



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **4TH DAY OF FEBRUARY, 2009** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz, and Leonard, 4.

Commissioner Fish arrived at 9:30 a.m.

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

Items No. 98, 99, 102 and 105 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
87	Request of Steve Gunther to address Council regarding Maintenance Bureau opportunity to protect the Willamette River (Communication)	PLACED ON FILE
88	Request of Lars Larson to address Council regarding Mayor Adams legal issues (Communication)	PLACED ON FILE
89	Request of Tom Kloviski to address Council regarding Mayor Adams (Communication)	PLACED ON FILE
TIME CERTAINS		
90	TIME CERTAIN: 9:30 AM – Commend Portland Fire and Rescue, Portland Water Bureau and the critical infrastructure agencies of public utilities for excellent coordination and service during the Winter Storm Event of 2008 (Resolution introduced by Mayor Adams and Commissioners Fish, Fritz, Leonard and Saltzman) (Y-4)	36673
91	Commend Bureau of Emergency Communications, Office of Neighborhood Involvement Information and Referral Program and Multnomah County Emergency Medical Services for excellent service and coordination during the Winter Storm Event of 2008 (Resolution introduced by Mayor Adams and Commissioners Fish, Fritz, Leonard and Saltzman) (Y-4)	36674

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<p>92 Commend Bureau of Housing and Community Development, Portland Office of Emergency Management, Portland Parks and Recreation and all agencies that worked with the City to provide shelter for populations experiencing homelessness during the Winter Storm Event of 2008 (Resolution introduced by Mayor Adams and Commissioners Fish, Fritz, Leonard and Saltzman)</p> <p>(Y-4)</p>	<p align="center">36675</p>
<p>93 Commend Portland Police Bureau for their extraordinary service and coordination for public safety during the Winter Storm Event of 2008 (Resolution introduced by Mayor Adams and Commissioners Fish, Fritz, Leonard and Saltzman)</p> <p>(Y-4)</p>	<p align="center">36676</p>
<p>94 Commend the Bureau of Transportation, Portland Streetcar, Oregon Department of Transportation, TriMet, the National Weather Service, Port of Portland and Portland Office of Emergency Management for excellent coordination during the Winter Storm Event of 2008 (Resolution introduced by Mayor Adams and Commissioners Fish, Fritz, Leonard and Saltzman)</p> <p>(Y-4)</p>	<p align="center">36677</p>
<p align="center">CONSENT AGENDA – NO DISCUSSION</p>	
<p align="center">Mayor Sam Adams</p>	
<p align="center">Bureau of Planning & Sustainability</p>	
<p>*95 Correct grant application amount to \$49,517 for grant from the State of Oregon Department of Environmental Quality for expansion of the ReBuilding Center facilities (Ordinance; amend Ordinance No. 182250)</p> <p>(Y-4)</p>	<p align="center">182505</p>
<p>*96 Correct grant application amount to \$13,070 for grant from the State of Oregon Department of Environmental Quality to allow Skyline School to hire an AmeriCorps worker to implement sustainability programs (Ordinance; amend Ordinance No. 182251)</p> <p>(Y-4)</p>	<p align="center">182506</p>
<p align="center">Bureau of Transportation</p>	
<p>*97 Designate a strip of City owned property abutting NE San Rafael St as public right-of-way and assign it to the Bureau of Transportation (Ordinance)</p> <p>(Y-4)</p>	<p align="center">182507</p>
<p align="center">Office of Management and Finance – Human Resources</p>	
<p>*98 Create a new Nonrepresented classification of Chief Planner, which is exempt from classified service (Ordinance)</p> <p>(Y-4)</p>	<p align="center">182513</p>

