



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **8TH DAY OF FEBRUARY, 2006** AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Sten, Presiding; Commissioners Adams, Leonard and Saltzman, 4.

Commissioner Saltzman was excused to arrive at 10:06 a.m.

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

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

COMMUNICATIONS		Disposition:
136 Request of Paul Phillips to address Council regarding America (Communication)		PLACED ON FILE
137 Request of Charles E. Long to address Council regarding how to make our dreams come true (Communication)		PLACED ON FILE
138 Request of Sam Chase to address Council regarding the need to provide affordable housing (Communication)		PLACED ON FILE
139 Request of Clyde Doctor to address Council regarding the need to provide affordable housing (Communication)		PLACED ON FILE
140 Request of Katja Biesanz to address Council regarding tram/Oregon Health Sciences University/PGE (Communication)		PLACED ON FILE
TIME CERTAINS		
*141 TIME CERTAIN: 9:30 AM – Accept a grant from Energy Trust in the amount of \$362,000 to construct co-generation facility at Columbia Boulevard Wastewater Treatment Plant (Ordinance introduced by Commissioner Adams) (Y-4)		179904
CONSENT AGENDA – NO DISCUSSION		

February 8, 2006

Mayor Tom Potter

Office of Management and Finance – Bureau of Technology Services

- *142** Amend contract with NetVersant-Washington, Inc. to provide goods and services to implement an Automatic Call Distribution System (Ordinance; amend Contract No. 36155)
(Y-4)

179905

Police Bureau

- *143** Authorize the Police Bureau to appoint Mark Melvin Piombo to the classification of Police Officer at the 4-year salary rate (Ordinance)
(Y-4)

179906

- 144** Accept a \$40,000 grant from the Oregon Department of Justice Victims of Crime Act Program for a Police Administrative Specialist for Victims Assistance Services (Second Reading Agenda 115)
(Y-4)

179907

- 145** Apply for a \$250,000 Gang Resistance Education and Training Local 2006 grant for program expenses from the Bureau of Justice Assistance (Second Reading Agenda 116)
(Y-4)

179908

Commissioner Sam Adams

Bureau of Environmental Services

- 146** Authorize Intergovernmental Agreement with Northwest Service Academy to provide two Americorps placements to implement the community watershed stewardship program (Ordinance)

**PASSED TO
SECOND READING
FEBRUARY 15, 2006
AT 9:30 AM**

- 147** Authorize grant application to the Bonneville Power Administration for fish study in the Willamette Watershed in the amount of \$1,268,674 (Second Reading Agenda 119)
(Y-4)

179909

- 148** Authorize grant application to National Oceanic and Atmospheric Administration under the Open Rivers Initiative for fish passage and habitat restoration work at Errol Creek in the Johnson Creek Watershed in the amount of \$210,756 (Second Reading Agenda 120)
(Y-4)

179910

Office of Transportation

- *149** Amend contract with Inekon Group to purchase custom upholstery fabric for seats on the Portland Streetcar vehicles (Ordinance; amend Contract No. 32210)
(Y-4)

179911

February 8, 2006

<p>150 Grant revocable permit to Jake's Famous Crawfish/McCormick & Schmick to close SW Stark Street between SW 12th and 13th Avenues March 16-18, 2006 (Second Reading Agenda 125)</p> <p>(Y-4)</p>	<p>179912</p>
<p>151 Grant revocable permit to Paddy's Bar & Grill to close SW Yamhill Street between SW 1st Avenue and SW Naito Parkway March 17-18, 2006 (Second Reading Agenda 126)</p> <p>(Y-4)</p>	<p>179913</p>
<p>Commissioner Randy Leonard</p>	
<p>152 Contribute \$150,000 to Metro for site improvements at the Morrison Building property at Lone Fir Cemetery (Ordinance)</p>	<p>PASSED TO SECOND READING FEBRUARY 15, 2006 AT 9:30 AM</p>
<p>Bureau of Emergency Communications</p>	
<p>*153 Authorize an agreement with ieSolutions, division of InfoExperience, LLC for \$145,000 for evaluation of the computer assisted dispatch system (Ordinance)</p> <p>(Y-4)</p>	<p>179914</p>
<p>154 Authorize Intergovernmental Agreement with Multnomah County to provide additional funds for Rescue Autumn's People Program (Ordinance)</p>	<p>PASSED TO SECOND READING FEBRUARY 15, 2006 AT 9:30 AM</p>
<p>Commissioner Dan Saltzman</p>	
<p>Parks and Recreation</p>	
<p>155 Authorize an Intergovernmental Agreement with Portland State University/Survey Research Laboratory for a survey of neighborhood park use in the amount of \$1,500 (Ordinance)</p>	<p>PASSED TO SECOND READING FEBRUARY 15, 2006 AT 9:30 AM</p>
<p>156 Authorize an Intergovernmental Agreement with TriMet to accept \$150,000 to offset cost to construct the McLoughlin bicycle and pedestrian bridge to accommodate future Light Rail (Second Reading Agenda 128)</p> <p>(Y-4)</p>	<p>179915</p>
<p>Commissioner Erik Sten</p>	
<p>Bureau of Housing and Community Development</p>	
<p>*157 Amend subrecipient contract with Cascade AIDS Project by an additional \$18,000 for the Supportive Housing Program and provide for payment (Ordinance; amend Contract No. 36173)</p> <p>(Y-4)</p>	<p>179916</p>

February 8, 2006

<p>*158 Amend subrecipient contract with SE Works to extend the dates, increase performance goals and increase the funding by \$42,724 for the Ex-offender Project and provide for payment (Ordinance; amend Contract No. 35726)</p> <p>(Y-4)</p>	<p align="center">179917</p>
<p align="center">REGULAR AGENDA</p> <p>159 Authorize the City Attorney to file appeal of Oregon Public Utility Commission determination on the application of Portland General Electric for authority to issue common stock and for Stephen Forbes Cooper, LLC to exercise substantial influence over Portland General Electric (Resolution introduced by Commissioners Leonard and Sten)</p> <p>(Y-4)</p>	<p align="center">36375</p>
<p align="center">Mayor Tom Potter</p> <p align="center">Office of Management and Finance – Bond Counsel</p> <p>160 Authorize revenue bonds to finance various sewer system projects (Second Reading Agenda 130)</p> <p>(Y-4)</p>	<p align="center">179918</p>
<p align="center">Office of Management and Finance – Bureau of General Services</p> <p>161 Authorize lease for parking space for the Bureau of Water Works Westinghouse Building & Fleet Garage Canopy Demolition project (Ordinance)</p>	<p align="center">PASSED TO SECOND READING FEBRUARY 15, 2006 AT 9:30 AM</p>
<p align="center">Portland Development Commission</p> <p>162 Authorize North/Northeast Enterprise Zone contract with Kraft Foods Global Inc. (Second Reading Agenda 111)</p> <p>(Y-4)</p>	<p align="center">179919</p>
<p align="center">Commissioner Sam Adams</p> <p align="center">Office of Transportation</p> <p>163 Adopt recommendations in the Sunderland Recycling Facility Master Plan 2005 (Resolution)</p> <p>(Y-4)</p>	<p align="center">36376</p>
<p>*164 Authorize grant application to the Oregon Department of Transportation and Oregon Department of Aviation Multimodal Transportation Fund ConnectOregon Program for the Portland Streetcar Lowell Extension Project (Ordinance)</p> <p>(Y-4)</p>	<p align="center">179920</p>
<p align="center">Commissioner Dan Saltzman</p>	

February 8, 2006

Office of Cable Communications and Franchise Management	
*165 Authorize franchise fee settlement with PacifiCorp (Ordinance) (Y-4)	179921
Office of Sustainable Development	
*166 Authorize an Intergovernmental Agreement with Metro to receive an Organic Waste Composting Capital grant in the amount of \$5,288 FY 2005-06 (Ordinance) (Y-4)	179922
167 Consent to transfer of Wooten Sanitary Service, Inc. residential solid waste and recycling collection franchise to Portland Disposal and Recycling Service, Inc. (Second Reading Agenda 131) (Y-4)	179923

At 11:04 a.m., Council recessed.

February 8, 2006

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **8TH DAY OF FEBRUARY, 2006** AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Sten, Presiding; Commissioners Adams, Leonard and Saltzman, 4.

At 2:13 p.m., Council recessed.

At 3:06 p.m., Council reconvened.

Commissioner Leonard arrived at 3:06 p.m.

