down to the urban league for seeking some sort of resolution or just some information, the information that I provided was exactly what you had just provided to him. I contacted Irene, and I am a previous member of the coab. I was one of the first persons to be on that. That board and that committee, and so I am very familiar with a lot of the processes, just you know, throughout that time, and I felt like, I felt discouraged as well with Scott because he was very much not filling that he can be able to be out in the community and so I tried my best. I kept running into some of the snags through the process, and therefore, we were not able to get a resolution, so this has been going on about a year, when he reached out to me to advocate for him and to speak with him today. I agreed to do that because I know how traumatizing that it is. I worked as a housing advocate every day within the community, and I am on the ground, so I hear and see a lot of things, and I just know the engagement with our Portland police is not -- it is just not a fair shot when you are trying to get some resolution with anything that needs to happen. There is too many processes, too many barriers.

Wheeler: It can be daunting and Scott, if you would not mind if you feel comfortable, and it's certainly up to you. The gentleman over there is Mustafa he works with me. If you would like to leave your contact information, I would be happy to have a follow-up conversation with you. That's helpful. Thank you both. The consent agenda, Karla, have any items pulled?

Moore-Love: Yes, we've had a request for 859.

Wheeler: Very good, please call the roll on the remainder.

Saltzman: Aye. **Fritz:** Aye. **Fish:** Aye.

Wheeler: Aye. The consent agenda is adopted. First item, item 851, if you could please read that item.

Item 851.

Wheeler: Commissioner Fish.

Fish: Thank you mayor. We are very excited to welcome an all-star panel today, and I am going to invite you up now, and I have a few words to say. Would Dan Kent, the executive director of salmon safe come forward, Gayle Goschie of Goschie forms, I hope I pronounced that correctly, Kurt Widmer, where have I heard that name. Already made the mistake of saying hello to Kurt today but turns out it was Rob. Kurt is here with Widmer brothers brewing and Christian Ettinger of Hopworks Urban Brewery, and we are delighted to have all four of you. Salmon safe is an important partner of the cities, and together we are working to promote watershed health and bring salmon and other native species back to our local rivers and streams. On August 25, salmon safe will host the first ever salmon safe IPA festival. It's a celebration with more than 20 local and national breweries who made salmon, who make salmon safe beer for this special occasion. Before I turn it over to Dan and our panel to talk about this event, I want to read a statement that has been prepared by, in consultation with our tribal liaison, Laura John and discuss with our team, in fact it has been acted on, and so I will take a moment to read this statement. Before we hear from our panel of invited guests, I want to highlight an important conversation we've been having over the last several days. Late Monday afternoon the city's tribal liaison, Laura John, brought to our attention a concern about this proclamation. Her concern was not with salmon safe, nor was it with the many businesses across our community working to make their products in a more sustainability way. Rather she flagged for us that in putting this proclamation together we missed an important perspective. For many native people salmon means something very different than it does to us. The association of salmon with commercial activity means something different and the association of salmon with beer means something entirely different. We learned that one of the beers created for

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the festivals used a Sahaptin word for its name and Laura shared a question about whether the confederated tribes of the warm springs or their members have been appropriately or adequately consulted. She was right to bring these concerns to our attention. In response dan Kent took action and the festival materials have been changed. In fact, I understand that the beer has been renamed. We're grateful to Laura for her guidance on this and so many issues. We appreciate dan's immediate and thoughtful response. Most important, we value the opportunities for learning and building bridges together, to be culturally responsive and work to reverse the invisibility and erase the native peoples. Thank you. With that, dan, I will turn it over to you. Welcome.

Dan Kent: Thank you commissioner Fish. We much appreciated your long-term role as a champion for clean water and the healthy Portland watershed and thank you, mayor, and council for the opportunity to be here. Do I need to state the name and affiliation?

Wheeler: If you don't mind that would be helpful.

Kent: Dan Kent, executive director of salmon safe based here in Portland. Salmon safe has been here before, has been here in front of the council before a few times through our long-time work with the city of Portland, but just as a reminder we are an environmental certification nonprofit focused on water quality protection and habitat conservation. Two years ago the city of Portland became the first city in the world to complete a comprehensive assessment of its watershed impacts working with an independent third party verification organization, really looking across the city at policies, programs, facilities, and with the idea of reducing the impacts on the Willamette river watershed, and at that time, two years ago, the council committed to becoming the nation's first salmon safe city, and I am happy to report that now other cities particularly in the puget sound region are following Portland's lead. It's exciting to see this movement among the municipalities looking at watershed impact is growing. That work with the city of Portland continues to this day at bureaus ranging from transportation and water to environmental services, Portland fire and rescue facilities and others. Earlier this summer our independent science team conducted work across the city with Portland parks and recreation looking at natural areas and neighborhood park sites as part of the Portland parks recertification. But today we're here to talk not about the city's operations, but as commissioner Fish mentioned, we are here to talk about one of Portland's great claims to fame, and that of course, is craft beer and we have experts here at this table. We are going to be talking in particular, in particular about breweries that are taking steps to source hops and malt that are grown in a way that is protective of our watersheds. But before we talked about hops and malt in the salmon safe ipa festival I did want to address your comments commissioner Fish for salmon safe, working for the last couple of decades in salmon conservation, often in partnership with the tribes and their ancestral lands, we honor the cultural importance and spiritual reverence of salmon to tribal people. What we were reminded of in the last day and through this discussion is the power of names and the responsibility we have as conveners of discussions and events around stewardship and place to ensure that the tribal language and perspectives are treated honorably. I am speaking of place in the Columbia basin in particular over 80% of u.s. hops are grown in two Columbia river watersheds. Two tributaries to the Columbia river, including our own Willamette river upstream of Portland. We will hear next from a leader among those hops and now malt growers, and the very first hop grower to achieve salmon safe certification.

Wheeler: Thank you.

Gayle Goschie: Good morning. Good morning my name is Gayle Goschie with Goschie farms, in Silverton, Oregon. Myself and two brother farm our multi-generational business. I am a fourth generation farmer, I am a third generation hop grower. So our grandparents planted the first crop of hops in 1904 and it's been an absolute pleasure to be a part of the industry and to also be able to be a part of the industry growing our crops here in Oregon.

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When I am able to go out and talk about what we do on the farm, a part of what I have as my sales team is the state of Oregon and the beauty of the Willamette valley. And in our pursuit of being able to, in the early 2000s, to be able to talk to craft brewers, rather than major brewers, I looked to salmon safe as a way to help me to tell our story. And I saw at first with the Oregon wine industry, I was seeing the salmon safe logo showing up on great Oregon wine bottles and I was seeing wineries promoting what they were doing through salmon safe and so I looked at it, and I had great discussions with dan to look at how I could be a hop grower and salmon safe certified. Today that was over ten years ago, today of the thousand acres that we farm as a family of hops, wine grapes now, and maltine barley, as well, all of those thousand acres are certified under salmon safe. We do it as a family farm because again it was something that we really were doing ourselves, but maybe not communicating clearly enough about. When we started to work with the craft brewers, not only here in Oregon, but across the united states, I needed a way to be able to help them tell their story because craft brewers were looking for ways to be able to find their ingredients that were being grown in a sustainability and environmentally friendly way and so were their customers. So it was a wonderful combination to happen. We now, as I said, sell our hops, and we are experimenting with maltine barley thanks to the scientists and the researcher at Oregon state university. This is the first time that maltine barley has been able to be grown west of the mountains rather than the drier, eastern areas, and so we're having, frankly we're having a great time being able to grow now both of those crops. It's important when we look at salmon safe to be able to hold ourselves as generational growers of our farm, really to the standards that we need to, to be sustainable in our business are how we treat our environment, how we treat the soil that our crops are being grown on is terribly important, to be able to sustain that for the next generation. So I thank you for inviting us today, and I am just delighted to be able to be here. Thank you.

