



CITY OF  
**PORTLAND, OREGON**

OFFICIAL  
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **22ND DAY OF JANUARY, 2009** AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Leonard, Presiding; Commissioners Fish, Fritz and Saltzman, 4.

Commissioner Fish arrived at 2:05 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Jim Van Dyke, Chief Deputy City Attorney; and Ron Willis, Sergeant at Arms.

Item No. 50 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

<b><u>WEDNESDAY, 9:30 AM, JANUARY 21, 2009</u></b>	
<b>DUE TO LACK OF AN AGENDA THERE WAS NO MEETING</b>	
<b><u>WEDNESDAY, 6:00 PM, JANUARY 21, 2009</u></b>	
<b>DUE TO LACK OF AN AGENDA THERE WAS NO MEETING</b>	
<b><u>THURSDAY, 2:00 PM, JANUARY 22, 2009</u></b>	<b>Disposition:</b>
<b>40 TIME CERTAIN: 2:00 PM</b> – Declare the purpose and intention of the City to rename the Convention Center Dock the Kevin J. Duckworth Memorial Dock (Resolution introduced by Commissioner Saltzman) (Y-4)	<b>36669</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>	
<b>Mayor Sam Adams</b>	
<b>*41</b> Allow City Council to hold its regular meeting on February 4, 2009 at the Bureau of Maintenance at 2929 N Kerby (Ordinance; waive Code Section 3.02.010) (Y-4)	<b>182477</b>
<b>Bureau of Planning &amp; Sustainability</b>	

<p><b>*42</b> Authorize a grant agreement with Historic Portland Public Market Foundation to provide \$50,000 to assist in design, engineering, cost estimate and business planning costs for the Portland Public Market proposed site at the west end of the Morrison Bridge (Ordinance)</p> <p>(Y-4)</p>	<p><b>182478</b></p>
<p><b>Bureau of Transportation</b></p>	
<p><b>*43</b> Amend Intergovernmental Agreement with Oregon Department of Transportation to extend the bid let date for the NE Alderwood Air Cargo Access Improvements at NE 82nd Ave and NE Cornfoot Rd (Ordinance; amend Contract No. 52890)</p> <p>(Y-4)</p>	<p><b>182479</b></p>
<p><b>*44</b> Amend Intergovernmental Agreement with Tri-County Metropolitan Transportation District of Oregon for the City to utilize additional Metropolitan Transportation Improvement Program funds for the Portland Streetcar Loop Project Development Phase (Ordinance; amend Contract No. 52920)</p> <p>(Y-4)</p>	<p><b>182480</b></p>
<p><b>Office of Management and Finance – Business Operations</b></p>	
<p><b>45</b> Authorize contract with Architectural Resources Group, Inc. and provide for payment for architectural and engineering services for Union Station Phase II Facility Improvements (Second Reading Agenda 25)</p> <p>(Y-4)</p>	<p><b>182481</b></p>
<p><b>Office of Management and Finance – Purchases</b></p>	
<p><b>46</b> Authorize an Intergovernmental Agreement with Multnomah County for 800MHz Public Safety Radio Rebanding Program Work (Second Reading Agenda 27)</p> <p>(Y-4)</p>	<p><b>182482</b></p>
<p><b>Commissioner Nick Fish</b></p>	
<p><b>Portland Parks &amp; Recreation</b></p>	
<p><b>*47</b> Authorize a non-exclusive access easement to Metro and Clackamas County for property jointly owned by Metro and Clackamas County adjacent to the Springwater Corridor (Ordinance)</p> <p>(Y-4)</p>	<p><b>182483</b></p>
<p><b>Commissioner Randy Leonard</b></p>	
<p><b>Bureau of Water</b></p>	
<p><b>*48</b> Execute a grant agreement with Oregon Trout to fund capacity-building activities for the Sandy River Basin Partners (Ordinance)</p> <p>(Y-4)</p>	<p><b>182484</b></p>
<p><b>Commissioner Dan Saltzman</b></p>	