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

168 TIME CERTAIN: 2:00 PM – Reject Staff Report and Recommendation, accept revised Order of Council to deny claim of Uptown Associates Ltd., Measure 37 Claim (Previous Agenda 132; introduced by Mayor Potter; Claim No. 05-153584 PR) (Y-3; N-1, Sten)	Disposition: REJECT STAFF REPORT; ACCEPT REVISED ORDER OF COUNCIL
169 TIME CERTAIN: 3:00 PM – Consider the proposal of Samson and Nita C. Cheung and the recommendation from the Hearings Officer for approval of a Comprehensive Plan Map and Zoning Map Amendment to allow parking and future development of property located at 8733 SE Division Street (Hearing; LU 05-161931 CP ZC) Motion to accept amendment to page 38 of the Hearings Officer’s Report: Moved by Commissioner Leonard and seconded by Commissioner Adams and gaveled down by Council President Sten after no objections. (Y-4)	ACCEPTED AS AMENDED
*170 Amend the Comprehensive Plan Map designation from Medium Density Multi-Dwelling to Neighborhood Commercial and change zoning from R1a, Residential 1,000 with Alternative Design Density overlay to CN2b, Neighborhood Commercial 2 with Buffer overlay of the North 7 feet of Lot 3 and all of Lots 38 and 61 at the request of Samson and Nita C. Cheung (Ordinance; LU 05-161931 CP ZC) Motion to accept amendment to Condition B, modified to include only 2549 SE 109th Avenue, 1S2E10BA 3800 as the receiver site: Moved by Commissioner Leonard and seconded by Commissioner Saltzman and gaveled down by Council President Sten after no objections. (Y-4)	179924 AS AMENDED

At 3:27 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

February 8, 2006

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

February 8, 2006
Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

FEBRUARY 8, 2006 9:30 AM

Sten: As a general rule we do not allow applause in the council chambers, but in this case as your president i'm going to make an exception. Now that commissioner -- Leonard has joined us, please call the roll. [roll call]

Sten: Mayor Potter is travelling on city business, so it's my turn to be council president. I have the honor of running the meeting today. We'll start with council communications. Could you please read 136.

Item 136.

Sten: Each person on communications will have three minutes. There's a little clock you can keep an eye on, and it's all yours.

Paul Phillips: I'm paul phillips. I hope the council members that's not present didn't leave town on account of me. Last week when I spoke --

Sten: There's no evidence of that.

Phillips: Last week when I spoke I was talking about fatalities and injuries in the greater Portland area. I have good news to report. In just a week's time, nobody apparently died as a fatality from a work-related job in the greater Portland area, but of course I guess you heard about the three fishermen that lost their lives. If I had a bone to pick with any member on the council, it certainly -- i'd want to make clear that I don't -- when i've been talking about growth ridges, I guess some people think that a blind person with a physical impairment is short and slow. Well, apparently I got to where doctors thought that I was so short and slow i'm talking about an i.q. Of a double digit, or at least a high double digit i.q., saying that I got growth rings. Even an open forum letter which I read to john kitzhaber, I read here, and had printed in the east Oregonian newspaper in pendleton, and the date here is written, i'd read it previously if you remember. And he's a medical doctor, supposedly. He knew what growth rings were. And apparently safe fatalities -- I don't think they're too safe when they're dead, maybe they are, but anyways, there's the bad news of this situation, that there's another three months -- three weeks, excuse me, left in this month of february, and there probably will be a fatality here in the greater Portland area. Is my time up?

Sten: You've got 30 seconds.

Phillips: 30 seconds. Well, like I said last week, which I gave the report from the c.d.c. Where it quoted 16 fatalities and 17,000 people a day being injured on the job, they can attain a copy of that and verify the web address from the c.d.c., that information. I'll be turning this in to the secretary.

Sten: Ok. Thank you, mr. phillips. 137.

Item 137.

Moore: He's had to reschedule to the 8th.

Sten: Ok. That brings us to 138.

Item 138.

Sten: I've had a request to substitute cassandra garrison, and clyde doctor. You're 139 as well, for sam chase. And that's ok. Would you guys like to just do six minutes together?

*****: We'll do a one-two punch.

Sten: Ok.

February 8, 2006

Cassandra Garrison: Good morning, commissioners. Cassandra garrison, the public policy manager for the Oregon food bank. Clyde and I are here joined by our fellow men's of affordable housing now coalition. We're going to stand during our statements, that's why we brought our friends with us. Out of respect for the city council's time, only clyde and I will address you today. Right now in Portland hard-working families are struggling to make ends meet. Living paycheck-to-paycheck and through tough choices of paying rent or putting food on the table, the choices are made daily by our neighbors. Hunger is an income issue, and if you can't buy food, you're going to have difficult times buying rent. From our hunger factor survey, which I passed out to you, the Oregon food bank had basically fed over 820,000 unduplicated Oregonians who ate out of an emergency food box at least once during last year. 160,000 people an average during the month. Of those who came to get an emergency food box, 40% of them were children. 67,000 children approximately eight out of emergency -- ate out of emergency food boxes. Two-parent families made up the majority of those receiving emergency food boxes, almost 31% of the people coming through the food bank system are two-parent families. 42% of those households had at least one member working. 47% of the families spent over half of their earned income on housing costs. With affordable housing difficult to find, housing costs eating up a larger portion of their budget, low-income households are having a very difficult time finding a place to live. Work is no guarantee against hunger in Oregon, and work is no guarantee that you will have a place to live. Working Oregonians in two-income households have a hunger rate almost four times higher be the rest of the nation here in this city. Lack of affordable housing is one of the most important reasons why Oregonians go hungry. The new jobs being created in our economy in the city and even in the urban renewal districts are mostly service sector jobs, minimum wage jobs without benefits. These wages are not enough to support a family in this economy, and the Oregon food bank actually found it took two full-time jobs to afford a two-bedroom house in the city. Federal budget cuts are take their toll on state budgets and to make matters worse, cities are begin to feel the continued cutbacks of the federal funding cuts in terms of the community development block grants being cut, home funds, the housing authorities, Portland housing authority are seeing their budgets impacted as well, and according to bhcd staff, they are saying they're going to need about 5.3 million in the year's budget to even break even.

*****: I'll yield that 20 seconds.

Garrison: Despite the best efforts of the state and county and city on their plans to end homelessness, we saw how we're losing ground on dealing with the homelessness, and during project homeless connect, I think we were amazed at how many homeless people we have that are chronically homeless. Sorry about that. Despite our best efforts at the state and city level, we're encouraging the city council to dedicate the \$13 million in new housing dollars in the past two years which is basically been a huge part of the larger momentum on affordable housing, and we're asking that the council act again. We must address the needs of working families, seniors, people with disabilities, the city must use every available tool to increase affordable housing in the city.

Sten: Thank you.

Item 139.

Clyde Doctor: Good morning. My name is clyde doctor, i'm here representing affordable housing now and the affordable housing advocacy group. We hope to use this great example of citizen involvement to convince you affordable housing should be elevated to a top priority issue as you enter the annual budget cycle. We know you share the community's housing goals and we appreciate the tough choices council has made to support affordable housing in years past. But as cassandra has noted, the dire situation spotlighted by the city club has grown worse. Despite best efforts, yours and ours, the lack of affordable housing is sliding towards crisis. Stopping that slide requires bold action. Here's what we think is required. \$17 million should be added to the housing investment fund to expand the innovative programs you have created to expedite housing for needy

February 8, 2006

families and provide flexible emergency grants that move people who are homeless into housing. In a time of crisis, it is imperative all tools be brought to bear. Urban renewal has brought wealth to some parts of Portland, but is under developed. Portland should mobilize the powers of urban renewal to be sure 30% of the revenues support housing for the 30% of Portlanders who increasingly have to choose between adequate food, medicine, or housing. Many cities in California have taken advantage of a 20-year-old state law to set urban revenue goals for affordable housing at 30% or higher. Though this isn't a radical idea. Solving the complex puzzle of affordable housing in Portland will take bold leadership, and as our city club report recommends, that leadership vests here with you in the city council. You won't be alone in your endeavor, because housing advocates are gearing up to help you solve that puzzle. Literally. We have prepared jigsaw puzzles for each of you, and over the next 15 weeks, each week on Tuesday morning, our delegates will visit your offices offering real success stories about affordable housing, and also they'll drop off a few pieces of the housing puzzle that we've prepared for you. We hope seeing the puzzle grow will remind you not just of the need for action, but also of our support for your efforts to improve the affordable housing situation in Portland. We previously sent you copies of our investment fund and urban renewal policies, and I would be glad to answer any questions.

Sten: Great. Thank you very much.

*******:** You're welcome. Thanks to everybody for coming as well. Item 140.

Item 140.

Sten: Go ahead.

Katja Biesanz: Hello, I'm Katja Biesanz, and I'm here because I'd like you to know the personal impact of your decisions. They won't help me, probably, but I hope to win some mitigation force my neighborhood to prevent this cut after cut happening to other neighborhoods, and to call city government to higher ethical standards. I'm concerned by conflict of interest with the revolving doors on the tram. I think we need to make some stringent legislation about that, more stringent than federal legislation, since that doesn't do much good. People in our neighborhood testified that the budget was unrealistic at best, and we're ignored. This was pre-steel price increases. Various departments were negligent in communication with us and perhaps even dishonest, I was shown a map of where power poles would be, and the number and locations don't match. So that was not updated. I'm told my property value won't go down, but that doesn't matter to me. I love my neighborhood, I love my neighbors, I don't want to live elsewhere. And here's the personal impact.

The tram will block my view of St. Helens with its wires and tower. Out of my kitchen and bedroom, the condos with the million dollar views block mine of Mt. Hood. Out of my other kitchen window, the linden trees have been disfigured and will die earlier than otherwise to accommodate the power poles to serve South Waterfront. And what brought me here is my last remaining view of the sky, where I watch the clouds and the birds. My skylight in my bathroom now is just filled with the sight of an ugly enormous power pole. That's all I see through it. So all the beauty is gone. I have here a list of other impacts that have happened in the last 10 years and historically in our neighborhood in addition to the tram, so cumulatively we've really been hurt. And I have a list of possible mitigations for us. I want to keep this from happening elsewhere to let you know how all these little things can add up to breaking my heart. And have you consider these when you make policies for planning elsewhere. And particularly cut out double dealing and self-serving and make things more transparent. Thank you.