Wheeler: Thank you for being here.

Kurt Widmer: Mayor wheeler, commissioners, thanks for having us here. Commissioner Fish no apologies necessary for confusing rob and i. I get us mixed up sometimes myself. Kurt Widmer co-founder of Widmer brothers brewing. Widmer brothers is one of the largest and longest breweries in the region, is committed to sustainability to minimizing our greenhouse gas impact and supporting our watersheds and local community. We have been a long-time supporter of the Willamette valley crop growers and an early champion of salmon safe certified hops, knowing that it is not only important to source hops close to home, but also to protect the valley's eco-system and water quality. We are lucky to brew beer in one of the best hop and malt growing regions, and we brew with water conservation in mind, having achieved one of the lowest water usage to beer ratios in the industry. Salmon safe certified hops and malt enable us to communicate this commitment and the highest level of quality to our beer drinkers. While also protecting the local rivers and streams in our backyard. We are honored and thrilled to support salmon safe and Portland's new salmon safe ipa day. Thanks very much.

Fish: Thank you.

Wheeler: Thank you.

Christian Ettinger: I am Christian Ettinger, founder of brew master hopworks and brewery thank you for having us here today mayor and commissioners. Hop works was founded ten years ago with a simple idea of making world class beer as sustainably as possible. We are proud to be the first salmon safe certified brewery site in the northwest. As a member of the salmon safe board, our team is working consistently to protect northwest waterways so salmon can spawn and thrive. For the last ten years we have worked to create a culture of thoughtful sourcing that looks at all the ingredients that make beer delicious. Malted barley, hops, and our amazing bull run water. Farmers and brewers have a special connection to the land and the water that makes it possible for us to do our work. Salmon

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safe offers us as brewers a special opportunity to reduce our environmental impact through sourcing ingredients with their eco-label. As a community our passion for clean and abundant water runs as deep as the Columbia river gorge. At hop works we thought that there was no better way to celebrate our love for beer, salmon, and water, then to do what our brewers do best, throw a giant party. On August 25, we invite the council and our entire community to the inaugural salmon safe ipa festival at our flagship brewery at southeast 29th and Powell boulevard. We will be serving 23 unique ipas from 23 of our eco-minded brewery friends. They were tasked with making innovative one off ipas featuring salmon safe certified ingredients. What better way to drive environmental change than over a few delicious pints of salmon safe ipa. We thank you for making August 25 a day that we can gather as a community to celebrate and toast clean water for when the salmon thrive we thrive, thank you.

Wheeler: Thank you.

Fish: This is the point in our program where the mayor, we turn to the mayor who is going to issue a proclamation.

Wheeler: Very good. Thank you to commissioner Fish. Whereas salmon are indicators of and thriving in clean and healthy rivers; Whereas salmon safe is a Portland-based nonprofit, established in 1997 to protect watersheds from the effects of urban development in farming; And whereas since 2002, salmon safe has helped over 900 west coast farmers and businesses and organizations to move to sustainability salmon friendly practices; And whereas Portland is a national leader in a number of craft breweries per capita; And whereas 90% of u.s. grown hops are from the Willamette and Yakima valleys, both of which are home to native salmon; And whereas salmon safe is supported one-third of the hop farmers in these watersheds sharing best practices for conserving water, nourishing diversity, and preserving habitat quality; And whereas Portland parks and recreation received salmon safe certification in 2004. In October, on October 26, 2016, the city of Portland proudly became the first salmon safe city in the nation; Whereas on August 25, 2018, at hop works urban brewery, salmon safe is celebrating environmental sustainability with 22 regional and national breweries brewing salmon safe beers at the first ever salmon safe ipa festival; Now therefore I, Ted Wheeler, Mayor of the City of Roses, do hereby proclaim August 25, 2018 to be the salmon safe ipa day in Portland and encourage all residents to observe this day. Thank you all for being here.

Fish: Can we get a picture?

Wheeler: Absolutely. Thank you commissioner Fish.

Fish: I would like to also acknowledge that former U.S. Attorney Dwight Holton is here, great for this cause. Thank you Dwight.

At 10:10 a.m. council recessed

At 10:13 a.m. council reconvened

Wheeler: Why don't we do 852 and 853 until we get 59 tee'd up with the chief is still working on some issues is that correct?

Fritz: Yes.

Wheeler: Alright Karla could you please read 852 and 853 together.

Item 852.

Item 853.

Wheeler: Very good, commissioner Fish.

Fish: Mayor if we can suspend for one minute, we are waiting for Michael Jordan and Annie Von Burg to return to the room.

Wheeler: Let's take a three-minute recess.

At 10:14 council recessed

At 10:16 council reconvened

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Wheeler: Alright we're back and everybody is here, commissioner Fish.

Fish: Mayor and colleagues today we have two ordinances requesting authorization to issue sole source contracts for technical support on the Portland harbor superfund cleanup. The Portland harbor team is here today to provide a brief background on these items from the bureau of environmental services we have director Michael Jordan, and we are joined by Annie Von Burg, and from the city attorney's office we have Karen Moynahan, mike take it away.

Mike Jordan, Director, Bureau of Environmental Services: Thank you commissioner, thanks Mr. mayor, members of the council, a pleasure to be here today for the record my name is mike Jordan, I'm the director of the bureau of environmental services. The two items you have before you, ordinances are at their cart in administrative correction. Correcting an issue that came before council back in 2015. I want to make clear at the very beginning the issues that two ordinances you have before you change neither the scope of services or the cost in the contracts so they are essentially the same contracts. What we have before you is an administrative issue that I will go into a little bit of background how we got here. In 2005 the council passed ordinances after a competitive procurement process to give contracts, two contracts to gsi inc. One contract for technical support on source control in the Portland harbor and the second for cercla and risk assessment technical assistance on the same project in Portland harbor. That contract was good for five years from 2005 to 2010. It had the ability to be extended for another five years, which we did to 2010, or excuse me from 2010 to 2015 and in 2015 we, incorrectly believed that we had the ability to extend that contract again for another five years, and we did so. We have since learned that that's prohibited under the charter. So we should have in 2015 come to you with these two issues, which is to make these contracts sole source. The sole source justification is that we have been working with gsi for ten years on very technical issues regarding the harbor and have been our partners really to get us to this point, and by the way, we are at a point now where we are moving from remedial investigation and feasibility study to after the record of decision being issued a couple of years ago, and now on the verge of being able to actually begin to implement the cleanup of the harbor. We have an exciting opportunity coming with three other partners, the federal government, state government, and the port, along with the city to begin some work, almost imminently in the next month or so. We are hoping to begin sampling work with an agreement with epa and those four partners at Willamette cove, which is one of the areas where we know there is a lot of human contact with the harbor, and it's one of the early sites that we would like to get working on. Gsi has been an important partner for us, what we have before you again today is two contracts which declare those sole source contracts. Again, we made a mistake. We should have been here back in 2015 with these very items, and instead, we extended the contract by mistake and we've been working with the city attorney's office and with the procurement about the form of these so that we can make this correction, and we're here to try and answer any of your questions Mr. Mayor.