<b>Bureau of Environmental Services</b>		
<b>49</b>	Authorize a sole source agreement with Hansen Information Technologies for the implementation of the Hansen v8 Migration software to manage the sewer and stormwater linear assets of the collection system (Ordinance)	<b>PASSED TO SECOND READING JANUARY 28, 2009 AT 9:30 AM</b>
<b>50</b>	Authorize a contract and provide for payment for construction of the Digester Expansion Project at the Columbia Boulevard Wastewater Treatment Plant, Project No. E08106 (Ordinance)	<b>PASSED TO SECOND READING JANUARY 28, 2009 AT 9:30 AM</b>
<b>51</b>	Authorize an agreement with Peter M. Haviland for sanitary service and connection to a pressure pipeline at 5254 NE Emerson Dr, Project No. E07367 (Ordinance)	<b>PASSED TO SECOND READING JANUARY 28, 2009 AT 9:30 AM</b>
<b>52</b>	Authorize an agreement with Pamela Bloch for sanitary service and connection to a pressure pipeline at 5250 NE Emerson Dr, Project No. E07367 (Ordinance)	<b>PASSED TO SECOND READING JANUARY 28, 2009 AT 9:30 AM</b>
<b>REGULAR AGENDA</b>		
<b>Mayor Sam Adams</b>		
<b>Office of Management and Finance – Human Resources</b>		
<b>*53</b>	Authorize a Letter of Agreement with the District Council of Trade Unions for terms and conditions of employment of certain employees classified as Structural Inspectors in the Bureau of Development Services (Ordinance)  (Y-4)	<b>182485</b>
<b>Commissioner Nick Fish</b>		
<b>Portland Parks &amp; Recreation</b>		
<b>*54</b>	Authorize acquisition of an 18,450 square foot lot adjacent to Lincoln Park for addition to the park (Ordinance)  (Y-4)	<b>182486</b>
<b>Commissioner Amanda Fritz</b>		
<b>Office of Cable Communications and Franchise Management</b>		
<b>*55</b>	Authorize utility license fee settlement with Qwest Corporation (Ordinance)  (Y-4)	<b>182487</b>
<b>Commissioner Randy Leonard</b>		

<b>Bureau of Development Services</b>		
<b>56</b>	Add new provisions to address the exterior of non-residential structures, correct and clarify code language (Second Reading Agenda 36; amend Title 29, add Code Chapter 29.35)  (Y-4)	<b>182488</b>
<b>City Auditor Gary Blackmer</b>		
<b>*57</b>	Provide for reduced distribution of campaign funds available to participating publicly financed candidates and define terms in the special election of Auditor (Ordinance)  (Y-4)	<b>182489</b>

At 2:47 p.m., Council adjourned.

**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.

## 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.

**JANUARY 22, 2009                      2:00 PM**

**Leonard:** Thank you for attending. We have first item 40, time certain 2:00.

**Moore-Love:** Did you want to get rid of the consent agenda first?

**Leonard:** Sure. Any of the council members want any of the items on consent removed?

**Fritz:** I'd like to pull number 50.

**Leonard:** Pull number 50. Ok. Any member of the audience want any items on the consent removed? If not, with the exception of item 50, can we call the roll on consent?