Sten: That concludes the communications. I think we'll have to wait until Commissioner Saltzman gets here to take the consent agenda. He's supposed to be here at 10:00, and it is 10:00, so hopefully that will be soon. So we have emergency ordinances in there. So I think what we'll have to do is -- we could hear the presentation, Commissioner Adams on 141 and hold the vote until Commissioner Saltzman gets here. Maybe we can do that. Let's read time certain -- 9:30, item 141.

Item 141.

February 8, 2006

Sten: Commissioner Adams.

Adams: If I could have the team come forward, I'll say a few introductory remarks. This is a project that I had very little to do with, so my job here today is to really sing the praises of others, the great work of others, and there have been many jurisdictions and offices, and folks within the bureau of environmental services involved with this. Our goal is to make the bureau of environmental services the world's best environmental service bureau to match the city's world's best water bureau that commissioner Leonard often talks about. And one way we're seeking to do that is to continue the tradition of innovation. And in this particular case we'll be hearing about a project that converts methane gas from the city's wastewater treatment process into electrical power. And also recovers and reuses waste heat. The city will spend about \$6 million to install gas-fired reciprocating engines and generators at the Columbia Boulevard wastewater treatment plant. And with that, we will be using the natural byproduct of the wastewater treatment product, which is methane gas, and typical treatment plants just flare off the proverbial flame, just flares off at the sort of waste -- as a result of these wastewater treatment processes, but we are going to be using that to help fire the boilers and also to use as part of the heat digester for sludge. And we are also supporting a nearby local small business in my neighborhood, Malarky Roof Company that the city sells about 16% of the gas, and they make shingles. So I understand this project began way back when commissioner Sten was in charge of the bureau, so it's a pleasure to introduce Dean Merritt and Susan Anderson who will take us through the details.

Dean Marriott: Thank you very much, members of the council. I'm Dean Marriott, environmental services director, and I'll just speak for a moment and turn it over to Susan, and then we'll leave and the experts will come up and tell you a little bit more about this. As the commissioner mentioned, this is a resolution in front of you today, an action in front of you today, we're asking your permission to accept a grant from the Energy Trust for \$362,000. You will then see in just a month or two a request for a contract to design the facility, followed next winter by a request for permission from you to actually build the facility. So that's the kind of fast track we're on. This project makes a lot of sense for all the reasons that the commissioner mentioned. I want to particularly thank the -- our friends at the office of sustainable development who helped us immensely in working with the Energy Trust on this. They've been great partners in collaboration on this project. This was a project that as the commissioner mentioned, is not only good for the environment, this is a sustainability project. Will it's also good for the ratepayers. We'll be generating electricity from a product that is now vented into the atmosphere. So I'm sorry he's not here, but I know commissioner Saltzman was instrumental in helping us go forward with this, encouraging our inquiries into this, and supported our effort to look at the feasibility of doing this. So if he gets here before we're finished, I'll be sure to thank him again for that. I also want to thank the Energy Trust from whom you'll hear in a moment, and in the back of the room, Wayne Lay from Portland General Electric. They are big supporters of the Energy Trust, and I want to thank P.G.E. for their efforts. Susan?

Susan Anderson: Susan Anderson, director of the office of sustainable development. This is another great effort to show how well some of the bureaus are working together, and B.E.S. and O.S.D. has often joined together and worked really well on things. It's really an example of how we can cut costs, improve the environment, save energy, and actually have an impact on global warming. The city does have a local action plan and global warming, and this is an example of one of the very specific things that we can do locally to actually make a difference on a global problem. But it also shows that it makes economic sense. The project will actually generate about a half million dollars of power every year. And have the impact on the environment of reducing pollution equivalent to taking 800 cars off the road. So it is an impact, it is important, and as Dean said, it really will not impact the ratepayers, it will have actually a positive benefit. I want to thank Dean, I want to thank the Steves that you'll hear from for their leadership at B.E.S. Thank commissioner

February 8, 2006

Saltzman for his leadership on this project, and the trust of Oregon for both their financial and their technical support. The partnership with the trust will be highlighted again soon. Later this spring we'll bring to you the contract for the city's new wind farm, very similar project, a little bigger, but that we've worked very closely with the energy trust in terms of bringing new renewable power projects to Portland. And I think it's important just for us to note again that when we come up here doing these things, for me, other cities ask us all the time, or tell us they're going to do a methane project, and we can -- we're always able to say oh, we did that. And the list goes on and on, whether it's in transportation, or land use, or housing, or green building, some other areas, Portland continues to be a leader, and it's really becoming the green city brand is really brought an environmental -- of environmental importance, but also of economic importance. So thank you to most of you who all had a part in this project.

Sten: Thank you.

Marriott: We're going to step aside and margie harris from the energy trust and steve barrent, our director of wastewater collection and operations, who will be the owner of this plant, will come forward. And we'll be available if you have any questions.

Steve Behrndt: Good morning, commissioners. My name is steve, i'm the operations manager for b.e.s. wastewater operations. I want to tell you a little bit more about the cogeneration facility that commissioner Adams articulated fairly well. A little more detail -- we produce renewable resources, in the treatment plant, and in fact the columbia boulevard plant produces over a million cubic feet per day of biogas. We use a biological process to break down the solid that's are captured in the wastewater treatment process. One of the projects of the biological process is biogas. The biogas is low-grade fuel that contains about 60% methane. We've made efforts over the years to maximize use of gas at the plant for various uses in the plant and as commissioner mentioned, in our partnership with malarky roofing. However, there are still 40% or 50% of the biogas remaining that is not yet beneficiary reused. So b.e.s. Commissioned a feasibility study to examine the costs and the economics of better utilization of the gas, and the feasibility study recommended cogeneration project as an economical way to utilize the biogas to generate electricity. And a little more description on the project, as we know it today, it is the -- the cogeneration system will generate heat and power by fueling two 865 kw engine generators with biogas. And the engine generators will consume up do 70% of the gas that's produced at the plant. The project will require that we install gas treatment systems to condition and compress the gas as well. We'll make the necessary connections to the plant for the electrical system, the digester heating loops, and the biogas supply pipe. We will also -- we'll be using that heat generated by the facility back into the digesters, so we reheat the digesters with that gas. With the heat that comes off of the facility. The energy generated will be fully utilized at the columbia boulevard treatment plant, and it will meet up to a half of the facility's energy needs. There's an additional benefit, reliable power is critical for our facilities and the cogeneration facility will be configured in a way that we'll be able to provide an additional layer of redundancy for electrical power at the plant. The plant has a couple power feed that's come into it, and this will provide an additional layer of redundancy in the unlikely event that both those power feeds were not available. The time line for completion of the project is december 2007. The total projected cost is \$6.2 million, and we're very pleased to have the energy trust as a partner proposing to provide the \$362,000 incentive. We'll also be working with the Oregon department of energy for business energy tax credit, and so we're looking forward to those partnerships as we go forward with this important project and I would like to turn this over to our partner with the energy trust.

Adams: Before you do that, I want to -- on behalf of the city council and everyone, thank you for you and your team for all the great work you've done on this. This is a very innovative, very unique approach to getting the most out of what otherwise is a detriment to the environment. So I just

February 8, 2006

wanted to be sure and thank you personally for all the great work you've done on this, and everyone out of the plant -- out at the plant as well.

Behrndt: Thank you.

Margie Harris: Good morning. Margie Harris, executive director of the energy trust. It's a pleasure to be here this morning before the commissioners. I will echo a lot of the comments that you have heard already, but I want to go back in time a little bit to about 23 years ago. The very first renewable energy project I worked on on behalf of the city was when I was a staff member of commissioner Mike Lindberg's, and we turned off the flare at the Columbia Boulevard wastewater treatment plant at that time and we piped some of the 16% of the gas to the Malarky Roofing company. So this is a bit of a nostalgic trip for me. So I appreciate that the city is forever looking for such opportunities and exercising its innovative approaches and creativity to a project such as this. You've heard the details of the project. We have worked with the city already on a wind turbine that's at Sunderland Yard, and commissioner Saltzman is aware of that, of course. We are very pleased to have this be our largest biopower into the PGE service territory. We put out a competitive request for proposal to attract such projects. Adam Surchuck in the audience is responsible for that program, and it's been overwhelmingly successful. So there are indications that such projects like this can happen in other parts of our state and Portland is, as Susan said, leading the way. I think it's a very proud moment the city can be in the acquisition business like this making use of its resources that would otherwise be wasted. The energy trust is of course in this acquisition business also, and we are paying for less of a grant, but more of an acquisition strategy for purchasing energy produced in ways such as this. I'm very pleased that we have this partnership as Susan alluded to, and I want to recognize her not only for her leadership, and her staff involvement through Dave, but also those in the city of Margaret Nover of the Bureau of Environmental Services, who has supported this project, and Pete West on our staff. So we have a great partnership with you. We continue to look for such future opportunities, and thank you very much for your support.

Sten: Thank you. Any questions from the council? Thanks so much. Would anybody in the audience like to testify on this item? Karla, did anybody sign up?

Moore: No one signed up.

Sten: Would anybody like to come up and testify? In that case, roll call.