Wheeler: Colleagues, any questions?

Fish: I just have one question. Maybe this is a unique opportunity to give the council a quick update on where we are in superfund. Michael since the last big event that we had at council, we have seen the administration bring a new administrator in to run the epa, so mr. Pruitt is out, and Mr. Wheeler, no relation is in. We've also seen Mr. Albert Kelly, someone that we got to know pretty well who was the administrator's point person on superfund is out and there is now a new team. What can you tell us about the state of the agency's commit to follow through on superfund? Because one of the things that mr. Pruitt and mr. Kelly were crystal clear about is that while we may have disagreements with epa on many issues, the administration was intent on moving forward with the superfund

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process in places like Portland. Have you discerned any change in approach at the federal level?

Jordan: Thanks for the question commissioner. I guess the short answer I would say, and I would defer to Annie Von Burg, who deals with region 10 at least and much more regular basis, but I have not seen any change in the administration, the current administration's intent to move forward quickly. And so I think that our recent conversations around the Willamette cove and the other partners is evidence of that. Also we've been making proposals on them regarding data management and how to integrate that, and they have been very enthusiastic about working with us on those proposals, so the shorter answer, I guess, and I would certainly ask Annie if she wants to fill in the detail, we have not seen a general change. They are still working, I think, with us very closely to move to implementation.

Fish: Annie is that consistent with your understanding?

Annie Von Burg, Bureau of Environmental Services: That is consistent, and we also -- we have heard directly from administrator wheeler's team that they remain committed to prioritize superfund within the epa agenda, so we look forward to work with that team directly.

Fish: I am also, mayor, very excited that you and I will have a chance starting in early fall to bring action to council. So they will not only be some discernible progress in moving the record decision forward, but I also got a briefing the other day on discussions we're having with the state and the feds on perhaps the most robust communications plan of any enterprise that I have ever seen during my ten years on council. It is to be jointly shared by the parties and funded, but a way to use new technology to make sure that the people can access real-time information about where we are on all these exercises. So it's very exciting and thank you team for bringing both these matters forward.

Jordan: Thank you.

Wheeler: Very good. Does that complete the presentation?

Jordan: That completes ours unless there are questions.

Wheeler: Public testimony?

Moore-Love: We have substitutes for these.

Fish: Those are the substitutes?

Moore-Love: Pardon?

Fish: These are the substitutes?

Moore-Love: No. The titles I read were the previous ones. We hadn't moved to accept the substitute. Is that correct Karen?

Fish: So my understanding is the substitute was filed but there is no harm in being absolutely clear, so I move the substitute.

Fritz: Second.

Wheeler: We have a motion from commissioner Fish. A second from commissioner Fritz, call the roll on the substitute.

Moore-Love: I have been advised to reread the titles because these are new titles.

Wheeler: That's fine.

Moore-Love: 852 is authorize a retroactive sole source contract with gsi water solutions, inc for cercla and risk assessment technical assistance at the Portland harbor superfund site in the amount of \$2.5 million. 853, the new title is authorize a retro active sole source contract with gsi water solutions, inc. For sole source control technical assistance at the Portland harbor superfund site in the amount of \$1.5 million.

Fish: Karla what would we do without it you and I think actually my understanding is that the things that were filed were in effect updated, therefore substitute. What you are doing is conforming the titles to the action taken. Thank you for being so scrupulous.

Wheeler: Call the roll, please.

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Moore-Love: Do you want testimony?

Wheeler: This is changing the substitute that is on the table.

Saltzman: Aye. **Fritz:** Aye. **Fish:** Aye.

Wheeler: Aye. Now public testimony on the substitute.

Moore-Love: No one else signed up. Except lightning.

Wheeler: Very good you're it the list is closed. Good morning.

Lightning: Good morning, my name is lightning, I represent lightning super disrupt watchdog. One of the issues I have had on this whole situation is that I think that I can take a shovel and go down to that river take some of that contaminated sediment out of the river, and I would have done more work than this city has done to the last ten years on cleaning that river up. I really think you have neglected the river. I really think that you keep thinking that you are going to wait on my good friend president trump to come in here riding on some horse and saying hey, I am going to fund your cleanup on this river, Oregon. And he's going to look at senator merkley and mr. Wyden and say guess what, I said that I am going to fund you that money but guess what, you get nothing. remember me president trump, you get nothing, Oregon, and that's what he's going to do. Now what we need to do is to get serious about dredging. I want to have a dredge built, called the lightning Portland dredge and I want to begin to dredge this river. The way it needs to be done. Every year a certain amount taken out, and then we keep testing and again, I am asking governor brown to step in, begin funding this dredge, and to have a separate bureau set up at the city called a dredging bureau and their focus is begin to do maintenance dredging on areas that we need to have this done. We don't have to wait for our good friend president trump to do anything because guess what, he thinks of Oregon, what do you think he's going to do for all those kind words from our great senators to president trump? He's going to laugh in their face because they have done nothing, nothing to get that money to come to Oregon except make sure that it's not going to happen. Again it's going to come down to the city, it's going to come down to the state. To get anything done and nothing is stopping you from building the dredge. Nothing is going to stop you from beginning the maintenance dredging throughout. Nothing is stopping you from sampling the sediment, which again Mr. Wheeler I want to have them sample that where you are swimming out there and I want to see those tests and make sure that it is safe to swim in a river that is currently designated as a superfund site. Again, a superfund site, and just real fast, I asked the epa directly, I went down to their office, and I said would you swim in that river? They laughed at me. Don't make jokes in front of us. Absolutely not. Don't even come down here. It is a superfund, get it tested, get it cleaned up. Quit wasting time.

Wheeler: Thank you.

Fish: Thank you lightning, so mayor we are going to take these up together as emergency items. I think it is important before we cast the vote though because lightning has raised, I think, three issues that are, at least three issues that deserve a response. Number one, there is no federal money in superfund and there hasn't been since newt gingrich took the superfund tax away. So superfund is now a process that comes with no federal money. So let's -- we won't have any illusions about this. It was the direct action taken by then speaker gingrich that violated what we think is the governing principle of superfund, which is polluter pays. There is no federal tax collecting money to cover the cost of remediating our river. That's number one. Number two the cost will be born by potentially responsible parties, and the bulk of this so called prp locally is legacy private businesses. Once upon a time they used to manufacture bad things and then discharge them into the river. One of the reasons the city is being careful and scrupulous about the timetable for moving forward is that we want polluters to pay their fair share. We do not want to shift the cost of superfund onto the backs of our taxpayers exclusively. And number three, we will be

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starting this fall with sampling and with some early action which I think lightning and others and particularly our friends in the environmental community will be cheering, and finally, this is the first form that we have had where someone has proposed and suggested that we name some of the equipment that will be manufacturing locally. Lightning, it's, it's a good idea, it's the idea to beat since I have no other requests for naming, we will give it full consideration, and as long as you release any claims that you have to the use of the name and how we, we license it. So with that mayor I would urge a vote on both matters.

