



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **27TH DAY OF AUGUST, 2008** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams and Saltzman, 3.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Tracy Reeve, Senior Deputy City Attorney; and Ron Willis, Sergeant at Arms.

DUE TO THE ABSENCE OF TWO COUNCIL MEMBERS NO EMERGENCY ORDINANCES WERE CONSIDERED THIS WEEK AND ITEMS WERE NOT HEARD UNDER A CONSENT AGENDA	Disposition:
COMMUNICATIONS 1192 Request of Riverfest Partners to address Council regarding Riverfest Week proclamation (Communication)	PLACED ON FILE
TIME CERTAINS 1193 TIME CERTAIN: 9:30 AM – Declare intent to initiate local improvement district formation proceedings to construct street and stormwater improvements north of Marx Street in the NE 109 th Avenue Local Improvement District (Resolution introduced by Commissioner Adams; C-10030) (Y-3)	36631
REGULAR AGENDA Mayor Tom Potter 1194 Appoint Mary Anne Cassin, Mike Golub, Bob Sallinger and Tricia Tillman to the Portland Parks Board for terms to expire August 31, 2011 (Report) (Y-3)	CONFIRMED
City Attorney 1195 Amend contract with Cable Huston Benedict Haagensen & Lloyd LLP for outside legal counsel (Second Reading Agenda 1143; amend Contract No. 38037) (Y-3)	182142
Office of Management and Finance – Financial Services	

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1196 Update City Deferred Compensation Plan to include the Portland Development Commission as a Participating Employer, and clarify plan rollover and other sections (Ordinance; amend Code Chapter 5.09)	PASSED TO SECOND READING SEPTEMBER 3, 2008 AT 9:30 AM
Office of Management and Finance – Purchases	
1197 Authorize a contract with Kiewit Pacific Company for construction of the Sandy River Conduit Relocation Design-Build Project for \$20,639,000 (Purchasing Report – RFP No. 107081) (Y-3)	ACCEPTED PREPARE CONTRACT
Commissioner Sam Adams	
Bureau of Environmental Services	
1198 Amend contract with Columbia Slough Watershed Council to extend term, expand scope of work and increase compensation for watershed health (Second Reading Agenda 1159; amend Contract No. 36796) (Y-3)	182143
1199 Clarify new policies being implemented as part of the adoption of the 2008 Revision of the City Stormwater Management Manual (Second Reading Agenda 1179; amend Code Chapters 17.38 and 17.39) (Y-3)	182144
Office of Transportation	
1200 Grant revocable permit to Roman Catholic Archbishop of Portland/St. Stanislaus Parish to close N Failing St between N Interstate Ave and N Montana Ave on September 26-29, 2008 (Second Reading Agenda 1168) (Y-3)	182145
Commissioner Dan Saltzman	
Office of Sustainable Development	
1201 Consent to transfer of Trashco Services, Inc. residential solid waste and recycling collection franchise to Waste Connections of Oregon, Inc. dba Arrow Sanitary Service (Second Reading Agenda 1183) (Y-3)	182146
1202 Consent to transfer of Dunthorpe Sanitary Service Inc. residential solid waste and recycling collection franchise to Allied Waste of Lake Oswego (Second Reading Agenda 1184) (Y-3)	182147
Parks and Recreation	
1203 Define prohibited conduct in Director Park, formerly South Park Block 5 (Ordinance; amend Code Section 20.12.230)	REFERRED TO COMMISSIONER OF PUBLIC AFFAIRS

At 10:01 a.m., Council adjourned.

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GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

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WEDNESDAY, 2:00 PM, AUGUST 27, 2008

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

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

AUGUST 27, 2008 9:30 AM

Potter: I'd like to remind folks that prior to offering public testimony to city council, a lobbyist must declare which lobbying entity they're authorized to represent. Please read the communication.

Item 1192.

Potter: Please come up.

Gil Kelly, Director, Bureau of Planning: Good morning, mayor and council. Bill Kelly, director of planning and with me is Michael. We wanted to address you briefly on behalf of the river renaissance partners who have rallied together to help sponsor the city's first annual riverfest. We hope that by calling it that it's our intent to make it a recurring annual event, and I wanted to remind you the proclamation states in its first paragraph that the city council river renaissance vision and strategy document called for establishing festivals, regattas and sporting events to celebrate the river. And that's the guiding purpose of the next 10 days' worth of events beginning next Thursday at noon in waterfront park where mayor and mayor-elect and hopefully commissioner Saltzman will help to kick off the 10-day period of river events. Michael will describe the partners in this effort. As well as a summary of the activities. We hope that you all come and tell everybody you know. It's really a chance to learn about all of the hard work that many, many community groups and city agencies are doing to restore and revitalize the Willamette and Columbia rivers in Portland and also to just have fun and celebrate and know that this is the center and the soul of our city in so many ways. Michael.