Adams: Since he's in the room now, I want to congratulate commissioner Saltzman. I already mentioned the good work of commissioner Sten as well on this project. It comes up under my early tenure as the commissioner in charge of environmental services, but it does not reflect my work, because it happened under your tenure, so this is a really fantastic program, very innovative, totally in keeping with everything else you do to green up Portland. So thanks very much for your leadership on this. Aye.

Leonard: I appreciate us doing such thoughtful innovative work on our resources. It's very refreshing to hear this kind of thing. Aye.

Saltzman: Well, I'm really excited about this. This day is finally here. It's been a long time in coming, and I want to thank sustainable development office, B.E.S., energy trust of Oregon, commissioner Adams' office, for finally allowing us to capture a wasted resource, put it to productive use, and in the process, to minimize somewhat the contributions to global warming. It's just the best thing I can think of in terms of capturing a waste byproduct and putting it to productive use in terms of producing electricity. It's a great thing. So congratulations, everybody. Aye.

Sten: I agree. It's pretty -- it's good work to B.E.S. and O.S.D., and thanks to PGE and the energy trust as well. It might surprise people the sewage treatment plant is actually one of the long-term in Vernon Clifford Allen task force on all of the sustainable issues, and everyone has done a great job out there. We have a fuel cell out there I was telling commissioner Adams was funded by the department of defense of all things, this is before we went to war, but the argument was that it

February 8, 2006

would do our nation's actual security some good to be more energy independent if anything I think that argument, which was 10 years old at the wastewater treatment plant, has become more urgent. So my -- I really appreciate this, and am glad to vote aye. [gavel pounded] 141 passes. Karla, I think we'll go back and take the consent agenda. Would anybody like to pull an item from consent? Hearing none, roll call on the consent agenda, please.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye.

Sten: Aye. [gavel pounded] we'll now move to our regular agenda. Please read 159.

Item 159.

Sten: Commissioner Leonard, did you want to introduce this?

Leonard: I do. This is an action that the council needs to take to preserve the ability of ratepayers to recover dollars that may be owed to us, and that includes businesses, for rates that have been charged based on improper costs. The ability of us to recover those costs potentially would be limited by the severance of enron from p.g.e. At this point, unfortunately. Everybody would like to be able to move on, but there are serious and important issues that need to be resolved that have yet to be resolved that I am very committed to seeing them resolved, and not over an extended period of time, but in the next -- by the next few months. But to basically allow enron to walk away during the middle of this investigation that we're conducting would be akin to releasing somebody on their own recognizance that is a known flight risk. And for those reasons and others, the council needs to ask that this decision to redistribute the stock to creditors be put on hold until some of these very serious issues have been resolved, which I will again repeat, have yet to be resolved. They have been discussed in other forums, but consistently in those forums the discussions have stopped once p.g.e. and/or enron has offered to pay a fine. That's not happening in this case. We're actually going to follow through with all of the concerns we have until they are aired and resolved one way or the other. And I can't predict now how that will come down ultimately, but we will resolve it. And it will be done in a fair way. But this decision to redistribute the stock could cause a very significant participant in some of these transactions to walk away free of charge, and I would remind my friends in the business community that they are the ones that have been hit with the largest rate increase in the history of the state of 51% increase, some of our concern, a lot of our concern is absolutely fundamentally directed at that, because we are concerned that our businesses pay more than what they should for electricity to their businesses. So as I said, for those reasons and others, I am asking the council to support this resolution so that we can take the steps necessary to protect our citizens, our businesses, and our ratepayers. Thank you.

Sten: Thank you. I think i'll -- i'm the cosponsor, and i'll add my comments at the end of the public testimony. So I think i'll open this up to public testimony. Is there anybody who is signed up to testify?

Moore: No one has signed up will.

Sten: Is there anyone who would like to testify on this matter? Hearing none, I will -- why don't we open this up to council discussion, and i'll close the public testimony.

Saltzman: I guess what i'm struggling with here, i'm not quite sure I see the connection between appealing the decision of the p.u.c. to free p.g.e. from enron, how that has any connection to -- our trying to stop that at this point has any connection to our ability to recover forgone business tax revenues, if that's in fact where we believe this takes us, from p.g.e. or in fact from enron. Both remain under this p.g.e. -- under the p.u.c. order, both remain as corporate entities. Enron still exists, now under the p.u.c. Action, thank god p.g.e. Exists free of enron, so why is it necessary to -- for to us take the position that they should remained joined arm-to-arm, because if we have a case which we may have, depending on where the results of the investigation go, we still have avenues to pursue that case before the p.u.c. in litigation, in freestanding litigation, or other options available to us under city charter. So I guess i'm struggling to see what's the relevance of us having to take

February 8, 2006

the position that p.g.e. and enron should remain joined and we should oppose the p.u.c. decision to -
- that allows p.g.e. a step towards becoming a locally owned company?

Leonard: I will tell you that as you are aware, we have hired some experts in this field who have been advising us, and making recommendations. And it has been their advice to me that the severance of enron from p.g.e. makes it more difficult to recover damages than if they are still connected with p.g.e. I will also tell you that ironically the -- at this point the severance of p.g.e. from enron so that p.g.e. is actually a standalone company, if that in fact happens and I'll remind you that actually has not happened yet, actually puts the ratepayers in a worse position with respect to the new legislation that passed last session causing income taxes -- taxes paid in your rates to be refunded by to ratepayers, the rates to be reduced by such, because with the connection to enron at this point, and enron assuming they suffer losses the amount that is paid in rates for taxes would come back to ratepayers if p.g.e. is a standalone company at this point, the ratepayers actually have to pay those taxes, because there won't be any other offsetting losses to p.g.e.'s profits. So the point isn't that we think enron ought to stay married to p.g.e., the point is that we have an ongoing, very serious investigation into some transactions by p.g.e. and enron with each other, and our experts tell us that to ultimately if we can sustain some of the concerns that we have, the ability of the ratepayer to be made whole is much easier if enron and p.g.e. are in the relationship that they are now. That is, p.g.e. being a subsidiary to enron.

Sten: Let me give you my viewpoint. I want to start with a broader picture, and I won't be real long-winded, that is actually not why I decided to bring this forward with commissioner Leonard today. I believe that the p.u.c. erred fairly dramatically in approving the stock redistribution with no rate reductions, no conditions of any kind. What the law says is that a change in ownership, and this clearly is a change in ownership from enron to stephen forbes cooper for an undisclosed period of time, and -- cannot be allowed without a net benefit. The p.u.c. actually functionally, if you read the opinion, exempted themselves from that rule. They decided not to apply that benefit in this case. I think that's a straightforward standard that makes a ton of sense in any case. In this case the reason the rate reduction ought to have been part -- that was what what the 60ed -- city asked for, there's an enormous risk as to what's going to happen to p.g.e. next. Nobody knows. Stephen forbes cooper llc does not have to issue the stocks, they could sell it at any time, that's stipulated very clearly, and it's well known that the debt itself, the enron debt is trading in what Mr. Cooper described to me as a vulture market. People can buy it with no notice or anything else. So there's a reasonable chance the p.u.c. could find itself in a situation where a new owner announces themselves as opposed to applying to the p.u.c. All of that is outside of our control. There's nothing the p.u.c. can do about it, but what they should have done is put conditions in place that say no matter what, before you can start down that road, we know we're going to get something back for the ratepayers.

So I think they were wrong, and I think it merits an appeal on its substance. That being said, if that was the only issue, I'm not sure I would have moved forward, because I think it could be one of those things where whether we're right or not, that's gone forward. But two things have happened since then. One is that since we originally objected to the stock redistribution opinion, there's been a lot of new information. P.g.e. has essentially stipulated to the proposition that they were improperly keeping business income tax, they settled the lawsuit without comment, but you don't settle \$10 million lawsuits if you don't intend -- if you don't figure you have a high chance of losing.

I think almost everybody, third party agree that's the methodology used to keep the business income tax was not appropriate. So that's \$10 million that's been in play. It's still being argued, but the documents that p.g.e. gave to the city of Portland appear to demonstrate, and I have not found any credible argument other than the numbers are maybe wrong, and some interesting words around deferred taxes, p.g.e. kept close to \$100 million of the deferred taxes themselves, which is in contradiction to everything that's been said so far. All of that information from my point of view should have been factored into the stock redistribution, should have been considered, and was not.