Wheeler: Very good. First item 852, please call the roll.

Saltzman: Aye.

Fritz: Commissioner I think with the, with your respect the amount of time that you dedicated to this issue that naming anything lighting would be a bit of a misnomer. Aye.

Fish: Aye.

Wheeler: First of all usgs and others maintain real-time data on water quality in the Willamette river and again, people are swimming in the water. They are not eating the sediment buried underneath the riverbed. I vote aye. Next item. 853, please call the roll.

Saltzman: Aye. **Fritz:** Aye.

Fish: I want to thank our crack team for their presentation today and clearly this is a technical issue that we're correcting, but it's in the public interest that we continue working with the gsi at water solutions so thanks for your presentation, I am pleased to vote aye.

Wheeler: Thank you for your work on this commissioner Fish, and I want to thank the staff. This is important. It's necessary. I vote aye. The ordinance is adopted. And chief myers here? Very good. He's in the corner there. Why don't we call 859.

Item 859.

Saltzman: Thank you, mayor, I will turn it over to chief myers.

Mike Myers, Fire Chief, Portland Fire and Rescue: Good morning mayor and commissioners, my name is mike myers fire chief for the city of Portland. As you see on the item 859, we are entertaining an opportunity to make changes to the current contact language regarding some grievances and disciplinary process. In discussions with the commissioner Fritz this morning there is some interest in maybe possibly adding an amendment I would entertain those today. I have had a discussion with the union president, representatives from the bureau of human resources and we are comfortable with that proposal with the commissioner who's interested in making that amendment today.

Wheeler: Commissioner Fritz.

Fritz: Thank you mayor, do we have a substitute agreement signed?

Myers: We are not process right now, I just signed the paperwork. The individuals are heading to the union president's office to get his signature. My understanding is we will have that before the end of business today.

Fritz: So colleagues my concern is that this establishes that written discipline would be removed from fire employee's record after one year or three years. And since this is in between bargaining and this is obviously something that would be germane to bargaining if we were in it my suggestion is to make it through the end of this contract which is next year, rather than adding it perpetually. This also gives an opportunity to see how it works in practice. I am concerned that for the removal of the disciplinary action such as behavior or off duty conduct, that that's fairly vague. It's not clear whether things like disorderly conduct or driving under the influence would be covered and if that's the case, it would be concerning to me that would be removed from the record, for after three years the disciplinary action can be removed with the majority approval from two out of the three approving parties. Human resources director, fire chief and the Portland firefighters association president. Given that the firefighters association president will always be a yes, and that means that either the human resources director or the fire chief could vote to

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remove the discipline over the other's objection, and something to consider in the, what goes into the next full contract is to require the fire chief and the human resources director to agree on that issue, but I am not making that amendment today. I am merely saying that this letter of agreement would sunset with the current contract. So I move that amendment, actually was asking the city attorney do we have to wait until we have the signed agreement to go with this ordinance? I can't hear you, sorry.

Karen Moynahan, Chief Deputy City Attorney: I don't believe that you do commissioner. I think that you can approve it as to whatever the form is before you.

Fritz: Well what was before us is a settlement agreement in exhibit a, which is referenced in the ordinance and so exhibit a is going to change.

Moynahan: If the changes are not significant you can vote on it now but if they are significant or substantive, then you should wait.

Fritz: Shall we vote on it, well I will move the amend to make this sunset at the end of the current contract.

Saltzman: I will second.

Wheeler: We have a motion from commissioner Fritz, a second from commissioner Saltzman. Is there any testimony on this?

Moore-Love: This was pulled from the consent so we did not have sign-up sheet.

Wheeler: Very good. So I guess that I have one question. I want to make sure that we are not doing labor negotiations on the fly. If I vote in favor of this, am I voting in favor of an agreement that has been vetted by both sides, both parties to this matter?

Myers: It has been. So the -- here's the situation that I expect will lend some clarity. T

Wheeler: Thank you.

Myers: This might bring some clarity. So my ultimate goal mayor and commission is to create an environment where Portland fire and rescue can be successful. We started off two years ago with a three-year strategic plan, we are one year into that and have been successful this is the first part of the year there are 200 something items on there, and we are progressing well. Along the way, the culture of Portland fire and rescue is unveiled and there are certain areas that under my command that I need to have the responsibility to manage your organization. One of those areas is I have to have the opportunity to hold people accountable when issues arise. I have a goal of getting to zero grievances, thus zero arbitrations. It does not mean that I give everything away to the union, but it does mean that I have to build trust with that labor president. Respectful relationship. Arbitrations are expensive. They bog down organizations and I have a lot to do. Every many of the accountable steps I take to hold people accountable, which would include discipline for minor infractions have been grieved. Those grievances then go to arbitrations, which become unnecessarily costly to the city and basically are a waste of my time. My interest is to solve that. I have met tirelessly with the local president to build that trust in this relationship. I feel like the union has come a long way towards what I need them to do to help me to establish the accountability to begin to establish accountability here in the work force. We have a tremendous fire bureau, they do a great job, but as with any organization, there are a handful of employees where you need to take positive disciplined steps. We started with the lowest level of discipline to change the behavior, and that is our intent, thus to avoid a grievance.

Wheeler: Very good and I like the pragmatic approach that's being proposed.

Myers: We can accept that, those terms are appropriate.

Wheeler: Very good. Karla please call the roll.

Moore-Love: This is on the amendment.

Saltzman: On the amendment.

Moore-Love: On the amendment.

Saltzman: Aye. **Fritz:** Aye. **Fish:** Aye.

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Wheeler: Aye. The amendment is adopted, to the main motion please call the roll.

Saltzman: Well I want to thank chief Myers for his explanation first of all. It's always good to make sure that everybody up here understands what's going on but also for your leadership and working with the union president to come up with a way to get your vision for zero grievances into effect and I think that the process that's laid out here in the resolution for discipline and also for removal from the record of discipline at a subsequent date, if the behavior has been remedied. Is a good one and we will build positive relationships in the bureau and between the chief and the firefighters' union. Aye.

Fritz: The city needs to have a fair and predictable discipline process and grievance process and it needs to be consistent across all bureaus and it needs to make sure that the people are held accountable on an ongoing basis. So I am concerned about taking written, because written reprimands are not given lightly. There are several steps before that. So taking a written reprimand after the record is something to be of concern. So, I am willing to see how it works for the next year or so while this contract is in effect and will expect to see positive results on all sides before the next contract comes to council. Aye.

Fish: I have a slightly different view on this. Chief I appreciate the goal that you have said of zero grievances. Frankly a lot of the grievances we adjudicate in this city should not go forward. It is in effect a canary in a tunnel issue of the trust and the relationship that trivial things go forward and take up people's time rather than being resolved. One of the hallmarks of smart labor relations is giving front line managers the flexibility to try different things, different approaches. This seems like an innovative way of meeting our labor partners halfway and resolving backlog of grievances that should not be going forward. I look forward to seeing the fruits of this and hearing whether this is going to, you know change the relationship and the culture, but I think that I am loathed to micromanage labor relations on these kinds of things. I think we should encourage innovation and I think that this seems like a reasonable approach which has the great benefit of resolving some grievances that should not consume your time and the bureau's time. Thank you for being in this forward, I am pleased to vote aye.