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

**Leonard:** Aye. [gavel pounded] we'll do item 50 after the time certain. So if we could read item 40.

### **Item 40.**

**Saltzman:** It's with mixed emotion I bring this resolution before council. Of course this action celebrates kevin duckworth's place within Portland's history. But his tragic death this past summer is the impetus for this name change today. It's with mixed emotion I submit this to rename a dock in honor of kevin duckworth. Mayor potter and I were discussing kevin's contribution to Portland, his tragic passing last summer, and wish to memoor Allize his place in Portland history by naming a prominent Fishing spot after him. We both recently learned of his love for the outdoors and Fishing in particular. So what better location we thought than the heart of downtown Portland in the shadow of the rose quarter on the vera katz east bank esplanade, naming the floating dock that's adjacent to the esplanade. Mayor potter and I submitted this request to the Portland parks and recreation naming committee. The dock's present name is the convention center dock. And -- that it be renamed as the kevin j. Duckworth memorial dock. As council stipulated by approving a naming policy, the letter was sent to the carnes neighborhood association and the committee itself comprised of citizens and city staff reviewed this request and approved it. I know we have friends of kevin here today, and I look forward to hearing from them. First let me explain why I believe kevin was a truly a member of our Portland community. And worthy of this gesture. I cheered on kevin and all of the trailblazers during the 1990s and remember the pure joy that those blazers brought to us fans. Without kevin holding down the paint, clyde drexler, terry porter, and jerome kersey couldner have made it look so effortless. I'm sure I forgot somebody too, and that's buck williams. Kevin the trail blazer was only The beginning. Kevin adopted Portland as his home and embodied the Portland spirit of graciousness and plateness as we all know, sometimes it is a bit to be polite on the hardwood court, but that was kevin. And it was this unflappable calmness and kindness that I remember most about him. I would see him at trail blazer community events and basketball camps, connecting with kids unlike most adults can. And he was often on the road promoting the team and youth activity in general. He was an amazing ambassador for the team and the city of Portland throughout our state and our region. One more reason to memorialize kevin's place in Portland history. So I have matt grum of my staff here who can answer any questions the council may have regarding the process. And I know we have some of kevin's friends who wish to speak on behalf of this resolution.

**Fish:** I have a question. I'd like to know in your personal opinion, who executed the pick and roll better -- duckworth and porter or malone and stockton? [laughter]

**Matt Grumm, Commissioner Saltzman's Office:** You're putting me on the spot.

**Leonard:** There's one right answer, you're not on the spot. There's only one way out of that.

[laughter]

**Grumm:** Of course Kevin and Terry, they had an ability to quickly move through it -- don't get me going about Utah.

**Fish:** I just wanted to make sure you were well prepped.

**Leonard:** Thank you. Commissioner Saltzman, who would you like to call up?

**Saltzman:** Whoever signed up. Bill Schonely?

**Leonard:** We are honored to have Mr. Schonely and Jerome Kersey.

**Bill Schonely:** City Council members, thank you for having us here today. My name is Bill Schonely, long associated with the Portland Trail Blazers. In fact, next year will be 40 years. Can you imagine that? What you have done -- [applause] today to make it official in memory of Kevin Duckworth is a very, very fine gesture. Here was a young man from Chicago, Illinois, who came up the hard way, made his way in life, became an NBA basketball player, landed with the Portland Trail Blazers, and loved this community from day one. He hugged, and he was a big hugger. I loved to hug everybody. And I miss that to this day. But they hugged this community and this state. And yes, as you mentioned, Commissioner Saltzman, he loved Top Hunt and Fish. So in his memorial to have his name on a dock in downtown Portland on the Willamette is very, very fitting. I miss that young man to this day, because he loved this city and he loved the kids, he loved everything he did. And we all will miss him, but I'm going to go down to that Dock and Fish in his memory. Thank you.

**Jerome Kersey:** Thank you all, the Council for acknowledging Kevin Durdz once again, and I know he would say, no way, I didn't know they were going to do that. He would be beaming from ear-to-ear. I'm quite sure he is looking down. He might just come down there when you go down to Fish.

But like Schonely said, here's a young man that came here from Chicago and immediately embraced Portland. What a better fit. Somebody who loved the outdoors, traveled all over Oregon fishing, and hunting, as I found out last summer. I didn't know he went to places that were so remote. But everywhere we that we went that he had been, people just flocked to him when he stopped somewhere. So that's a true account of what a person is when people outside the world of basketball know who you are and embrace you for being just that person instead of just the athlete they see on T.V. A lot. I just want to thank you all for once again acknowledging him and I speak on his behalf since I know him probably the best, that he would say great things to all of you. Thank you.

**Saltzman:** Thank you both.

**Leonard:** Is there anybody else who signed up?

**Moore:** That's all who signed up.

**Leonard:** Is there anybody else who would like to come forward and testify on this? If not, Karla, please call the roll.

**Fish:** Well, Mr. President, I want to begin by saying I have a confession. In the early '90s, it is possible, though I don't have a complete recollection that I may have rooted against this team as a resident of another state on a different coast.