Michael Montgomery, Office of Management and Finance: Thank you very much. Mayor and members of council, I'm delighted to be here and I've been looking at the weather report and it looks as though we're not going to have rain during the times we're going to have certain events for riverfest that require us not to have rain. Specifically, thinking of the triathlon held on Sunday morning. And we cannot have a rain within 48 hours or we can't swim but if we're able to get in the water we'll have a great triathlon. The partners in addition to river renaissance partners who are represented in part and in whole by those who contributed to this event -- parks and recreation, the Portland Development Commission, the Bureau of Planning and Environmental Services, have been joined by a number of wonderful community partners including the Bill Healy Foundation, the Willamette River Fund as well as other business partners. Oregon Trout. Umpqua Bank. Realty Trust. The Spaghetti Factory and Zidell Corporation. We'll have fun beginning with the symphony on Thursday evening. A number of activities at OMSI. The Portland kayak tour will take place. We'll have an autobahn, Ross Island activity as well as a series of what used to be at the turn of century, known as Chautauqua activities, to take place, things that are happening along the river and with our wonderful river and brochures available for everybody here at city council and you can also call the Bureau of Planning and get more brochures if you would like. It's going to be fun. Our first annual riverfest and we're so happy and proud of Portland and all of our partners in this.

Adams: I think it's important to note that commissioner Dan Saltzman will be competing in the triathlon. That's brave. A man of his age. Really.

Saltzman: Next year.

Adams: Next year.

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Kelly: I want to mention the port of Portland, a partner, and will be part of the opening ceremony and the grand ronde tribes and other tribes as part of the ceremonies. For those watching, there's a website where the information is available. And that's riverfest.org. So thank you and the proclamation's been presented proclaiming this as our first ever riverfest week in Portland. Thank you, mayor.

Potter: I'll read the proclamation but is there anybody here that you have with you, support that we should recognize?

Montgomery: I don't think so. We have a number of partners who are doing things to get ready for riverfest and they were unable to be here, but they've been working hard on this and we're here on their behalf this morning.

Potter: It looks like a great program. I hope a lot of Portlanders attend because truly the willamette is what brings us together and you've come up with a great way to express that. Whereas, 2001, Portland city council enforced the river renaissance strategy calling for festivals and regattas and sporting event to celebrate the river and whereas the willamette river is a river of history and commerce and home to the fourth largest port on the west coast and willamette is home to salmon and steelhead and its shores to bald eagles, osprey and the great blue heron and the Portlanders who walk and enjoy the east bank esplanade and celebrate in tom mccall waterfront park and paddle the shores of ross island and whereas the people of Portland are working on protect the willamette and columbia rivers to improve and investing in its initiatives such as river place, south waterfront and centennial mills. Whereas, the more than 600,000 people who live in willamette river cities upstream of Portland are working energetically to realize their own renaissance by improving their stormwater management and redeveloping their waterfronts and whereas the hard work in caring for and improving our rivers are far from done and protecting our rivers and revitalizing our riverfront will require the passion of all Portlanders and upstream neighbors, now, therefore, i, tom Potter, the mayor, hereby proclaim august 28 through september 7, 2008, to be the first riverfest week and encourage all residents to celebrate this week. Thank you. Please read the 9:30 time certain.

Item 1193.

Potter: Thank you, andrew.

Andrew Aebi: Good morning, mayor Potter, commissioner Adams, commissioner Saltzman. Karla, if we could switch to our presentation. I wanted to start off by giving you a geographic overview. The area is shaded in orange and in the parkrose neighborhood. And it is in a freight district. The project is north of sandy boulevard and off of northeast marx street which parallels sandy to the north and just east of i-205. There's no residential housing on the project. It's a commercial and freight area. This is a map of the l.i.d. Most of what you see there in the center is shaded in dark black, and that's the area of the street improvements that goes almost but not quite for the columbia slough and north of there is a stormwater only improvement. We're planning do the street improvements and have a stormwater outflow into the columbia slough. The properties in blue have tendered their petition support. We have 78.7% support measured by the assessment methodologist and we have a waiver of support from two properties representing 8.3 percent of the estimated assessment which bringing the support to 87.0%. And then finally, here's a map of what the street looks like today. The street ostensibly is improved but the condition of the street as rated by the maintenance bureau is in the worst 1% in the city of Portland. It was built as a farm road prior to the development of the area. Meet the current needs and support future development while adding new stormwater drainage functionality. We have property owners here today. And if you have any questions of me, i'd be happy to come back forward after the property owner testimony.