Wheeler: I vote aye. The ordinance is adopted as amended. Thanks, chief. Next item, 863 please.

Item 863.

Wheeler: Good morning Larry.

Larry Pelatt, Procurement Services: Good morning, Mayor Wheeler and Commissioners. I am Larry Pelatt, Procurement Services. You have before you the report recommending that the contract award to just bucket excavating and for the Mayor's office comment one time before, yea they do have more than just a bucket. They really do. The Northwest Front Avenue Naito Parkway Lid project, which encompasses Northwest 9th Avenue to Northwest, to north of Northwest 19th Avenue, the amount is \$1,941,424.84 to be exact. The engineer's estimate on the project was \$1,998,640. The bureau's confidence level was low. Bids are open on June 26, 2018, four bids are received and just bucket excavating is the lowest responsive and responsible bidder at \$1,941,424 and actually 84 cents, which is \$57,215, or 2.86% under the engineer's estimate. The council approved ordinance 188283, March 16, 2017, creating the lid and authorizing Procurement Services to competitively solicit for this construction. The Bureau of Transportation and Procurement Services along with just bucket identified a aspirational goal for certified disadvantaged minority women and emerging small business subcontractor supplier utilization of 20% per standard practice. There is a total of \$1,480,191, or 76.24% of the DMWSB participation on the project. Including the prime contractor at \$601,842, or 31% and certified subcommittees at 45.24%, apportioned as follows, disadvantaged business enterprise \$63,710, women owned business enterprise \$612,280, and an emerging small business \$202,359. Just bucket excavating is located in Albany, they are a state certified d and mbe

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contractor. They are certified with the city, they are in compliance with all of the city's contracting requirements, if the council has any questions regarding the procurement, I am here to answer those, because the city's goal of 20% was far more than met, we did not ask the bureau or Just bucket excavating to be in the chambers today.

Wheeler: Any questions, if not I will entertain a motion.

Fish: So moved.

Fritz: Second.

Wheeler: We have a motion from commissioner Fish and commissioner Saltzman, I think, just got in there on the fly. On the second. Karla please call the roll.

Saltzman: Aye. **Fritz:** Aye.

Fish: Great outcome, aye.

Wheeler: Very well done, thanks again, Larry, aye. The procurement report is accepted. Thank you. Colleagues the next two items 864 and 865, 864, I will let Karla read it in a moment, as you will recall was a resolution. 865 is a second reading of a non-emergency ordinance. We took testimony on both these items last week. There will be no testimony today that we hold, we continued the resolution so that commissioner Fritz would have an opportunity to take a vote on the resolution today. If you could call items 864 and 865 and then we will take them in sequence.

Item 864.

Item 865.

Wheeler: Very good, is there any other discussion on item 864 before we call the roll? Please call the roll on the resolution 864.

Saltzman: Well once again I thank tri-met and metro, our bureau of transportation, prosper Portland for all the work that they have done with the community to make this important transit project closer to a reality. Aye.

Fritz: Thanks to all the staff and everybody who presented last week. I did watch the entire record yesterday evening so this will be used by the references to synchronized swimming but that was, brought good memories of my daughter being in Portland Parks and Recreation tsunami syncro, and Christina Tobbs and anyway, also I want to thank April bertelsen and Teresa for a long-time Portland bureau of transportation and employees who are doing their usual stellar work, and also our partnership with tri-met. This vote accepts the status report, I believe that there is many others who are not entirely satisfied with the status, that there is more work to be done particularly under the housing and business support, and particularly east of 82nd, so I know the community wants to see more progress on making sure that businesses and residents are not displaced as this wonderful project goes in. I know that there is also some continued concern about exactly how it's going to work with various traffic and transit improvements, I am pleased to see a lot of tri-met improvements in east Portland, in particular, so thank you for that. And finally thanks to Janine gates on my staff her excellent staff work. Aye.

Fish: I thought the presentations that we got from tri-met, metro, pbot, prosper Portland were terrific and I wholeheartedly support this project. I was at a business association luncheon yesterday at division midway and actually took the division all the way up to get to the event. There was a young african-american man who worked in a local business there at midway who asked me a question, and said with respect to this bold plan, to speed up rapid, I guess rapid transit bus service along division, he said how will this be different than the experience that my family and I had in inner northeast with light rail? And I am reminded that, you know, we are painfully aware that once upon a time there was an Albina plan where people came together in good faith, and they acknowledged that there were certain events that could happen in the future that could have an impact on the neighborhood, and yet light rail came in and had a profound effect of displaying and people and gentrifying the area in ways that even thoughtful people 20 years ago did not

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anticipate. Now we are armed with the historical knowledge of what these kinds of investments often do, both on the positive side and the negative side of the ledger. And it is vitally important to this council that we focus on the potential for displacement, and that we plan for the inevitable gentrification that will occur. We're not just making, by the way, investments in transit, and another person at my luncheon brought up the question of a new park that's been proposed for 150th and division. There is a lot of infrastructure that is planned in these communities, which is going to have the effect of raising land values and displacing and gentrifying, it is inevitable. So as we plan for a more progressive transit system that gets people, you know, from a to b quicker and more efficiently, and we take advantage of the smart technologies and all the wonderful things that you presented to us, I want to also just join my colleague, commissioner Fritz in putting down a marker that we are very concerned about not repeating the mistakes of the past. And so working with our community partners to make sure that whatever prosperity is generated through these investments is broadly shared, and that we have strategies in place to make people make sure that people are not being displaced. That's going to take a coordinated effort, it goes well beyond prosper Portland and will include the housing bureau and many other agencies, but it is vitally important that we demonstrate to this community that we can have both the vision of better transit but not at the expense of displacing historic populations. So with that caveat, I thought it was a terrific report and I am pleased to support it. Aye.

Wheeler: I won't repeat what commissioner Fish said because he said it far more eloquently than I could ever say it, but he's exactly right. We have reinvented, and we're in the process of reinventing the way that we think about development and design and community. This project, I think, is a Fantastic project, and it's one that's been asked for, for many years. It has four key components from my perspective that are desirable first of all it improves safety, which helps achieve our vision zero goals, obviously makes improvements to traffic flow as well as enhancing the transit and will lead to streetscape improvements as well. And all these things are great, but when it comes to is the partnership, this is new. Prosper Portland's role at this table is very much focused not just on an economic development play but also the question of equity. Who benefits from the developments and the investments that are being made in this community in ensuring that as we go farther with the project, and we heard tri-met commit to this and the city has committed and I know metro has committed to making sure that as contracts come forward and people benefit through economic, as people's economic prosperity is positively impacted, we want to make sure that the prosperity is widely distributed and that all have an opportunity to participate in the economic upside the projects like this provide. I also believe that there is an opportunity to learn from some of the lead work that's been done on a different transportation project, namely the southwest corridor where the city of Portland and the city of Tigard and tri-met and others are working on an anti-displacement strategy before we get to the brass tax of what the transportation strategy looks like. In other words, rather than being the last one in to talk about the land banking, or housing opportunities, or commercial enterprises, we are actually leading that conversation and as I said, I have thrown down the marker that we will only support the transportation initiative provided that the anti-displacement strategies and the affordable housing and workforce housing strategies and the commercial, the local commercial opportunities are discussed as part of that overall project. I am very pleased with the partnership that's been developed there. I am pleased to see that the council is thinking about these issues and not thinking about them after the fact, but thinking about them pro actively and I was very pleased with the staff presentation that we received on this last week and strongly supported. I vote aye. The resolution is adopted. Now to the ordinance. 865, please call the roll.