**Leonard:** That could be a charge of treason. I'm not sure.

**Fish:** But I have redeemed myself by not only becoming a passionate supporter of this team, but a season ticket holder. So -- actually as a kid growing up, I remember the games that were played in Memorial Coliseum very vividly, because of the look of the game on T.V. It was such an intimate setting, and I always associated that with West Coast basketball. The arenas where people were right there, and the fans were so engaged. I had a chance to read a few things about Kevin Duckworth just to learn more about him, and I want to share a few things I learned. In high school for a period of time he was a mere 6'4". And in fact, he was undersized for his grade, and Thorn Ridge High School cut him from the team initially. Later, because of his perseverance, he made the junior varsity in high school. And as a sophomore he began to develop his skills, never doubting his ability, but

working to overcome any barrier. By the time he was a senior he Was getting overchurs from schools like georgetown and villanova, as well as eastern illinois university, where he finally chose to attend. And I also learned he had a 19-point average and a nine-rebound average through his college career, and he finished as the all-time rebounding leader of that fine school. When he went into the nba draft, consistent with what he had experienced in early part of his high school years, he was rated the most underrated player in the country as he went into the draft. We know he wasn't originally drafted by Portland. It was some team in texas, I won't mention their name. They've had some success lately, probably as result of refereeing. The walking rule was enforced, i'm not sure they'd have quite the success. I think of kevin duckworth as someone who played for a very long time with the trailblazers. That was my memory. So it's interesting to learn his career with the blazers was -- when he left, he was 10th in our blazer history in points, and had a remarkable record. He played in two nba all-star games. I guess we're hoping this guy a -- this year a guy name roy -- is that now confirmed? Will he be an all-star? If there's any justice, he will be -- we'll have perhaps two representatives on the all-rookie team. He's only one of 13 trailblazers to be selected to an nba All-star team. You know, his post-retirement work is as impressive as what he did on the court. A couple things I want to share with people, he was a heritage ambassador for the trailblazers. Incredibly active in his community. And we're different than a lot of cities. There are some cities, jerome kersey knows there, there are cities that have basketball teams where it don't matter what you do off the court, as long as you score a lot of points on the court. This has always been a community where we've held people to high standards off the court and on the court, and it's the reason we have this love affair with this team. It's waned from time to time, but that love affair has been rekindled because of the way people conduct themselves on and off the court. It was a terrible tragedy when he died in august of 2008 of heart failure. I was really shocked to be reminded that he was nearly 44 years old. What a tragedy. I just turned 50. I still think of myself as a young man. My daughter doesn't. But 44 years old. The Oregon community foundation of the trailblazers have establish add memorial scholarship in his name. Today we as a community get to make another statement. And this man was loved for what he did as a community citizen and what he did on the basketball court, and the high standards he set in our community. And that's a very important role, setting high standards in our community. So as the new parks commissioner, it is a great honor for me to vote aye.

**Fritz:** I want to thank mr. Kersey and mr. Schonely for the role models were you to my sons to look up to, to enjoy the game, to be community members, and kevin duckworth was certain lay valued community member, and it's wonderful that we will remember him always through the naming of this dock. And as a community organizer and a certified code geek, i'm really excited we followed the process to name this by going through the council-adopted policy, going to the neighborhood association, making sure that we went through all of the steps so we can be here today rejoicing in this affirmative action for naming the duckworth dock. I vote aye.

**Saltzman:** I want on to thank matt grumm, and acknowledge tom potter who shared my passion in having this dock renamed. It took us a bit longer to get this done, but not by much. It's really I think a great addition to our city's cultural heritage to have this dock in the shadow of the rose quarter named after a great trail blazer, kevin j. Duckworth. Aye.

**Leonard:** I think this -- although it's tragic to have lost kevin, this is timely. We need something to lift our spirits. I can -- I love jerome kersey, but I idolize bill schonely. To have him here today is not unlike going to church and getting a spiritual rejuvenation. I only wish would I have thought to tape brought the tape and played the last time were you here of calling the 1977 championship game that was one of the most thrilling, honestly, days on the council for all of us to hear you in your voice calling that game. It is -- kevin you said that -- jerome, you said kevin embraced Portland. Well, Portland embraced kevin as well. It is such a wonderful tribute, and I appreciate commissioner Saltzman's work on this, and former mayor potter bringing this tribute to such a great man and such a fitting memorial. Please call me, bill, when you go fishing, and if you don't have a

license i'll do what I can to get you out of any trouble. I thought it should remind you do need a license. So thanks very much. Aye. [gavel pounded] thank you all very much. Appreciate you being here. We'll go back to item 50 that commissioner Fritz asked to be pulled from the consent agenda. Please read item 50.