Potter: Do you want to call the folks up or are they signed up? Thanks for being here. When you speak, please state your name for the record and any of you can begin.

Bill Walsh: My name is bill walsh. I've been a resident since 1956. My wife and I came to Portland. We became a self-employed businessman here in 1958. And currently we have an

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employee base of approximately 400 employees. With our headquarters in troutdale. We -- my brother and I originally purchased a small piece of property in the area of 109th about 35, 38 years ago and over a period of time, the family has accumulated approximately 20 acres in that area. The picture that you saw of 109th really glorifies it. It's more of a trail than a street. And we're asking your consideration so we can bring the area up to standards that pocket between 105th and 112th and northeast marx and then airport way is in -- and it's in desperate need of improvement. We feel that that property could be developed and nothing can be done until roads are improved which would bring jobs, improves the tax base and security of the area and we're requesting your support for the l.i.d.

Dan Walsh: Dan walsh. I came into the area about the same time he did.

Potter: What a coincidence. [laughter]

Dan Walsh: We operate two businesses on 109th. We have a wood recycling and a bark dust manufacturing plant and employ approximately 20 people in that area and we do need the improvements of the street to accommodate our vehicles and customers and so we don't cause any further damage to any of those and also there is no stormwater system which this would, of course, bring with it which will improve the run-off situation. We ask your consideration again for the l.i.d.

Cal Clarke: And my name is cal clark and I work for the walshes. Known them for over 30 years. And i'm the c.f.o. of a number of the companies and the l.i.d. Right now, the street is pretty much - - if there was pavement there, it's -- there's only a little bit of evidence of it and it's a lot of potholes and a lot of when it rains, it's a lot of little lakes and that kind of thing. And it's just the type of thing that's -- that's not really manageable other than, you know, you get bigger tires to go down the street so you don't sink as deep and it's just kind of a -- it would be a real improvement to the area and really allow for the future improvement of the property. And that's why we're asking your consideration for it -- for this.

Potter: Thank you, folks. Anyone else signed up to testify?

Moore-Love: That's all who signed up.

Potter: Anyone here who wishes to testify to this matter? Please call the vote.

Adams: Thank you to are your testimony and thank you for your work. Aye.

Saltzman: I thank andrew for bringing this forward. This is an area of parkrose that really has tremendous potential. But lacks infrastructure. But the potential for future job growth in Portland in this area of parkrose is something I hope we'll focus on more in the future. But this is a great start in the right direction. Aye.

Potter: Same for me. Aye. [gavel pounded] move to the regular agenda. Please read item 1194.
Item 1194.

Potter: Commissioner Saltzman?

Saltzman: Thank you, mayor. We have before us today the four new appointments to the parks commission, and i'm very pleased that we have four great candidates. I neither of them -- none were able to be here, but I did want to briefly profile our new members. They are mary anne cassin, formerly with parks and is managing partner for metro's parks and green spaces and will bring great technical knowledge to the board and strengthen our partnership with metro. Mike golub, former vice president for the trailblazers and is now special advisor to vulcan, which is paul allen's parent company that manages the sports teams. Mike will be based in Portland and the trailblazers have been a strong partner with Portland parks. And the third is bob sallinger, we all know how emphatic and passionate he can be and he'll be a great addition to the board. And then finally, tricia tillman, a single mother who works for the Multnomah county health department administration. Again, she'll strengthen our connection between Multnomah county and parks. And finally a big thank you to the four members who have reached their end on the parks board and have been a great part of the board since -- eight years ago. I want to thank them for their dedication to Portland

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parcs and they've done a lot to make our parks system one of the best in the world. I would urge adoption of these new nominees.

Potter: Anyone signed up to testify?

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

Potter: Anyone here who wishes to testify to this specific issue? Call the vote.

Adams: Thank you for agreeing to serve. Aye. **Saltzman:** Aye.

Potter: I'm very proud of the parks bureau and the things it does for our city. When you look at programs they have for the summer, many of those programs benefit our low-income families and children, so these folks will add to that vitality and ensure the best comes from the parks, so I vote aye. [gavel pounded] please read 1195. Second reading. Call the vote.

Adams: Aye. **Saltzman:** Aye. **Potter:** Aye. [gavel pounded] please read item 1196.

Item 1196.