Saltzman: Aye.

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Fritz: The money going with it is always a good thing to make sure that we can invest the appropriate amount to the planning and implementation, and thanks commissioner Saltzman and your chief of staff Matt Grumm and also for my commissioner, Steve Novick and former director Leah Treat for their work on this project. Thank you commissioner Fish for reminding me about the 150th and Division site. One of the most satisfying purchases I have made and with the council and Mayor Hales, funding the master plan, it's basically ready to go now, just lacking \$20 million or so to get it constructed, but it's going to be a great resting place and attraction for 150th and Division in an area that needs those amenities and deserves those amenities. So it's great when our bureaus and our council works together on projects like this, each in our lane but making sure that they come together in the end, and I am confident that you will be able to do that as the next parks commissioner, at least I hope you will, if the resources being there if they are available. Thank you very much everybody for all of the good work on this. Aye.

Fish: Aye.

Wheeler: I vote aye. The ordinance is adopted. Thank you commissioner Saltzman and everybody who worked so hard on this. [gavel pounded] ordinance is adopted. Next item, 866.

Item 866.

Wheeler: Commissioner Fish.

Fish: Mayor and colleagues the Inverness pump station is located near the Columbia Slough in northeast Portland. Like the other 98 pump stations in our city, it moves wastewater through pipes when gravity alone is not sufficient. Brenda Sherwood, project manager and Paul Suto, principal engineer from the Bureau of Environmental Services are here to give us a brief presentation. Welcome.

Paul Suto, Bureau of Environmental Services: Good morning Mayor Wheeler and commissioners. I am Paul Suto for the record. What we are presenting here today is the first key step in multi-year program that we have to inspect and rehabilitate the two large force mains that convey sewage from the Inverness pump station. These are many miles in length, so they do pose a high risk to the Bureau in the event of any leaks and so forth. So what the projects are driven by is to overall provide reliable sewage for the city, and now Brenda, the project manager will provide the details of the request before you today.

Brenda Sherwood, Bureau of Environmental Services: Good morning. I am Brenda Sherwood with Wastewater Treatment and Pumping Systems Division, project manager for the Inverness pump station 24-inch pressure line rehabilitation project. We are here today to request authorization for a PTE contract with Brown and Caldwell for design services for this project. So the Inverness pump station 24-inch pressure line has demonstrated signs of corrosion and plugging of the 17 air release valves. Air release valves are located and required at the high points in the pressure line to relieve any air pockets that might build up from the air in the sewage. These air pockets can create areas of increased corrosion and also can decrease the flow capacity of the force main. So this pressure line has been out of service since the early 2000s because of the problems. The objective of the project is to reconfigure the air release valves to provide long-term reliability, safe operations, and maintenance access. Additionally, this project will perform the preparatory work to facilitate a future detailed inspection and condition assessment and repair project. So the Inverness pump station system does consist of two independent pressure lines. The first is the 24-inch ductal iron pipe constructed in 1985. The second is a 36-inch pipe that was constructed in 1995. This first project will focus solely on rehabilitating the air release valves on the 24-inch line only. The air release valves were shut off in approximately 1995 due to plugging and odor issues and then corrosion was found near the western end in 1998 because of these issues the first line was taken out of service. These pictures at the bottom show the first one shows a missing

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airv site and the middle one shows some of the severe corrosion found in 1998 and the last shows one of the very corroded arvs that needs replacing. This figure shows the approximate location of both pressure lines on the left you see the Columbia boulevard wastewater treatment plant and on the right is the inverness pump station. The magenta line shows our 24-inch force main which roughly follows Lombard and Columbia boulevard. The green follows marine drive for the 36-inch. So the current request of this pte contract is for it not to exceed \$1.1 million. The total project cost is around \$6,052,000 the level of confidence is deemed low at this time because it's in the predesign phase and the cost estimate will increase in confidence as the project progresses. The construction cost estimate is at \$3.9 million and the current schedule shows the design completed near the end of 2019, with construction completed in 2021. The pte selection process required advertising for competitive selection, a selection committee reviewed and scored each proposal, and brown and Caldwell was selected in accordance with the city code 5.68 and the negotiated fee is approximately \$1.1 million. It does include some optional tasks for additional services depending on permitting requirements for \$250,000. The disadvantaged minority women and emerging small business subcontract participation is 20% of the total nte limit for approximately \$220,000. Then just for your information we will be back for future council requests. We have two more projects. We'll be back first for the construction contract on this project then we have two projects to do the repair and condition assessment on both the 24 and on the 36. So our recommendation is to authorize execution of this pte contract with Brown and Caldwell for not two exceed contract limit of \$1.1 million. Any questions?

Wheeler: Commissioner Fritz.

Fritz: I had to step out, so I may have missed this. Why are we replacing it now if it's been out of service almost 20 years?

Sherwood: Because this is one of our critical force mains. It's approximately ten miles long and this 36 inch has been in service for the past ten years and is already starting to show signs of failure. So we need to get this force main up and running so we can use it to take the other force main off to do condition assessment on it as well.

Fritz: Thank you.

Wheeler: Public testimony?

Moore-Love: Yes. I show three people signed up. Please come on up.

Wheeler: Good morning.

Mimi German: Good morning. My name is Mimi German. I have a quick question about the last thing that this woman said. Is it possible to go back in the very last thing that she said in the transcript? I can't remember what it was.

Moore-Love: No we can't.

Fish: Mimi state your concern and I'll have her come back.

German: Oh, yeah. I know what it was. So the pipe needs to get rebuilt now after was your question to her. What was the -- how long was that pipe supposed to last in the first place? Was it supposed to last longer? Why didn't people know it was supposed last longer and that it wouldn't and we're at ten years and now they are asking for \$6 million to redo this thing. That's my question. Thanks, Karla. Glad I don't need that. In the beginning when you were calling up this person I noticed that the council has this amazing way to process and look at all the ins and outs of these reports that come in, whatever they are called, the projects that come in and you're often thorough with how you look at the questions. I don't understand why we can't do that with ice in Portland. Why we can't use that same kind of questioning with the police in Portland. Why we can't do that kind of questioning when our people get shot by the police directly by chief outlaw's orders on our streets. It's weird to me that you can talk to people who are talking about pipes and sewage and whatever the thing is, moving buildings, creating buildings in this line of questioning but you can't use

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the same line of questioning when it involves the safety activists in our city and residents in our city.

Wheeler: Is that a question?

German: It is a question.