**Item 50.**

**Fritz:** I pulled this item nearly -- merely because it's a contract for \$27 million -- \$27.5 million. So I wanted the citizens of Portland to know we're spending their money wisely and just give the staff a chance to describe what it is that this contract does and to note that we are putting Portlanders to work as we said we would. It's something that's been in the pipeline, no pun intended, for quite some time, but that we are continuing to dot work of the city and continuing to spend money on the important projects.

**Bill Ryan, Bureau of Environmental Services:** I am bill ryan, the chief engineer of the bureau of environmental services. This is an -- this is at the end of the pipeline, actually, so this is an expansion to the treatment plant that has long been planned and is really timely as we get to the end of the c.s.o. program, certainly the services of an expanded treatment plant will be necessary. As far as getting projects out and putting Portlanders to work, this is a great opportunity. There's a lot of manpower, there's a lot of materials and equipment associated with this project. It's very similar to a large building project in that it has just about everything in it, from mechanical equipment, concrete, rebar, all of the components will have an impact on our local economy.

**Fritz:** The contract comes back to us for approval once you've done it?

**Ryan:** Yes. It will come back as a report from the purchasing director.

**Leonard:** Questions from council? Thank you very much. Is there any member of the audience that would like to testify on this matter? It is not an emergency ordinance, so it passes to a second reading. Is that correct?

**Moore-Love:** It is an emergency. We should vote on it.

**Leonard:** Ok. Karla, please call the roll.

**Fish:** Aye.

**Fritz:** Thank you, commissioner Saltzman. Aye.

**Saltzman:** Aye.

**Leonard:** Aye. It's adopted. [gavel pounded] we'll move to the regular agenda. Please read item 53.

**Item 53.**

**Patrick Ward, Bureau of Human Resources:** Good afternoon. My name is patrick ward, i'm a labor relations coordinator with the bureau of human resources. The ordinance before you would authorize a letter of agreement that we've entered into with the district council trade unions to pay certain structural inspectors at the bureau of development services an additional 80 cents per hour to their base wage if this acquire and use a state of Oregon mechanical inspector license in their work. And the bureau recommends approval.

**Leonard:** Olympic questions from council? Thank you patrick. Is there anybody that would like to testify on this item? It is an emergency ordinance. Please call the roll.

**Fish:** Aye.

**Fritz:** This ordinance shows our for example for our city employee who's maintain their training and advanced certificates. It costs 80 cents an hour, it's a really nominal increase and provides an incentive for continuing education. That's a good thing. Aye.

**Saltzman:** Aye.

**Leonard:** Aye. [gavel pounded]

**Item 54.**

**Fish:** We're coming before council to seek your approval to complete the acquisition of \$18 thousand -- 18,450 square feet of property that would allow us to complete lincoln park. The -- we have briefed your offices on this matter, it would be funded out of f.d.c.s. It meets our goals of



expanding our park land in underserved areas in east Portland. There is a specific issue regarding the purchase price. We have a willing but not motivated seller who would be -- who is willing to hold on to the property waiting for a day when perhaps the market recovers and they may be able to get a better price because of that circumstance while the appraised value -- the assessed value is \$263,000, we are recommending and seeking approval for purchase price of \$280,000 which represent as 6% premium. But because of a three-month red back clause of \$1200 a month, it will reduce the premium to 4%. Steve is here to answer any questions you may have about this transaction.

**Steve Planchon, Portland Parks and Recreation:** Good afternoon, i'm property and acquisitions manager or parks, and i'm available for questions.

**Leonard:** Any questions from council? You're off the hook.

**Planchon:** Thank you.

**Leonard:** Is there anybody that would like to testify on this item? If not, it is an emergency ordinance. Karla, please call the roll.

**Fish:** I think this is an important piece of the puzzle which helps us complete our work on lincoln park. I thank linda robinson for the letter that she submitted in support explain yg she thought this was important. And I want to thank my colleagues for their support. Aye.