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<p>99 Create a new Nonrepresented classification of Sustainable Stormwater Division Manager (Ordinance)</p> <p>Motion to amend to remove “classified service” language in title: Moved by Commissioner Leonard and seconded by Commissioner Fish. (Y-4)</p>	<p>PASSED TO SECOND READING AS AMENDED FEBRUARY 11, 2009 AT 9:30 AM</p>
<p style="text-align: center;">Commissioner Nick Fish</p>	
<p style="text-align: center;">Bureau of Housing and Community Development</p>	
<p>*100 Authorize Intergovernmental Agreement with the City of Gresham for staffing and support for the Housing and Community Development Commission and lead responsibility for completion of the annual Action Plan FY 2009-10 and performance reports as requested by HUD (Ordinance)</p> <p>(Y-4)</p>	<p style="text-align: center;">182508</p>
<p style="text-align: center;">Portland Parks & Recreation</p>	
<p>101 Amend Lease Agreement with Verizon Wireless, LLC for their continued use of a portion of Portland Parks and Recreation Children's Museum building in Washington Park for wireless communication purposes (Second Reading Agenda 68; amend Contract No. 51111)</p> <p>(Y-4)</p>	<p style="text-align: center;">182509</p>
<p style="text-align: center;">Commissioner Dan Saltzman</p>	
<p style="text-align: center;">Bureau of Environmental Services</p>	
<p>*102 Authorize contracts and provide for payment for construction of the Portsmouth Force Main Project, Segments 1 and 2 Project Nos. 9075 and 9039 (Ordinance)</p> <p>(Y-4)</p>	<p style="text-align: center;">182514</p>
<p>103 Authorize a contract and provide for payment for the construction of the Foster Sewer Rehabilitation Project No. E08870 (Second Reading Agenda 74)</p> <p>(Y-4)</p>	<p style="text-align: center;">182510</p>
<p>104 Authorize a contract with Brown and Caldwell for professional engineering services for the Columbia Boulevard Wastewater Treatment Plant Chemically Enhanced Primary Treatment Project No. E08910 (Second Reading Agenda 75)</p> <p>(Y-4)</p>	<p style="text-align: center;">182511</p>
<p style="text-align: center;">City Auditor Gary Blackmer</p>	
<p>*105 Revise Council procedures regarding placement of items on the Council Agenda and order of voting (Ordinance; amend Code Sections 3.02.030 and 3.02.040)</p> <p>(Y-4)</p>	<p style="text-align: center;">182515</p>

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<p>*106 Assess property for system development charge contracts and private plumbing loan contracts (Ordinance; Z0770, K0108, T0121, W0002, K0109, T0122, Z1175, P0085, P0084) (Y-4)</p>	<p>182512</p>	
<p>REGULAR AGENDA</p> <p>Commissioner Amanda Fritz</p> <p>Office of Cable Communications and Franchise Management</p> <p>107 Add definition of Cable Communications Utility (Ordinance; amend Code Section 7.14.040)</p>		<p>PASSED TO SECOND READING FEBRUARY 11, 2009 AT 9:30 AM</p>
<p>City Auditor Gary Blackmer</p> <p>108 Assess property for sidewalk repair by the Bureau of Maintenance (Second Reading Agenda 85; Y1068) (Y-4)</p>		<p>182516</p>

At 10:53 a.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.

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WEDNESDAY, 2:00 PM, FEBRUARY 4, 2009

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

February 4, 2009
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 4, 2009 9:30 AM

Adams: Would you please introduce item 87?

Item 87.

*****: Good morning.

Adams: Good morning, how are you?

*****: I brought a pretty crude device with me. [inaudible]

Adams: Ok.

Steve Gunther: So I suspect no one's going to remember what I'll say here this morning. I didn't sign up to participate in any circus event and I'd actually prefer it if Mr. Adams and Mr. Larson weren't here with us at city hall. I'm here to present information on a low cost and labor intensive pollution reduction concept. Not pitching a product. I'm advocating a different approach to environmental challenges. Some background. I got my bachelor's of science from Portland state and worked in the northwest environmental industry and provided products to businesses and government. The low-cost, labor-intensive and high-impact environmental product I brought is a catch basin insert filter. This is emblematic of the kind of solutions that deserve better use by the city. I mailed to the -- commissioner Fritz was kind enough to acknowledge, set variety of names -- by a variety of companies by us. They're effective. The products capture oil and grease and suspended solids that contaminate our rivers and streams. The dirt adheres to trace metals. Petroleum companies and other businesses installed over a thousand of these products last year. Yesterday, the city of Portland maintenance bureau said that they installed maybe 50 all year long. The city owns more storm drains than any other property around. The city collects millions in stormwater fees and yet there's no information on the available -- available on the use and effectiveness of these low-cost devices. The city's stormwater manual doesn't recognize this and still these products are being used extensively because business leaders recognize the product for what it is. It's simple, effective and inexpensive. I would like to sell 5,000 to the city today. Does it have limitations? Is it a cure? No. But the results are manageable. Big pipes and underground sledge hammers are great, but don't discount the value of a good flyswatter. Finally, I picked up this beautiful 2009 city of Portland calendar yesterday and it features ecoroofs and bioswales and that are elegant and expensive. The calendar costs a few thousand taxpayer dollars but this year consider spending tax dollars in ways that are -- that produce more measurable benefits.