February 8, 2006

And I don't think anybody argues that it was, because the information was not public at this point. Finally, what's happened in the last three weeks is that stephen forbes cooper has desolved -- dissolved its relationship with p.g.e. So the actual approval of the p.u.c. was to transfer the stock to stephen forbes cooper llc, which has essentially been dismissed from the case, and p.g.e. is now being transferred to the enron board of directors. It didn't say in the hearing transfer to the enron board of directors. That makes my point there. Is no control whatsoever once this train goes down the track. The directors look to be in charge of p.g.e., the people who negotiated this with the p.u.c. are no longer managing the company, and I would -- it was interesting a new local board was announced right at the same time the control was being switched to the enron board. So the enron board is back in control, it's a lot of the same players from the original enron, and they may sell it, they may not, they may trade the don't. I think there's enough still at play it needs to be discussed, just a simple matter of timing if we don't file an appeal today, tights late to file an appeal. There's a clock that's running out. And I fully would be prepared to settle this appeal very quickly. An appeal could take years. If the p.u.c. addresses these issues. If these issues get addressed properly, and I don't see any reason why -- I am proud -- I think the city needs to keep its leverage by having an appeal in play. And once we have the anneal play, we have the ability to settle it or take it to the end, depending on what happens, and I think the message -- you apply for steven -- stephen forbes cooper to be in charge, once -- then you switch it to the enron board. But the approval is already there. I think the message needs to be that from my point of view the city will move past the enron deal as soon as everything is clear. We have a document request in to p.g.e. that's not been complied with at this point, so once all these things get settled, I would believe we should withdraw the appeal. If they get settled, if in fact they cannot be settled, I think the appeal is the last gas the ratepayers have to stop this train from going down the tracks. And frankly it will be quite a while before the apeople gets heard in court as well, so it's not a matter of whether or not this will stop their stock redistribution, they'll move forward on that, but it may force some conversation around all these recent developments, and at the time, I said I wasn't going to be long-winded, and I lied, misrepresented. What I thought was going to happen. At the time in september what we essentially said as the city council through our argument was, this is not a clear plan. A clear plan says, these things are going to happen irrevocably on these dates, and we'll hold our service accountable. This stock redistribution plan gives them the authority to issue stock, but does not bind them to do it. It says stephen forbes cooper will run the company four years, he's already gone. There's just no way of knowing what the real plan is, and I think we need to keep every legal foothold that we can in place with the idea that once things become clear, accountable, and the rates are fair, we're done. With that, i'm done.

Saltzman: I appreciate these explanations, and it's helpful. I guess what i'm still thinking, though, is -- well, this is authorizing an appeal to the court of appeals, Oregon court of appeals? Is that correct?

Ben Walters: ben walters, city attorney's office. The process at this point in time, there was a change in the statutes that took effect january 1, and the old method involved filing a challenge before the marion county circuit court. The new method involves filing an appeal before the court of appeals. It's unclear which of those two methods would apply. So as a matter of caution we'll likely file --

Saltzman: One or the other.

Walters: Let the court sort it out as to which one has jurisdiction.

Saltzman: I guess, are we authorizing an appeal from here on out? Or authorizing only the next step, which is to either the court of appeals or the marion county circuit court? I guess what i'm saying, do we have an ability -- I guess I would want the ability to have a check-in again, depending on the outcome of that judicial review, before we just automatically say, we're going on to the supreme court, we're going on to the u.s. Supreme court.

February 8, 2006

Leonard: I think that's fair. I don't have a quarrel with that.

Walters: That would be a matter of council intent, and of course I would follow your instructions.

Sten: I would be open to a friendly amendment.

Saltzman: If we added to seek judicial review before the Oregon court of appeals, or the marion county court.

Sten: Sure.

Walters: With a check-in to occur before going up, seeking further review and in determination at the next level.

Sten: Absolutely.

Leonard: I'd offer that amendment.

Walters: I think the city attorney's office can take that as -- without a need to amend the resolution. We can follow those instructions.

Saltzman: So any further appeal beyond that next level would have to come back to us for authorization.

Walters: Right. We would check in with council on the next level.

Saltzman: Ok. Thanks.

Sten: Any further council discussion? Roll call. Does this move to second reading? It's a resolution. Roll call.

Adams: I'm going to support this resolution for the reasons that have been articulated by its cosponsors. I think it is the prudent thing to do on behalf of ratepayers, both commercial and residential, and although controversial, I think it is absolutely the right thing to do. So i'm going to thank the cosponsors for bringing it forward, and I vote aye.

Leonard: It's important that we thoroughly resolve the outstanding issues, both for the ratepayers, the citizens, and for p.g.e. And I feel strongly that we have the responsibility as a council to make sure that utilities operating within our boundaries are operating by the rules, and not outside of the rules. And when this is done, whichever way our determination falls, I will stand behind. I have no preconceived notion as to how this should turn out. Having said that, I think there is cause for concern, and this is just one piece of what the city needs to do to protect its citizenry, its ratepayers, particularly our businesses. Our businesses provide us good job, family wage jobs, and we need to make sure we're doing what we can to allow them to operate in the most efficient manner in the city. Aye.

Saltzman: Aye.

Sten: Aye. [gavel pounded] it passes. And that moves us to 160.

Item 160.

Sten: This is a second reading. Roll call.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye.

Sten: Aye. [gavel pounded] could you please read 161.

Item 161.

Sten: Looks like staff is coming up. Did you have anything, commissioner Leonard?

Leonard: I appreciate the work done on this. This has been kind of difficult to do. We're moving forward obviously with the long-term plan to construct new operating facilities at the interstate facility. So go ahead.

*******:** Did you want me to introduce this?

Sten: Give us an overview, and then we'll take questions.

Diana Lee Holuka: I'm dianna Holuka, with the bureau of general services facilities division. I'm handling a small little piece here on behalf of the water bureau. This is simply a nearby parking lot that will be needed for employee parking while the water bureau does the next step of some -- their

February 8, 2006

master plan for the interstate water facility. And this is dave kendall, and he can give more detail about the project itself.

Sten: Mr. Kendall.

Dave Kendall: We're going to remove the roof from the fleet building for seismic reasons, we're also tearing down the westinghouse building. It impacts the parking arrangements for our city vehicles and about 82 large vehicles and 12,000 feet of storage space as well. And what we're going to do, we're going to transition the employee parking that we currently have to city vehicle parking, which will then not -- will be about 112 spaces short for our employees to park, no on-street parking there to speak of, so we've worked with b.g.s., they found this lot, which will help mitigate all those parking problems.

Sten: Great. Any questions from the council? Thank you. Would anybody like to testify on this matter? I didn't guess so. Roll call. No, this moves to second reading, i'm sorry.

Adams: I was ready to vote.

Sten: Could you read 162, Karla?

Item 162.

Sten: This is second reading. Roll call.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye.

Sten: There has been some concern in my office about the old type of oreos going off the market. Even though they're excited to get the assignment in Portland to make the new style. We'll get back to the council after our research. Aye. [gavel pounded]

Adams: Do you eat the middle first or the cookie part first?

Sten: I alternate.

Leonard: I dip mine in milk and eat the whole thing.

Adams: Why am I not surprised? [laughter]

Saltzman: I eat the whole thing.

Adams: I go for the middle stuff.

Sten: But nobody say this council is not willing to promote local business. 163, please.

Item 163.

Sten: This is a resolution. Commissioner Adams.

Adams: We are -- i'm very excited to bring forward the sunderland recycling facility master plan. I think it's a model, another model for promoting the city's sustainability efforts. It's a fiscally responsible thing to do in terms of avoiding costs, and it is the result of some really excellent partnerships with other city bureaus, other cities and agencies, and those interested in promoting a green city. I want to thank some folks up front that you're going to hear from that have done I think just a superior job. Sue keel, who is not here today, but the director of pdot, sam irving, the director of the office of maintenance, there he is, hi, sam, lee ann welch, street systems division manager, who has strongly supported the sustainable program at the sunderland recycling facility. It is with her encouragement and guidance that the facility has reached the point where this expansion is possible. And before we -- before us we've got the good folks including jill jacobson, program manager for sunderland, worked in the source control division of b.e.s. for 10 years, started when she was in grade school before joining the bureau of maintenance three years ago as a member of its environmental team. Her background in environmental regulations and project management has come in handy in the development of this master plan. And doug hight, public works supervisor, has over 21 years of experience in street maintenance, started when he was in kindergarten. 10 years with odot and 11 with the bureau of maintenance, his knowledge of street maintenance practices and the equipment and operations at sunderland were crucial in the development of the master plan. I also want to recognize the input and the recommendations of all the crew members who work at sunderland that have ensured that this plan is sound and works and is operational. The

February 8, 2006

work that these team members perform every day is the reason that sunderland is a national model in this area. So who's going to talk first?