**Fritz:** We're acquiring important park flnd east Portland. It's already somewhat part of the park and has been used as part of the park which is one of the reasons i'm supporting the increased allocation. I was also reminded that in the recent acquisition in gateway when we did another appraisal the property had actually increased in value in relation to just last summer. So it does seem like an appropriate amount. Aye.

**Saltzman:** I'm glad to always be adding parkland to our park inventory. Good move. Aye.

**Leonard:** Aye. [gavel pounded] item 55.

**Item 55.**

**Fritz:** I'm delighted to be bringing further good news to our city in form of an infusion of money. I'd like town variety david olson to come up and talk about It.

**David Olson, Director, Office of Cable and Franchise Management:** Perhaps I could invite -- .

**Fritz:** Please.

**Olson:** I'm david olson, director of your office of cable and franchise management. Certainly we're very happy to bring this forward to you. This is a settlement of an audit that not only affects Portland, but in fact is part of a settlement for upwards of 70 qwest cities around the state. It took a lot of hard work and goodwill by all concerned. There are bumps in the road, but I am very happy to be here today, and hopefully the timing of this settlement with qwest and the funds involved also come at a good time for the city fiscally speaking. With that, I turn it over to you.

**Judy Pepler:** I'm judy peppler with qwest. We're also pleased to have reached settlement on this audit. It was a long time coming, but I think all parties are satisfied with the settlement result and would urge you to approve it.

**Leonard:** Thank you, judy, very much.

**Fritz:** I have a question, there are other parties involved, and the settlement of \$635,000 for Portland is dependent on those other parties agreeing. Where are we and how many of them have agreed?

**Pepler:** All of them have agreed, but all of them need to bring it before their city council, just as you're doing here. So we're in the mimed of that process right now.

**Fritz:** Thank you so much for your goodwill and associations. We're -- negotiations. It's good news that we can provide more services.

**Fish:** I want to acknowledge that I think I get two pieces of mail every day from qwest, and I believe if I can understand the offer, it has something to do with switching my service on my cable

and some bundling. So as soon as I actually have time to read the fine print I'll get back to you.

**Peepler:** That would be excellent, commissioner.

**Leonard:** Thank you, David. Is there anybody that would like to testify?

**Moore-Love:** No one signed up.

**Leonard:** Please call the roll.

**Fish:** I'm obviously pleased this matter could be resolved through negotiation and to commissioner Fritz's point and to the bureau of director's point, the timing of this payment could not be better. Aye.

**Fritz:** I have to commend commissioner Saltzman because it was under his leadership that this settlement that was actually negotiated and brought forward, so it's delightful that I can take the credit for it. It's good that we're -- the city watching out for ways that money that's owed is collected and we're going to be able to put it back in the general fund. The office of cable communication and franchise management has nine employees, yet they bring in over \$60 million of money to the city, mostly to the general fund. And so it's an exciting time to be looking at ways to maximize those revenues and provide the service to the city. Aye.

**Saltzman:** I want to say this is really good to have this settlement out of the way, or have this settlement. I want to acknowledge David Ole Sorntion but also Ben Wall thanks our city attorney, who capably represented not only the city of Portland, but the entire league of Oregon is resolving this. So good work to everybody. It's nice to have this settled. Pleased to vote aye.

**Leonard:** And I too appreciate all the good work. I was the commissioner in charge of cable three commissioners ago, and still have fond memories of working with everybody there. Thank you, Judy, for all your help. Very much appreciate it. Aye. [gavel pounded] item 56.