Adams: Thank you, Mr. Gunther and if you want to stop by commissioner Saltzman's office and he's in charge of -- and would like to hear from you. Please read item 88.

Item 88.

Adams: Good morning and welcome to the city council.

*****: Good morning.

*****: Please state your name.

Lars Larson: My name is Lars Larson. I'm an Oregon taxpayer and I make my living in the city every day. Like Mr. Gunther, I would like to see the city cleaned up. We have a problem here. I'm here representing myself and I wrote down my comments because I wanted to make sure I got it right. I started working in this building almost 30 years and my job was to ask questions and so I would like to ask a few questions of you, Mayor Adams, and the other commissioners who are here

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and I thank you for the opportunity. Mayor Adams, why should any of the commissioners sitting around you at this moment believe anything that you say from this point forward based on your behavior and the things we've learned in the last couple of weeks? You have confessed as a city commissioner and on city business you went to salem to talk to people at the legislature and while there, you met and began pursuing a 17-year-old. Why did you lie to voters about that behavior? Why did you then invite that teenager to visit you in your office? Why did you invite him to lunch? In this building we know that you took this teenager to a bathroom and engaged in intimate contact and then lied about it. I would like to know why. Why did you then attend that teenager's birthday party and then have sex with that teenager after he was barely of legal age and why when confronted by a political opponent, did you trash a good man, bob ball, and why did you think you had a right to break his reputation? If Portland voters knew then what they know about you today about you, do you think you would have been elected mayor? Did you use city resources to help coach him to lie? Did you use city resources in the last couple of weeks -- in particular, your press secretary in your office -- to defend your personal behavior and do you believe you have the right to use public resources to defend your outrageous personal behavior? Why did you not come clean until mark zussman and nigel and hank stern finally brought the story to public view and why did you continue to lie after those revelations to save your skin? Wade, when he quit, you told reporters it was because he couldn't take the stress. It appears there was a different reason. At one point, during the derrick foxworth scandal, you said when someone becomes a punchline to a joke, it's time to go. I would like to ask the other commissioners, why should you come to this room and do business with this man when it's clear he doesn't have the public's trust today? If he doesn't have your trust, should you continue to come to these chambers and do business or should mayor sam Adams resign? Thank you very much for the opportunity.

Adams: Thank you very much. Item no. 89.

Item 89.

Adams: I think he's making his way. Good morning, welcome to city council. You have -- please state your name and you have three minutes.

Tom Klovski: My name is tom klovski and i'm a small business owner out in gresham and we do small excavation work. All of the stuff i've read, it's time and time beyond my belief that we can sit here and allow this type of behavior to go on. I've heard you apologize to a number of different people, but not one apology to bob ball. I think -- bob ball. There's a couple of things you quoted and i'll quote you about what you've said. I've said in the past that i'll in the future respond to people who reach out to me for advice. Especially true when it comes to young people. Another quote, I did not get into public office to allow my instincts of others who have smeared out of sleazy misrepresentations and political -- there are the code of ethics, I looked online. Under trust, letter b, city officials promote public respect avoiding even the appearance of impropriety. Campaign elections allow voters to make informed choices on appropriate criteria. By you lied to the voters on this matter, didn't allow them to make the appropriate decisions they needed. The last one under leadership, 1.03.050, leadership officials obey both the letter and the spirit of the law and regulations. The law-abiding behavior by the city official sets a good example for citizens who respect the law. Laws govern their public duties but even actions in private life carry a public message and if you continue to be mayor of this city, as a business owner, I deal with inspectors in the work we do. Does it mean it's ok for me to lie to the inspectors and then just apologize later? Because if you're still in office, that's the message i'm hearing we allow. So I thank you for your time.

Adams: Thank you very much. Could you read item no. 90? [applause] Raise your hand.

Moore-Love: Did you want to dispose of the consent agenda?

Adams: I'm sorry. Does anyone have any items -- we have three items pulled from the consent agenda. 98, 99 and 102. Any other items? [inaudible]

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Adams: Ok, so we have the consent agenda, minus 98, 99, 102 and 105. So let's vote on the consent agenda.

Moore-Love: Ask the audience for --

Adams: Any other items pulled from the consent agenda? Ok. Go ahead.

Fish: Aye. **Fritz:** Aye. **Leonard:** Aye.