Wheeler: I will answer it briefly and you know I know you so I'm taking a little bit of leave that I would not take. I'm making an exception. There are very specific processes in place for those conversations. It starts with the use of force directives, which regularly go out for public review, feedback, input, lots of different people, institutions and organizations provide feedback on the use of force directives. With regard to specific police tactics, we actually have a dual investigative process which by the way is being used for there were some people before you got here asking questions about that. I made note of the fact that from an internal policy perspective we have an investigative process and we also have independent external process through independent police review process plus there are also commissions that have the ability to look at these things and pcccep also has broad latitude to take public input and bring people in for these conversations. So unless there's a specific item relating to these things on the agenda it doesn't get taken up in this particular forum, but I assure you there are many other forums where this information is taken up.

German: Well, I have 54 seconds left. What I would like to say is that the line of questioning -- when this woman needs to come back up here, this department, whatever the department is, has to come back up here, it's a direct back and forth at this table and we get to be here for that. We all, we, the community, gets to be here but we, the community, does not get to be involved in situations that involve ipr and the new pcccep. I know I tried to get in. Pdx tried to get in. A whole bunch of us tried to get that interview. None of us got that interview. The line of questioning is still of concern. How do we actually make a difference with things that matter like our lives on the streets when there's corruption going on with ice in our city, in our sanctuary city.

Wheeler: I would simply say again we have very specific processes that are in place to review that information. You have a police chief, and I don't want to go back and give the whole statement I gave at the beginning of the meeting. I would encourage you to review it, there are many opportunities for direct community engagement and feedback. In fact we had a number of people here earlier today asking questions and we didn't have a terribly packed agenda, I took a personal liberty and I answered some of those questions. I would encourage you to go back and review that record.

Fish: Thank you, Mimi. Let me invite the team back and I'll answer your question if you want to take your seat.

Wheeler: Thank you.

Fish: Let's have our crack team back. I think I know the answer to this and it has a little bit to do with the way we take limited resources and do triage in our system, but Paul, would you take a crack at her question?

Suto: Sure, if I understood the question correctly, it was a few parts, one is how long do we expect the force mains to last and then if it's been out of service for ten years why have we waited so long.

Fish: Miss German has nodded twice, so I think those are the two questions. Why don't you take a crack at answering.

Suto: So, in general when we set out designed and improvement for force mains we target a 50-year life, so it's in that 30 to 50 year horizon. This force main did not last that long, there was some I think there was damage noticed back in the '90s, about ten years after it was constructed. I think during the construction and design of that original force main the conditions were slightly different. There were some lining failures that had accelerated and part of the issue was also tied to these air relief valves that Brenda had in her presentation,

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that those weren't operated. They were in a very challenging operation situation the way they were originally designed and built which required them to be closed down to prevent odor issues in the community and that accelerated the breakdown, so to speak.

Fish: So, we didn't get if you will the shelf life for this force main that we would normally expect and it had partly to do with the unique conditions that where it was built and some of the technology. Then the second question is, why are we waiting ten years to address the problem.

Suto: That's a great question. So the main reason is we had the 36 inch line serviced during the last ten years, and it had been performing fine, but now we're starting to see flags and concerns with that, and we know here it takes years to implement a project to rehabilitate a line. We need to get that -- we can't wait any more to rehabilitate that 24 inch right now. So we're kind of at the end of our waiting period, so to speak.

Fish: So there's a risk assessment and what we don't want to happen, though, is the remaining functioning pipe fail, in which case we have a serious problem because there's a lot of flow that comes through this pump station. So with some sense of urgency in moving this thing forward and mayor that concludes our presentation.

Wheeler: Very good. Please call the roll.

Fish: No it goes to a second reading.

Wheeler: I'm sorry, this is first reading of a nonemergency ordinance. Moves to second reading. 867, please.

Item 867.

Wheeler: Commissioner Fish.

Fish: Mayor and colleagues, this bureau of environmental services project will rehabilitate aging and deteriorating sewer pipes in downtown Portland primarily near Portland state university. It will repair over a mile of sewer pipe, some 140 years old, and extend the life of the system in the area for another 100 years. The project is slated to begin next spring and will be completed within a year with impacts at most locations limited to a few days. Susan Hjorten, engineer and paul Suto, principal engineer for the bureau of environmental services, are here to give us a brief presentation. Welcome.

Susan Hjorten, Bureau of Environmental Services: Thank you, as stated I'm Susan Hjorten, engineer and project manager for bes. We're asking for authorization to advertise the downtown old town Carruthers mill \$3.3 million rehabilitation contract. On the map is the area of the entire downtown old town project program boundary that we are going to be doing sewer rehab. At the bottom of the map highlighted in red is my project, the Carruthers mill. The blue highlighted area is Yamhill Morrison and we did quite a bit of sewer rehab there last year in May when trimet had light-rail shut down. The rest of the areas are in pre-design. This map shows actual locations of the work where we are doing the sewer rehab. A lot of it is in the Portland state area. Most of the 6500 feet of pipe that we're rehabbing is over 100 years old. It's clay pipe. We haven't done capital improvement projects in this area of this size so its time to get a remaining useful life to this pipe. There will be some night work, a lot of it dependent on traffic flow. If the contractor can maintain acceptable levels of traffic flow they can work during the day, but we have been working with pbot, odot, trimet and those are their concerns, just keeping traffic moving. Where we will be doing night work at the most it will be about two nights, it will be very limited to the businesses and residents in the area. Public outreach has done a great job. They have sent flyers, they've maintained a website, keeping the project information up to date. They have canvassed the neighborhood businesses and residents keeping people informed of the project. Their information targeted the scope of the work. The repair locations, possible traffic impacts, then the proposed schedule both the daytime and nighttime work. So the engineer's estimate is close to \$3.3 million. I hope to advertise a project later this month.

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Notice received would be given to the contractor about January but this is primarily dry weather work, so we anticipate the bulk of the work being done between May and August.

Fish: Susan, when you reviewed this power point with me I had trouble identifying the picture. My colleagues may be interested in what this is and what is the significance.

Hjorten: This is a manhole. Our new current manholes are round, typically four foot across. In downtown we have a lot of these brick manholes, they're square, rectangular. So it's a challenge. This manhole in particular is about 11 feet deep and over 130 years old. It's hard to rehabilitate them. You can't dig in the downtown area because of all the utilities so we're going to put an insert in to maintain its structural stability. It's kind of fun to find unique things after looking at hundreds of manholes.

Fish: Thank you.

Hjorten: This is kind of fun too. This is an as-built from 1886 and it is just unique, a little bit artwork, fun to see. Here's where we actually are dumping water it says right to the river.

Then on the bottom is our current title blocks, just a then and now comparison. Questions?

Fish: Thank you very much. Colleagues?

Fritz: Cool that it has artwork on it.

Wheeler: I was going to say. Did they have someone on staff that did the artwork? That's fabulous. Very good. Any further questions, colleagues? Is there any public testimony on this item.

Moore-Love: No one signed up.

Wheeler: Very good, this is first reading of a nonemergency ordinance. It moves to second reading. Thank you for your good work. Next item please 868.

Item 868.

Wheeler: Commissioner Fish.

Fish: Colleagues the water bureau seeks to enter into a 10 year cooperative utility agreement with odot to replace water lines located near Powell boulevard between southeast 122nd and southeast 136th. I'm pleased to introduce chief engineer Teresa Elliott, who is flying solo today, who will give us a brief presentation.