**Item 56.**

**Leonard:** Second reading, vote only.

**Fish:** Aye. **Fritz:** Aye. **Saltzman:** Aye. **Leonard:** Aye. [gavel pounded] item 57.

**Item 57.**

**Gary Blackmer, Auditor, City of Portland:** Good afternoon, Gary Blackmer, city auditor. Before you is an ordinance that reduces the amount of money for public campaign financing for any candidates for the term of auditor. Last week you approved a resolution to put that on the May 19th ballot. What this does is reduces the amount of money available to any candidates to \$50,000 for the primary instead of \$150,000. And if there needs to be a runoff, there would be a \$50,000 -- \$50,000 limit on the runoff, the same as in the primary. If there is a candidate who is privately financed, and is spending more than the \$50,000 in the primary, the amount of matching could be as much as 100%, meaning another 50,000 on top of that. And for the general, 150%. Those are the proportions that are in the current code for regular elections. There's also some dates that are set forth in terms of defining what are the periods of qualifying and so forth. We had a minor scribe error we sent a memo out, we had the general election period beginning on May 27th and it should have been May 27th. So it was just a typo. We had an overlap of the primary and general period by seven days. So that's the only other piece. We tried to make the changes as minimum as possible to make sure we could apply the code as it's written, but reducing the amount from 150,000 to 50,000. The citizen campaign commission members just kind of did a telephone tree among themselves and they have no problem with the 50,000 for the general as well. They had originally recommended 67,000, which was taking the direct proportions that are applied went primary in general and just applying them to the 50,000. But from their standpoint they didn't have any big concerns about switching from 67,000 to 50,000. Are there any questions?

**Fish:** I have a couple questions. Have they made a formal recommendation that is before us?

**Blackmer:** They did last week, which was the 50,000 for the primary and 67,000 for the runoff.

**Fish:** With respect to the recommendation before us today --

**Blackmer:** They didn't have a chance to formally get together, make anything official. But they did have a debate between 50,000 and 67,000 in the runoff, and there wasn't a strong sense advertisement, it was more like let's follow the spirit of what the code says in terms of proportionality. So there wasn't any -- there wasn't any real strong articulated argument for 67,000, which was their official position versus this 50,000. From a spending standpoint it could make a small difference in the campaign, but not that much.

**Fish:** I want to make sure we're clear how we characterize their input on this. If a member of the citizen campaign commission objected to these numbers, they would be free to come here today and provide testimony?

**Blackmer:** Correct.

**Fish:** Could you remind us how much money is left in this fiscal year that has been budgeted for campaigns?

**Blackmer:** I don't have it off the top of my head. I pulled it together about a month ago. I believe there is about -- I believe about \$1.1 million in the fund right now.

**Fish:** That's from this fiscal year?

**Blackmer:** It's accumulated for a number of fiscal years. Essentially we have to build a fund for an anticipated election that might come up. And from our standpoint we can't just budget year by year, so to that extent we do have a fund there that covers those contingencies. So that's why it's more than we wouldn't necessarily need that the point, but -- and we've reduced the contributions annually to it as we've had a better sense of what the historical spending is on campaign financing.

**Fish:** Does your office have a recommendation on this matter?

**Blackmer:** No. I expressed my views on it last week, and i'm ok with what council is deciding.

**Fritz:** I don't understand about changing the general election period. Isn't the election on may 19th?

**Blackmer:** It's for the reporting purposes that there are certain bills that come in after the 20th and from our standpoint we wanted to have a clear break. And we had put the period from january 15th, to may 26th for the primary period, and then the period from may 20 to august 3 was the general. So we had that overlap.

**Leonard:** Is anybody signed up to testify?

**Moore-Love:** We have one person signed up. Carol cushman.

**Leonard:** Good afternoon. You'll have three minutes to testify. Please identify yourself for the record.

**Carol Cushman:** I'm carol cushman representing the league of women voters of Portland. The league strongly supports this and we encourage you to continue your support of Portland system of public campaign finance. With the special election for the position of auditor, you are again considering modifications to the basic program to set this specific circumstance. We support the citizen campaign commission's proposal and appreciate commissioner Fritz's contributions to its development. While we understand the reasons to reduce the amount of initial funding for candidates in this special election is as important to leave in place the matching funds option, as the citizens campaign commission its ongoing work on recommendation force permanent rules for special elections, we trust the members will keep in mind the very important role our auditor fill and how that role has changed in recent years. In addition to hold can city bureaus accountable for their performance, the office now oversees the citizen campaign finance fund, the independent police review division, lobbying regulation, and the only ombudsmen's office. The new responsibilities and powers have the potential to attract more candidates and could lead to more competitive races than we have seen in the past. The position may be less visible than the commissioners, but like the city commissioner, it is elected citywide and of equal importance. For these reasons as we move forward, full funding should be a priority in terms of initial allocation and matching support for the auditor position. Portland has been a leader in establishing voter-owned election fore elective office. We urge you to continue to show your commitment to this