Adams: Aye. Shall we move to the regular agenda or hear the pulled items?

Moore-Love: It's up to the council.

Adams: We have time certain, so let's do the time certain. So if you can read item 90.

Item 90.

Adams: Commissioner Leonard.

Leonard: Thank you, mayor Adams, and my colleagues on the council. It's certainly true that the public expects in a crisis all of the city agencies to respond in a focused and, if not, selfless manner.

And to that extent, there really wasn't anything extraordinary that led to the city employees response to the snow and ice and freezing weather around christmas. However, I think it's important, if not for the employees, the public, to be able to honor and recognize the selfless acts of city employees that really set aside their own personal needs, their family's needs and think first of public service. And there's nothing that I honor more than the selfless acts of our frontline workers who really just get out and get it done when it really counts. There are going to be a series of acknowledgments of that. I'm honored for having the first two for the two bureaus I oversee. The Portland fire bureau and Portland water bureau really served above and beyond the call of duty during the christmas era when we had so much snow and ice and had people literally freezing to death out on the streets. In particular -- in fact, I want to call up the Portland water bureau, first, if I could. David shaff, I believe, is here. And anyone you want to bring with you? Is al zullo here? Al, come on up too. Harry. Come on up. The Portland water bureau has a bus they use for tours of the bull run, and just as an aside, if anyone is interested in seeing the most beautiful pristine area I believe that you will ever see, you're welcome to one of our tours. But the water bureau activated the bus during the snowstorm and ice storm to transport people that were exposed to the elements outside with no place to go. They got them on the bus, got them to the places they needed to be. And each person at the water bureau involved in that effort worked long days, long nights, including christmas eve, christmas day, to make sure that they were protecting the lives of people who couldn't fend for themselves. But in particular, I want to point out al zullo, who is here. Al drove the bus all three nights including christmas eve and christmas morning. And I have a certificate that each of us will give each of our bureaus, but on al's behalf, I want to point out that al was one of the volunteers who spent 30 days back when hurricane katrina hit with our water bureau crews down in new orleans. The only water bureau in the united states that got to new orleans and actually get water turned back in. Was the Portland water bureau which al was a participant of. I'm really proud of you. And before I give the larger award. We started a tradition, called the commissioner's coin, designed by water bureau staff that showed bull run on one side and the simon benson bubbler on the other. Thank you, al. [applause] i'm pleased to give you this certificate and thanks for the time and effort during the winter storm event of 2008. You made us all proud.

Fish: Can I add something to your comments while the gentlemen are standing? There's another piece of this story, a back story, that the public may be interested in knowing. And that is that at the time that the call went out to the water bureau to participate in this massive mobilization during the winter emergency to make sure that homeless individuals and families had shelter, originally the intent was for the city to partner with tri-met to provide the bus service. And the buses served two functions. They served as temporary warming centers. Getting people off the street in a warm place and to transport people to various centers. Including a center for pregnant women and families at 82nd. Well, as many of you know, tri-met, because of the storm, had significant challenges with their buses. And frankly, their buses just couldn't get to certain places and many of

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their buses were damaged during the storm, and there was a significant cutback in their service as a result. And people also will recall that the max lines weren't operating. And so at the moment in which the city literally had no other option, because of commissioner Leonard, director shaff and the extraordinary service of people like al, the water bureau stepped up and said we have vehicles and we can use them. And I had the great opportunity of meeting al. And one frigid evening standing in front of a hotel in old town chinatown I asked him what compelled him to do this. And without hesitating he said it was an honor to serve others. And that's why he was doing it. Those were the first words out of his mouth. This was during the christmas holiday week and as people know, that's a week many of us have plans to meet with family and usually over-scheduled and scrambling to buy presents and entertains friends and family, but for three nights, al drove the bus and the people he took to shelters were disabled veterans, young families and people who would normally be left on the street and we know as a city that people may have died had people like al zullo not intervened and I want to add my voice to the commissioner and say how proud we all are of the service of our city employees and the folks in the water bureau who stepped up when we had no other option.