Teresa Elliott, Portland Water Bureau: Good morning, mayor, commissioners. I'm Teresa Elliott, chief engineer Portland water bureau. The water bureau is seeking to enter a ten-year cooperative utility agreement with odot to replace water lines on Powell boulevard between 122nd and 136th. Powell boulevard is part of the state highway system under odot's jurisdiction. They are conducting a project to do some transportation improvements and pedestrian improvements in Powell. Water bureau has some assets on both sides of the road that are impacted by the construction project and so they will need to be replaced. At the same time that they're being replaced we're also doing some system improvements to improve the water system that's outside of what's impacted. We are entering into a ten-year agreement with odot because odot's project is actually phased over several years, and so in order to get everything completed the attorneys suggested we make it a 10-year agreement. Portions of the water work where we predate odot we're reimbursed 100%. The portions that we're doing the system improvements or betterments as odot calls it, are things we have to pay odot for because of odot's time frame for their construction project we decided it would be better for them to include our work in their contract rather than having two separate contracts there at the same time. So with this agreement we're asking for authorization for the agreement and also to pay odot the \$856,000 that would cover our portion of the work in the contract. With that I invite you to ask questions.

Fish: Colleagues?

Wheeler: Any public testimony on this item?

Moore-Love: No one signed up.

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Wheeler: Very good. This is also a first reading of a nonemergency ordinance. It moves to second reading. Thank you for your hard work. It's appreciated. We won't hold the suspense any longer Karla, please read item 869.

Item 869.

Wheeler: Commissioner Fish.

Fish: Colleagues, we're blessed at the city of Portland to have the two largest supplies of safe and reliable water in the state first of course is the bull run watershed, second is the Columbia south shore well field. The well field is Portland's second supply source to augment and provide backup to our bull run water supply. Urgent repairs are required of some of the pumps at the well field and it's my pleasure to introduce Teresa Elliott, chief engineer, who is flying solo today from the Portland water bureau to give us a brief introduction.

Teresa Elliott, Portland Water Bureau: Good morning mayor and commissioners. I'm Teresa Elliott, chief engineer, Portland water bureau. As commissioner said, the pumps in our wells 3, 13 and 26 are part of the Columbia south shore well field, which we have 26 wells in that well field. We rely on the well field as our secondary water source. Secondary supply source to augment and provide backup when bull run water supply is not available. The well field provides approximately 100 million gallons for short periods of time, about 70 million gallons a day during sustained long periods. We have three wells that represent 14 million gallons, about 14% of our capacity that's available. These wells have failed, they started between February and May of 2018. Without them in service there's a risk of us not being able to meet demands when we need to turn the system on. In addition the well field is a critical part of our compliance with the state and epa's interim measures while we build the treatment facility for bull run. We have entered into a negotiated -- I'm sorry, we negotiated emergency contract with Stettler supply and construction for performance of the work for the repairs. The work is on private property in an industrial area near the airport, and it does not have any residential neighbors. Funding was not included in our 2018-19 adopted budget but will be added during the fall bump and what we're doing is moving money from other program contingency to cover that work. The total estimate for the work has a low confidence rating because as emergency repairs you have to take the wells out or take the motors out of the wells and send them off to figure out exactly the extent of the damage or the extent of repairs that need to be done. That's why we're calling it a low confidence. We're asking for an emergency contract for authorization for emergency contract and to authorize payment. Any questions?

Wheeler: I have just a couple. Tell me about failed pumps. We have three different production wells where the pumps have failed. Is this a common occurrence or a coincidence that we have three at once?

Elliott: I think it's just coincidental that three failed at the same time. They do fail over time. Usually we get when we take them apart and do maintenance on them we have a sense that they are going out so we can turn those off. It's unusual to have -- we have an ongoing fiscal budget of replacing and maintaining wells over time. It's just three of them went bad at the same time and we weren't planning for that.

Wheeler: So just to be clear and it states in the title that I guess I just need to repeat it for my own edification. You're not necessarily replacing those pumps, if they pull them apart and it just needs new gears they will just replace that piece if that's the cost effective way to do it.

Elliott: Correct.

Wheeler: They do go through a regular maintenance cycle?

Elliott: Yes.

Wheeler: How often that is cycle?

Elliott: I don't know, but I would be happy to get it for you.

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Wheeler: Alright very good, colleagues any further questions. Commissioner Fritz.

Fritz: These pump wells 3, 13 and 26, how many do we have altogether?

Elliott: We have 26 that are production wells then a bunch of monitoring wells as well.

Fritz: Three out of the 26. Great. Thank you.

Wheeler: What happens if the pump breaks? Are there backup pumps or other pumps? How does it work?

Elliott: If a pump itself breaks then that well is out of commission until we can bring in a brand new pump system to go into it.

Wheeler: Would the public notice that or does it just get --

Elliott: We would turn it off line and route water around to go to one of the other wells.

Fish: You said something interesting. You said would the public notice it. Earlier today Kurt and Rob Widmer were here. Many years ago when then David Schaff was the director of the bureau, we had lunch with the Widmer brothers. At the time they did not have a single point of contact with the bureau so we made the director single point of contact because they are obviously one of our biggest customers. Very bullish on Bull Run water, one of the reasons they decided to expand their footprint here is we have such great water, but when in the summertime we shift to blended water and bring some Columbia well water in, it does change the pH a little bit.

Elliott: Yes, it does.

Fish: So, we set up a system with them and other breweries where we gave them advance notice of that change. It turns out even a minor blending has enough of an impact on their production processes that they like as much notice as possible, they make adjustments in their brewing process, so that the consumer doesn't know any different. A Widmer Hefeweizen tastes the same, the consumers not going to know the difference. There's a difference in pH, so the concern that they have is timely notice of when we shift to a blended supply.

Wheeler: That is interesting. Very good. Thank you. This is an emergency ordinance because of the nature of the issue here. Karla, please call the roll. I'm sorry, public testimony. I forgot.

Moore-Love: No one signed up.

Wheeler: Very good, please call the roll.

Saltzman: Aye.

Fritz: Thank you for all of the information about the betterment, I think that's a very nice word. Aye.

Fish: Thank you Teresa. Aye.

Wheeler: Thank you. I always feel like I learn a lot from these presentations. I appreciate you being here. I vote aye. The ordinance is adopted. Colleagues, we have three more items, they are all second readings that means all of them have been presented to the council previously. All of them have had prior public testimony. Now the issue is just to vote so Karla, if you could read 871 and call the roll.

Moore-Love: 870?

Wheeler: I'm sorry. 870.

Item 870.

Wheeler: Please call the roll.

Saltzman: Aye. **Fritz:** Aye. **Fish:** Aye.

Wheeler: Aye. The ordinance is adopted. Please call 871.

Item 871.

Wheeler: Please call the roll.

Saltzman: Aye. **Fritz:** Aye. **Fish:** Aye.

Wheeler: Aye. The ordinance is adopted. Please call item 872.

Item 872.

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Wheeler: Please call the roll.

Saltzman: Aye. **Fritz:** Aye. **Fish:** Aye.

Wheeler: Aye. The ordinance is adopted. Last but not least, please read item 873.
Item 873.

Wheeler: Please call the roll.

Saltzman: Aye. **Fritz:** Aye. **Fish:** Aye.

Wheeler: Aye. The ordinance is adopted and we are adjourned. Thank you, everyone.

At 11:27 a.m. Council adjourned