Jill Jacobson: It's going to be me. Jill Jacobson. I also want to acknowledge Wayne Stewart, who is with Walker Mazy, who is a consulting firm that helped us. Most of you realize that the Bureau of Maintenance has been recycling our leaves, so we -- that we pick up off the streets, the concrete and asphalt that's removed from city streets when we are maintaining them, and also the asphalt grindings for a number of years. We started this in the mid 1980's. In 1997 we purchased our current facility, which is a 20-acre site out on Northeast 33rd, below Marine Drive and above Columbia Boulevard. We've expanded that facility and developed that, we have nine acres that are improved, and that's where we are recycling our leaves and our concrete and asphalt. I also, while we were here we heard about the wind turbine, that's also at Sunderland, so we're doing a lot of sustainable activities out there. The mission of the yard and the facility is to lower our disposal fees. The hauling fees and the tipping fees when we take our material for disposal. We also need -- by recycling that material we reduce the need for virgin material. We don't have to purchase erosion control or backfill, clean rock. We also offset the cost of running the operation by selling the compost and crushed material to the private sector, and other city agencies and other transportation agencies outside the city. I mentioned the three activities that we perform, but in addition to that, our facility is used for training, snow and ice training for our equipment operators, they push the leaves around with the plow, also any other type of training that our crews need. Recently -- just this past year the Department of Environmental Quality had some erosion control training which was a regional training that we held out at the facility. H.R. has used our facility three times in the last year for developing tests for a high -- for hiring our truck drivers, asphalt rakers and utility workers. So while the yard is an asset for its recycling efforts, it's also an asset as a facility where people can come and do some training and other activities. The current users of our facility, I wanted to mention, I think a lot of people assume that it's just the Bureau of Maintenance that uses this facility. The Parks Bureau and the Water Bureau and the Bureau of Human -- Housing and Development use our facility by bringing in the leaves that they collect from their facilities. We also accept leaves from the City of Hillsboro, Gresham, and Lake Oswego. So they are bringing their material here, and they are also using it. The City of Vancouver is bringing some of their concrete to us to recycle. And so these are some of the partnerships that we've already started to develop. So setting that in a framework in the background, we came to Council in November of 2004 with a request to expand our facility, and that was granted, and so in November of 2004, we purchased an additional 14 acres, which are to the north of our facility, it is adjacent, and that is what this master plan is all about. It's about developing our current site and the plan to expand our facility. So with this additional property, we have the opportunity of making our current activities more cost effective, increasing the capacity of those activities, but also selecting the new waste stream to recycle. And we've been doing a lot of research on that waste stream, and we've decided street sweeping debris is the next area we're going to take on. We did a pilot project this summer at Sunderland, we partnered with ODOT and Multnomah County, and we had oversight and authority from Metro and DEQ. Which are the regulatory agencies for solid waste, which is the solid -- classification for street sweeping debris. So we're looking at ways to treat that material with an initial screening and turning it similar to what we do with our compost activities, and then we can blend that material with our compost or some soil and reuse that back in the infrastructure. Unstructured fill, erosion control, soil amendment, ways we can keep that material out of the waste stream. I want to refer to the back page of this document here, and it's actually an aerial photo overlaid with a map of our expansion. You can see down by the orange numbers, that's our existing site. So the master plan is actually been designed to be implemented in three phases. The first phase is to organize and get our existing facilities structured and ready for an expansion. Number one in orange is putting in a haul road. As I stated, our properties are adjacent, but there is a facility called

February 8, 2006

swartz moving company that sits right between us, so there's just a flag lot that connects them. When we started this master plan, we had several meetings with stakeholders, including other agencies, internal city bureaus, and also with our neighbors, the port of Portland, the correctional facility that's just to the south of us, swartz moving company, and there's one citizen who lives right across from swartz moving company, mr. Haney, so we've kept close contacts with them in letting them know what our plans are and what their concerns are with our existing facility and any comment about our expansion.

Adams: How is mr. Haney with all this?

Jacobson: He's very good. H.r. Is doing some testing, we're getting additional traffic, we let him know there's going to be some changes out there for a few days. So again, phase one is all in orange, it's installing a hall road so that all of material will be collected and entered through point number two in orange, which is our main access now. We're going to be developing that and improving that slightly. Number four is installing a truck scale. To date we've always calculated the value of material entering and leaving our facility by the size of the truck it's in, and then a professional estimate on how much that volume truly is. If it's a 12-yard truck it's half full, bits six yards, that type of thick. We have purchased and are ready to install some truck scales so we can get accurate measurement and monitor our productivity more efficiently. It will also help with some of our reporting, in that the software attached to the scales, you can download that data and use that. Number six in orange is our office, which is the original house out at the -- what was the horse farm, but now our recycling facility. And we need to upgrade that facility, and we'll be putting in a conference room for about 50 people, where we can have training with city employees, or offer that out to the general public. Number three, we'll be sliding the campground, dignity village, slightly to the north, and providing them with their own access that. Will allow us to do number five, which is future in a second access road. It will improve the efficiency of our traffic pattern, but also if someone is coming to the office or coming to meeting or coming to the training, they can enter through that south gate and not have to go through our operation area, so it's a safety consideration also. So those are the key points to phase one of our implementation, which is scheduled to go this year. Phase number two is in purple, and that's scheduled for next fiscal year. And that's -- I also want to sigh, it's also scheduled this year is the north site. The whole area that says -- all that orange, bullets up there where the rock crusher is, the water level -- the water table in that area is very high, and we need to compress our soils so that we can -- when we improve that site and pave it, we're not getting duck ponds and settling when we stack our big piles up there. And so that is also something that's going to start this year. So next -- again, phase two is in purple, and that's -- we're going to be developing our more of our customer outreach, and public awareness. We're actually going to be developing an area where people can come and collect and purchase one or two yards of compost, which the general public can come now and purchase some of our equipment, but they're in the right of way in traffic pattern of our operation. So by developing this area to the south, we're actually designating an area where a private citizen can come in with his personal vehicle, get one or two yards of material, and while his picking up some compost to put in his yard, he can also pick up information about native plants, or some other type of -- maybe an ecoroof, some other programs that the city supports. So there will be an area in the facility, one of our existing structures is going to be converted into a public outreach facility where if you're going to come and buy some grindings for a pathway at your house, maybe you want information on an ecoroof, that type of thing. And probably just between the purple number two and the orange green is the wind turbine. So that's -- for the people who have visited the site, that puts that into perspective. When people are coming out to purchase some of our equipment, they can see some of our other sustainable activities out there. Phase number three is all in green, and that is scheduled to go in 2009, 2010, and that's where -- this will be the big push, something that people will definitely see a change. We'll be improving that lot, paving almost nine acres of it, installing and

February 8, 2006

incorporating our water quality bioswale, and other water quality features we're going to require. What's that -- what that's going to do is improve the capacity of our operation. So we expect with the third phase of implementation we'll be able to crush twice as much rock, and we'll again be getting that material from our other partnering agencies, odot, Multnomah county, other cities. We also with phase three implementation will be able to start processing street sweeping debris down at the south site where the rock crusher used to be. And so that's another improvement. The last thing I want to comment on, this other site, is number 6 in green. That's our street sanding material. Whenever we have a snow and ice event and we apply the sand to the streets, that material is stockpiled out at sunderland yard. We collect it at the end of the event and screen it for reuse. What happened in the winter storm of the new year's eve storm of 2004, we had so much freezing rain, our stockpile kept freezing, and we had to continue to manipulate the stockpile to ensure that we had material to put out on the street. So we were planning to actually designate an area where it will be covered so that when the trucks pull in to get the material to put in their trucks to go out and sand the streets, it will be ready to go and not in a frozen state. So those are the main areas of improvements. We expect to be processing all of our street sweeping debris, and street sweeping debris from some of our partnering agencies in the region. Pdot generates twice as much street sweeping debris as anybody else. We've got other working relationships and partnerships where we've done surveys and calculated that. We expect with the 30 phases of implementation almost a 40% increase in our composting efficiency, and the same with our -- 50% with our rock crushing. So by implementing this master plan, we're creating our good partnerships, it's a fiscally responsible thing to do. Tipping fees and hauling costs are only going to go higher, and of course it's another example of the city's commitment to sustainable activities.

Adams: It reflects really excellent work. Are we -- do you want to say anything?

*******:** She covered everything. [laughter]

Adams: It seems to me like this program could cost a lot of money. Do you want to go over very briefly the numbers that show actually how much we save? And who are you?

Ken Kinoshita: Ken, transportation finance. In the legal size sheets, it shows the amount of cost avoidance that jill referred to as far as like not having to dispose of the crushings, and the materials. Also it shows the amount of revenue that we receive from the recycling center and the projections in the future. And then it's -- the costs of operating the site right now. So we have quite a bit of net savings because of the -- largely driven by the cost avoidance. And below that is the debt service that we would be issuing to pay for the land purchase and phase one improvements, and the second line is the phase three site improvements and the debt service on that.

Adams: Looks very entrepreneurial.

Sten: Further questions? Thank you.

Adams: Thank you very much. Great work.

Sten: Would anybody like to testify on this resolution? I don't see anybody. Going once, ok. Roll call.

Adams: I just want to thank sue and sam and everyone associated with this. This represents just great entrepreneurial efforts to turn what would be -- what is for a lot of cities a drain, a financial drain, into a profit. Or a huge cost avoidance. So thank you very much. Thank you. Aye.

Leonard: I too appreciate the work. It's very good. Aye.

Saltzman: Good work. I did have a chance to get a quick tour of the sunderland yard a while ago, and it's very exciting the things you're doing there for recycling and reuse, and wind energy production too. Aye.

Sten: Thanks. I think it's really cutting edge and really actually you're leading what we're trying to get all of the city to be, and I think these areas aside from saving us money are actually plowing ground towards business opportunities for the whole region. I think these are the kind of things that when we do well, we can actually as a community, not just the city, but the entire world really,

February 8, 2006

because these are really things that everybody could do throughout the globe. So great job, and it's a pleasure to vote aye. [gavel pounded] 163 passes. And we'll have 164.

Item 164.