Potter: Honored guest this morning.

David Thurman, City of Portland's Treasurer: Good morning, mayor, members of council. David, treasurer. The ordinance will amend the deferred compensation of the city code of they're highlighted in the materials but the most notable of which the change -- most notable change incorporates the language that will enable p.d.c. employees to participate in the plan. As you may recall, the city's plan went through a fairly drought overhaul. We -- dramatic overhaul. We improved the investment options available to the participants and improved the quality of the financing planning and educational services available to the participants. With that success, we took it upon ourselves to extend the offer to p.d.c. to see if their employees would be interested in participating. So with that effort, over the past months, been collaborated, working with p.d.c. closely and explaining the benefits and in June, the p.d.c. board took the first formal steps to enable the employees to participate in our plan many they've seen a small increase of participation from their employees who are excited about joining the plan under the terms and we're hoping to build on that momentum. The other provisions are technical adjustments needed to track changes that have taken place in the federal pension legislation. With that, I'd be happy to answer questions on this issue.

Potter: Thank you very much, David. Thank you for the work you do, too.

Thurman: Thank you.

Potter: Is there a sign-up sheet on this?

Moore-Love: I did; no one signed up.

Potter: Anyone here who wishes to testify to this specific issue? It's a nonemergency. Moves to a second reading. Please read item 1197.

Item 1197.

Potter: Anyone from purchasing here?

Barb Gibson, Bureau of Purchases: Good morning, mayor Potter. Commissioners. I'm Barb Gibson, the procurement supervisor in the bureau of purchases. And last week the city council approved ordinance 132136 that revised the Sandy River conduit project to cover fees for design and construction. This week's report highlights the selection process and recommends awarding the contract to the Kiewit Pacific Company in the amount of \$20,639,000 using the design build alternative contracting method. Kiewit is current on business license and with the equal benefits compliance. They've identified \$3.2 million in subcontracting opportunities and expect to award 12.5% of those dollars to the city's sheltered markets coordinators -- contractors and state certified minority women and emerging small businesses. They'll continue their efforts to expand those subcontracting opportunities. Therefore, we request the council to accept and approve this report and Mike from the water bureau is here to address any additional questions you might have on the project today.

Potter: Questions of the commissioners? Is this a report or is this an ordinance?

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Moore-Love: It's a report.

Potter: So we're going to accept the report today?

Moore-Love: Uh-huh.

Potter: In that case, anyone signed up to testify in this matter?

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

Potter: Anyone here who wishes to testify to this specific issue? I need a motion and second to accept the report.

Saltzman: Make a motion to accept the report.

Adams: Second.

Potter: Please call the vote.

Adams: Aye. **Saltzman:** Aye. **Potter:** Aye.

Adams: Thank you, gentlemen.

Potter: Thank you. Please read item 1198.

Item 1198.

Potter: Second reading, call the vote.

Adams: Aye. **Saltzman:** Aye. **Potter:** Aye. [gavel pounded] please read item 1199.

Item 1199.

Potter: Second reading. Call the vote.

Adams: Aye. **Saltzman:** Aye. **Potter:** Aye. [gavel pounded] please read item 1200.

Item 1200.

Potter: Second reading. Call the vote.

Adams: Aye. **Saltzman:** Aye. **Potter:** Aye. [gavel pounded] please read item 1201.

Item 1201.

Potter: It's a second reading. Call the vote.

Adams: Aye. **Saltzman:** Aye. **Potter:** Aye. [gavel pounded] please read item 1202.

Item 1202.

Potter: It's a second reading. Call the vote.

Adams: Aye. **Saltzman:** Aye. **Potter:** Aye. [gavel pounded] please read item 1203.

Item 1203.

Potter: Commissioner Saltzman, did you wish to refer this back to your office?

Saltzman: Yes, I would.

Potter: Any objections.

Adams: No.

Potter: No objections. So ordered. Before we adjourn, I notice we have young people in the audience. Nate, could you introduce these folks for us?

Nate: Sure [inaudible] interested in how city government works.

Potter: Today it's working very fast.

Adams: Amen.

Potter: But why won't you stand up and introduce yourselves so we know who you are. [inaudible]

Jacob: My name is Jacob. I live in Portland, Oregon. [inaudible]

*******:** I live in Portland, Oregon. [inaudible]

Potter: I'd like to welcome you all to city council. Glad you're here. Many years ago I used to work as a police officer and I really enjoyed my time there. You live in a great neighborhood. I think that's all for today. We're adjourned. [gavel pounded]

At 10:01 a.m., Council adjourned.