groundbreaking program by ensuring adequate funding for special elections when the citizen campaign commission submits its recommendations for permanent. The league would like to thank the citizen commission for its work and the work that its members continue to do and to thank the city council for actively supporting campaign finance reform. The league agrees with those of you who stress the importance of educating the public about the auditor's race and we're committed to organizing a candidate forum if the vase contested. Thank you for your time today.

**Leonard:** Thank you. Is there anybody else that would like to testify? If not, carr la, please call the roll.

**Fish:** Well, ms. Cushman and her prepared testimony said that the league of women voters appreciates commissioner Fritz's contributions to the development of this ordinance. And I want to echo that. It has been a pleasure in the brief time we've had a chance to Work together to work on this and a number of issues, and amanda, I want to single out your leadership in bringing us together on this proposal. Thank you for the time you've spent. I -- the one part of the matter we're voting on that strikes me as still anomalous is that the subject of this is a, quote, reduction of something. And I just want to state that while I have been distracted this week and have not had a chance toe go back and reread because this is a gray area and I realize open to interpretation, but one of my frustrations has been that in the absence of clear guidelines governing special elections, we are by default required to come together and use our best judgment to get to a number n that regard I am -- appreciate the efforts of the commission in struggling with this issue, and I also acknowledge that it is ultimately our role to try to come through the process of compromise to a figure that the community can accept. But I do think that having firm rules in place governing elections which includes special elections, is appropriate, and I am grateful in this instance we have the occasion to act on setting the guidelines before anybody's gotten into the election so that we're not changing the rules midstream. I want to thank everybody for their good work, and i'm pleased to vote aye.

**Fritz:** I'm delighted to be working with a city council who is open to considering things. I met one-on-one with every member of the council and other folks who gave good input into this. Obviously we would like to have better rules in place so we're not scrambling to do reductions or changes i'll work hard to come forward with the revised rules in the next few months. We'll be amending the rules based on the experience of last year's elections and also we'll get more information from this election as to what those new regulations might be permanently in the code. Reiterating what we discussed last week, that the auditor's office is no less important than the rest of the city council, the amount of funding that's being proposed reflects the fact that there has never been an auditor's race that has cost more than \$50,000. One of the purposes of campaign finance reform was to reduce the cost of elections rather than raise it. So I do believe it's important and probe rat to reduce the amount of funding, and i'm also very pleased we've been able to come forward both last week and this week with a proposal which there's certainly some debate in the citizens campaign commission was very involved in formulating this proposal. But there's a certain degree of consensus perhaps in the past hasn't been present. So it puts us in a good place for the secure elections that we're not debating campaign financing in the special election for the auditor's election, but we are proposing something which I believe can work. I hope the candidates use it. I believe that neighborhoods and others can help get any candidate who files to get more public dennis erickson public awareness. We need to get back to the work that the city is supposed to be doing. And i'm greatly appreciative of all my council colleagues for being open to getting this fix in place. Aye.

**Saltzman:** I also want to thank commissioner Fritz, and the auditor's office for their good work as well. Aye.

**Leonard:** I want to echo both what commissioner Saltzman and Fish said. I suppose it's no secret I haven't been entirely supportive of this program, including voting against its inception, singly, when it was adopted. Partly because I believed then that while I would raise reasonable -- what I thought were rational concerns, what I got back at times felt more like ideology than reasonable responses.

So it's not put me in the best place to be able to make an informed judgment along the way. The notable exception has been after amanda join the us on the council, and I felt like worked very hard to meet what I thought were reasonable concerns, meet me halfway on those. And that was refreshing. And you requited yourself well. So I appreciate that and find myself in a place I want to be, which is to support this, particularly on a consensus basis. So thank you, amanda, for your work. Aye. [gavel pounded] and with that the council will be adjourned until next wednesday, january 28th, 2009, at 9:30. [gavel pounded]

At 2:47 p.m., Council adjourned.