Vicky Diede: Good morning. For the record, I'm Vicky Diede with the city of Portland office of transportation, and I am the city's project manager for Portland streetcar. As you know, we've been looking for a resource to fill a funding gap for the Lowell extension of Portland streetcar, and Bruce Warner at the Portland Development Commission made us aware of a state program for which the project would qualify. And it's called Connect Oregon. And when it is, it's \$100 million lottery-backed program, the funds will be allocated \$15 million to each of ODOT's five regions, and \$25 million statewide. And the purpose is to provide investment resources for projects that not eligible for funds from the highway trust fund, basically that's a gas tax. So for the streetcar, that means it's really only the rail-related activities that are eligible for this grant. So the application in front of you is for \$2.1 million, and the rail components are augmented by a local improvement district of \$5.15 million, \$350,000 from the proceeds from the land sale on the hillside, and \$660,000, which are savings that we realized from the Gibbs project. We think it's a pretty strong application. The state is looking for projects that can be built this year and finished quickly. They would like to have this money committed and hopefully spent by the next legislative session so that they may show good success and seek more for the program. We anticipate that we could start our construction on September 1 of this year, and it would be a seven-month project, so we would be done by April 1 of 2007. Two key considerations that they're concerned about, one of them is transportation cost reduction, and the other is modal connectivity. In transportation costs reduction, because the South Waterfront is really a blank slate, what we really have the opportunity to do is to provide projects that allow for cost avoidance. Specifically through traffic capacity improvements, transportation management solutions, parking management, and then transit. All of which of course tie together. But just for some perspective, a structured parking space costs -- this is hard costs only -- is about \$37,000 a space. So when you can start reducing parking ratios for residential properties, you really start saving people Monday money for what they have to spend to construct the project. In addition to that, parking manager down there right now is -- calls for 2.4 spaces for every thousand feet of commercial space. It's allowed outright and there's an additional 1.0 space per thousand square feet of commercial space that you can qualify for through a central city parking management review. And that's there just until transit comes to the district. The sooner we get it down there, the less parking that has to go in. As far as connecting to the other modes of transportation, the streetcar is going to provide great connections to the bus mall at Portland State University at the Irvin Plaza, and we already provide good connection to the light rail regional light rail system, and when light rail goes on the mall, it will be even more convenient for people to go from the streetcar to light rail to get to Union Station, to get to Portland International Airport, and other places in the region. Another concern that they have is job creation. We estimate that there will be 33 construction jobs in seven different classifications that will be created, and that equates to about 21½ f.t.e.'s during this seven-month time frame. Based on 2006 BOLI wages and fringe benefits, that's over \$1 million. And in addition to that, there will be five permanent jobs that will be created at Portland streetcar, at the maintenance facility. We'll have three more operators, one more mechanic, and one more utility worker, and annual wages and benefits based on current rates is about \$317,000 a year. The application is due in Salem by February 17, and we will have word back from them on -- we'll get the grants on July 19. So I would ask for permission to do the grant application.

Adams: Thanks, Vicky.

Sten: Questions from the council? Would anybody in the audience like to testify? This is an emergency ordinance. Roll call.

Adams: I just want to thank Vicky for her ongoing great work on the streetcar. Aye.

Leonard: Aye.

February 8, 2006

Saltzman: Good work. Aye.

Sten: Aye. [gavel pounded] 165, please.

Item 165.

Sten: Commissioner Saltzman?

Saltzman: I'm happy to announce as a result of the office of cable and franchise management's audit of our p.p.l. franchise, the audit identified a few lines of miscellaneous revenue that staff thought should have been included in the franchise fee base, pacific power and light reviewed the staff's comments and agreed, and the result is a settlement of over \$81,000. So i'd like to thank pacific power for their cooperation, and our city staff for their prudence and job well done.

Sten: Any questions from the council? No? Would anybody like to testify on this item? This is also an emergency ordinance. Roll call.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye.

Sten: Great work. Aye. [gavel pounded] 166.

Item 166.

Sten: Was there any presentation on this?

Saltzman: This is simply a grant to help us set up our food waste collection program.

Sten: Would anybody like to testify? You're the last person sitting, I should say. No questions from council. This is an emergency ordinance, roll call.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye.

Sten: Aye. [gavel pounded] and our final item is 167.

Item 167.

Sten: This is second reading. Roll call.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye.

Sten: Aye. [gavel pounded] with that, our business this morning is completed. The council is adjourned until 2:00 when we reconvene a for land use case.

At 11:04 a.m., Council recessed.

February 8, 2006

FEBRUARY 8, 2006

2:00 PM

[roll taken]

Item 168.

Sten: Chris, are you going to come forward, walk us through the findings?

Chris Dearth: I can't really -- chris dearth, measure 37 program manager. I don't have anything new to say.

Adams: Can I bounce something off you?

Dearth: Certainly.

Adams: Mr. President?

Sten: Please.

Adams: Ok. So we -- if we take our chances in court, we might win, we might lose. In the process of doing that, and that will take some time, and in the process of doing that there's a possibility that we'll get clarification on the legal validity of measure 37 and potentially the sign code. Is that a possibility?

Dearth: That's a possibility, that time schedules for both of those are uncertain.

Adams: Ok.

Sten: Well done, chris.

Adams: In your early testimony and tracy's earlier testimony --

Leonard: Chris has had a lot of practice at talking and saying absolutely nothing. [laughter] one of the best in government.

Dearth: Paid to do it, yes.

Leonard: That's exactly right.

Adams: In our earlier council meeting on this topic there was concerns raised about the difficulty of the legal option, and I take that information to heart. I still think that tracy is a fantastic attorney, and that she can make sure that our side prevails, but my interest in pursuing my vote from last time, continuing my position from last time, is based on the possibility that the time it would take to litigate this specific thing gives time for the larger issues potentially to be clarified. And in ballot measure 37 is ruled to by legal ballot measure, so be it.

Leonard: Are you going to talk to when you vote, too?

Adams: I'm done talking.

Leonard: Oh, ok.

Adams: This is the guy that filibusters up here. And do you a sense of the timing on the measure 37, ballot?

Dearth: Only thing I can tell you is people that watch these things tell me that the ruling could come anytime from march on, but it's entirely up to them. They have no deadline.

Adams: And the --

Leonard: The ruling from the --

Dearth: The supreme court.

Adams: And on the sign code, tracy, can you give us a sense of timing on that?

Tracy Reeve: Well, our next scheduled proceeding is april 12. So I would imagine that by early summer we'll have some kind of -- [inaudible]

Adams: Thank you.

Sten: Ok. So no changes. Ok. We'll take a roll call on item 168.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye.

Sten: No. [gavel pounded] item 168 passes. We actually now have a time certain at 3:00. So we'll recess until 3:00. [gavel pounded]

At 2:13 p.m., Council recessed.

February 8, 2006

At 3:06 p.m., Council reconvened.

Sten: Council will please come to order. Karla, please call the roll. [roll call taken]

Sten: Mayor Potter is away on city business, and so as the council president of the moment i'm going to run this meeting. We'll read item 169, assess mr. Leonard's fine, and move forward.

Adams: That's \$9.

Item 169 and 170.

Sten: Thank you. Linly, do you want to walk through the procedure on this one?

Linly Rees: I do. Karla, they're both together. Shall we read them both?

Sten: Yes. Let's also read 170. Thank you.

Moore: 170.

Sten: Ok. Thank you. Lilly?

Rees: I'm going to read some preliminary procedural matters. This is an evidentiary hearing which means you may submit new evidence to the council in support of your arguments, in any form, such as testimony, letters, petitions, slides, photographs, maps or drawings. Any items you show the council during your testimony should be given to the council clerk at the end of your testimony to make they become part of the record. This is council consideration housing authority hearings officer recommendation on comprehensive plan map amendment. Testimony on this recommendation will be heard as follows. We'll begin with the staff report for approximately 10 minutes. Following the staff report, the applicant will speak and have 15 minutes to address council. After that, we'll hear from individuals or organizations who support the applicant's proposal for three minutes each. Next from persons, organizations, who oppose the proposal, again, for three minutes each. If there was testimony in opposition to the proposal, the applicant will have an additional five minutes to rebut testimony. Council may then close the hearing, deliberate, and take a vote on the hearings officer's recommendation. If it is a tentative vote, council will set a future date for adoption of findings. Testimony today must be directed to approval criteria. Any testimony and evidence you present must be directed toward the applicable approval criteria for this land use review or other criteria in the comprehensive plan or zoning code you believe apply. The issues must be raised with specificity. If you fail to raise an issue clearly enough to give council and the parties an opportunity to respond to the issue, you will be precluded from appealing to the land board use of appeals. If they fail to raise constitutional or other issues relating to proposed conditions of approval with enough specificity to allow council to respond, the applicant will be precluded from bringing an action for damages in circuit court. All right.

Sten: Questions? Any conflicts from the council side?

Adams: No. So this is not an appeal. This is a comp plan amendment?

Rees: Correct. So they automatically come to you.

Adams: This is my first, I guess. Thanks.

Sten: Staff first.

Sylvia Cate: Good afternoon, afternoon. I'm the planner for this review. The applicant requests a change to the comprehensive plan map and rezoning to rezone a portion of their existing ownership from r1a to cm2b for the purpose of legalizing a surface parking lot. The applicant submitted this request in the fall of last year a public hearing was held on january 4 and the hearings officer gave this recommendation to the city council the following week. The hearings officer recommends approval with three conditions of approval. The first condition requires a covenant to ensure that the housing potential of the r-1 portion of this site is preserved. The condition recommended in the hearings officer's report to you needs to be modified just slightly. I will discuss the revision in greater detail at the end of this presentation. The second condition prohibits vehicular access into the proposed parking lot from southeast 87th and southeast 89th avenues, both of which are designated as local service streets. The third condition requires the applicant to install significant

February 8, 2006

landscaping as an additional buffer around the perimeter of the parking lot to provide additional screening from nearby uses. The existing zoning as shown here typically commercial zoning runs along southeast division in varying depths, with predominantly r-1 immediately adjacent to the commercial zoning. Smaller areas of r-2 and r-5 zoning are proximate to the site, but it's important to note that the zone to the north is an elementary school. The buffer overlay provides separation between commercial uses and development along the street and the r-1 zone parcels that abut the commercial areas. The applicant proposes to rezone two parcels to cm2 and move the existing buffer overlay that runs along a northerly property line to continue the buffer -- the buffer zoning pattern in this area. This is a detailed view of the proposed zoning. The three parcels of the site, which have frontage along southeast division, are zoned cm2, and are developed with king's plaza, a two-story commercial building and an associated parking lot. The two parcels to the north of the commercial development are within the same ownership, but currently are zoned r-1a. These two parcels have frontage on southeast 87th and southeast 89th avenues. The applicant proposes to extend the cm2 zone to the north to include these two parcels and move the existing buffer overlay to the north as well to continue that buffer zoning pattern so it is consistent with the rest of the area.

The site plan shows the proposed development of the parking lot in relationship to the existing commercial development to the south and behind the two existing houses that are on the two subject parcels. Access into the second parking lot would be allowed only from southeast division in order to limit the impacts of commercial traffic on a nearby residential area. The proposed parking lot would have a 10-foot-deep landscape buffer around the northwest and east edges to further screen and buffer the second lot from nearby residential uses. This is an aerial view of the site shortly before king's plaza was constructed. The ownership configuration of the parcels is shown in yellow.

The area that's developed with king's plaza within the cm2 zone is shown in blue. The approximate location of the proposed parking lot that would provide additional parking for the plaza is shown outlined in red. Now we'll go on a virtual site tour. The commercial building at king's plaza is l-shaped with a restaurant use anchoring the development. This is a view looking east along southeast division, with king's plaza to the left. The typical commercial uses in development along this segment of division can be seen on both sides of the street, including some live/work townhouses directly across division from the site. This is a view looking west along southeast division. Hubcap world is a commercial use immediately adjacent to the site at the corner of division and southeast 89th avenue. This view is looking at the existing house on part of the site that has frontage along southeast 89th avenue and it's just to the north of hubcap world. The back wall of the king's plaza is visible, as well as the general area proposed for the additional parking lot.

This is a view looking south along southeast 89th toward southeast division. Most of the uses in proximity to the subject parcel with frontage on this street are commercial uses, although there are residential uses to the north and a detached single dwelling home is directly across the street from the site. This is a view, again looking west along southeast division, but from the other corner of the site near southeast 87th avenue. The commercial uses and a pedestrian skybridge across southeast division can be seen in the background of this photo. Now we're looking north along southeast 87th avenue. An apartment building in the r-2 zone is just north of the commercial uses along southeast division. These apartments are across the street from the subject parcel that has frontage on the street. Commercial uses with frontage on southeast division abut the subject parcel on the east side of southeast 87th avenue. This is a view of the subject parcel on southeast 87th. The existing house can be seen in the background behind the cars parked at this home. A portion of the king's plaza can be seen in the background, and the adjacent development to the south of this house is a parking lot serving another commercial use in development. The hearings officer found that this proposal is on balance supportive of the comprehensive plan goals and policies and meets all of the applicable approval criteria for the requested zone change. It is for these reasons that the hearings officer recommends approval of this request with the conditions. That's where I'd like to

February 8, 2006

discuss very quickly modification of condition b, which requires the applicant to submit a covenant to the city to ensure that replacement housing units will be built. At the time that we were processing the application, the applicant identified two parcels as a receiver site, but after further analysis we have determined that only one of those parcels is technically the receiver site, because it's zoned commercial and the second parcel that's referenced in that condition already lies within an r-2 zone, so technically isn't the receiver site and reference to that parcel needs to be struck from that condition. This concludes staff presentation, unless council has any questions of staff.

Sten: Thank you. Questions? Great. Thanks a lot. There's no appellants. We're going applicant next. Right? How long did you say, linly? [inaudible] ok. I think it's 10 minutes, but we'll see how much you need.

Mark Whitlow: Mr. Presiding officer, members of the council, mark whitlow is my name, a land use attorney with perkins coie in Portland. Pleased to be here. A long time since i've appeared in front of this council and it's good to be back. This is a straightforward case, so my comments will be very succinct. Thanks to the staff for the time and effort they've devoted to analyzing the application and in working with us. This is a case where we're just trying to protect an existing business, allow an expansion, to provide the additional parking. And I think all of that is wonderfully set forth in the hearings officer's recommendation, which we support, as well as the staff report that precluded that. So we think it is a good balance, both of plan policies and code standards, better than the balance that exists. It allows these businesses to be successful in a way that does not impact the neighborhood. And in fact, benefits the neighborhood, takes now what is overflow parking off the residential streets. If you have not been to long's/king's seafood restaurant, I encourage to you try it. It's delicious. It's beyond its own imagination in terms of success. So really is what happened. They opened the doors and hit their projections for years ahead on day of opening. So it really surprised everyone. And that's good, because it's a great facility for the neighborhood and so we think this is a good solution for a business that's a victim of its own success at the present. To the conditions, we crafted those in conjunction with staff and the hearings officer. We're in agreement with them in terms of the other property that was to be included in the receiver site, it is zoned r. It would probably be developed in conjunction with the housing that would be added to the commercially-zoned property on southeast 109th at any rate. So on balance, we just think this is a nice package. It's an application that's meritorious and meets the standards and criteria. I'm just going to cut myself off here and say that we're here to answer questions. We have representatives, nancy wrote the application on behalf of the applicant. We have mike rust, here on behalf of the owner. So we're available, either to answer your questions or to rebut if there's any rebuttal needed. It doesn't look like there is. So that's it. Thank you very much.

Sten: Thanks, mark. Questions from the council? Looks like you're done.

Whitlow: Thank you very much.

Sten: Would anybody in the audience like to testify on either side of this thing? That simplifies it. I didn't think so. Great. So I think we can move to lilly.

Rees: So to help move the motions along, there needs to be one amendment to the recommendation from the hearings officer, which is the first item. So why don't we start there. And then have somebody, if they choose to, move that amendment.

Leonard: What's the amendment?

Rees: The amendment is that on page 38 of the recommendation of the hearings officer condition b, strike the language in line three --

Leonard: Let me get to 38.

Rees: Ok.

Leonard: Ok.

Rees: Line three beginning after, getting rid of semicolon and 2651a southeast 109th --

February 8, 2006

Leonard: So striking everything that --

Rees: Striking that portion that I just read.

Leonard: Ok. I want to make sure that I got that read.

Rees: That's a state i.d. number for that site.

Adams: Stop at the bracket?

Rees: Kill the bracket -- actually, leave the bracket.

Adams: Make up your mind.

Rees: You're the punctuation expert. Line four --

Leonard: Not only do you not need to worry about being in the union, i'm going to get you a raise after this.

Adams: He's got your back.

Rees: Line four, following occurs on, delete either of these two. And we'll put this in its place.

Leonard: Sam wants to know what.

Adams: No. I got it.

Rees: Then get rid of the s on parcels and we should be fine on that one.

Leonard: Ok. Is that it?

Rees: I think that's it, and the recommendation of the hearings officer.

Leonard: Ok. I would move the just described amendment by the city attorney on page 38 of the hearings officer's report.

Rees: And shall we go ahead and amend the ordinance?

Sten: I need a second.

Adams: Second.

*******:** Yeah, do that first.

Sten: I have a first amendment on the table. It's been moved and seconded. Any objections? The amendment passes.

Rees: So the amendment on the ordinance itself --

Leonard: Item 170?

Rees: Yes, 170.

Leonard: Ok.

Rees: Directive a.

Leonard: Which is on which page?

Rees: Page one.

Leonard: Ok. Directive a. I'm sorry, where are we at?

Rees: 2/3 of the way down. City council adopts the facts, findings, conclusions and recommendations.

Leonard: Ok.

Rees: At the end of that instance, add the following language, with condition b modified to include only --

Leonard: Condition b modified, ok.

Rees: -- include only 2549 southeast 109th avenue.

Leonard: Ok.

Rees: Comma, 1s2e10ba.

Leonard: I'm sorry, sam is speaking in my ear and I couldn't hear that last part.

Rees: 1s2e10ba 3800 as the receiver site, period.

Leonard: Ok. I move that amendment as just read by the city attorney on first page of ordinance 170.

Sten: A second?

Adams: Second.

February 8, 2006

Sten: Any objections? It's been moved and seconded with no objections. The amendment carries. [gavel pounded] is that all the amendments? Is there any further council discussion? I'll call for a roll call on -- does 169 move to a second reading? Can we vote on it then? Roll call on 169.

Leonard: Not only do I eat at long's seafood restaurant, I buy my lawn equipment across the street at al's mower, so I highly recommend for anyone --

Adams: How about your hubcaps?

Leonard: Now I know where that is. We'll just leave that at that. Aye.

Saltzman: It's a great restaurant, too. I've had the chance to go there once.

Leonard: I don't remember you getting passes to come out past 82nd.

Saltzman: I'm sorry. Next time I'll check with the king. Pleased to vote aye.

Sten: Aye. No further comment. [gavel pounded] could we have a roll call on 170, please?

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye.

Sten: Aye. [gavel pounded] the council is adjourned until next Wednesday.

At 3:27 p.m., Council adjourned.