Fritz: Can we suspend the rules and applaud? [applause]

Leonard: Thank you very much and thank you, commissioner Fish for those kind remarks. Thank you, al, appreciate it. So the last presentation I have is for the Portland fire bureau. And do we have representatives to come forward from the bureau. There's chief klum and I see a few others lingering back there. Come on forward. Each of you. My standard for public service has been taught to me through the years that I worked at the Portland fire bureau, so I told people since coming to the city council, it's been a blessing and a curse coming from the Portland fire bureau and the blessing has been that I know how it is that public employees can serve the citizens from the years I spent. The curse has been to try to get others to think like that. And perform to that level. But I know it's humanly possible because I see these men and women do it every day and I worked with them for a long time when they did it. So i'm not surprised, but once again, pleased that they continue this tremendous tradition of service to Portlanders. And we got -- we've got michael and matt silva standing up here. They're twins, in the fire bureau together. Identical twins and right now I can't tell you which one is which. But they were front and center as they always are during the storm. Driving rigs, right, and what all did you do? Tell everybody what you did. I heard your names every time I turned around.

*****: We were transporting homeless individuals stuck on the street. Unable to make it to the homeless shelters. From the homeless shelters, some of the red cross centers that were set up and to the soup kitchens.

Leonard: You're michael? Come up here. [laughter] come here. Because i'm going to do something i've never seen done before but i'm going to ask you to sit here and tell everybody the story about the apartment house that lost its heat. And there were elderly people stuck in the apartment house during the ice storm in subfreezing temperatures and you came up with an ingenious solution that literally saved people's lives. Come up here and sit down. [laughter] don't get too comfortable there, michael. Just say what you have to say.

*****: So like he said, we do contracting on the side, and they had a contractor that was servicing their boiler unit, which went out. They ordered from, I think it was new york. It wasn't going to come in for like a week. And we knew of a temporary boiler service that could come up and set up on the street and provide heat for the building and nobody else knew about it.

Leonard: And you got it done.

*****: We got it done.

Leonard: You're the man. Thank you, michael. You start in two weeks. [applause] on behalf of really, a grateful city, this feels like not enough but I have a certificate to give the Portland bureau fire and rescue and it says in recognition and with thanks for excellent coordination during the

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winter storm event of 2008. Chief klum, I know you're very proud of the men and women. [applause] thank you all very much. They're ready just to take an order and do something.

Adams: Commissioner Fish and I on christmas eve served dinner at harbor light and went over to the homeless shelter at -- [inaudible] Portland rescue mission. And went to Portland foursquare church and it wasn't that we were just offering services, I can't tell you how much it meant to the folks, people with fire uniforms showed up and were so friendly and accessible and treated them with such respect, it meant a lot.

Fish: Again, as a back story, I mean, you just -- you can't say enough. And chief klum was scheduled to take some time off during the holidays and on the saturday either before or after christmas, he got in his own vehicle and transported people between shelters. Chief of our entire bureau took the evening to be out when there was a communications glitch, he provided that walkie-talkies on a special frequency would be given to all the partners so they were linked through a communication system. When the sewer system at the foursquare church, a facility that had a gymnasium and toilets but not intended to house hundreds people a night, when it broke because of freezing weather and the facility at risk, he sent a fire bureau contingent over on his own and with the leadership contracted with someone to come in and repair the damage. Also sent crews in the evenings to shovel so that disabled people would have access to it. And randy, what's the name of those vehicles they use? The vehicles they --

Leonard: The four wheels.

Fish: I think called the wart hogs.

Leonard: [inaudible]

Fish: You know, chief klum has a lot in common actually with commissioner Leonard and i. All three of us are plus or minus 50. All three have children at home, somewhere short of 15. And chief schmidt. For the public watching this, we're blessed to have people like this in leadership positions in our city and one other thing I want to mention. The silva brothers were doing it on their own dime because they were scheduled to work a normal shift and one of the evenings they took a room at a hotel so they would get two hours of sleep before going back to work. On their own dime. It says it all.

Fritz: It's my pleasure to commend the office of neighborhood involvement and information referral program and Multnomah county emergency medical service for excellent service and I would like to call up the bureau of emergency communications, manager toni sexton, and the director of information and referral. Do we have anyone here from emergency services or american medical response? Please come forward. Thank you for being here and one of things that people don't remember is there's people answering phones and dispatching people and giving information during the response. As well as the people freezing on the street. You have to get into work in order to make the rest of the system work. And so I truly appreciate your service. And in particular, for emergency communications. I want to recognize operations manager toni sexton and your staff. Both worked long days during the storm. Both spent two nights at the bureau. Senior dispatcher nick white came in to ensure the phones were answered and sidewalks kept free of snow and ice. Which i'm guessing is not in his job description.

*****: [inaudible]

Fritz: Excellent. Good. Emergency communications supervisors, merle, senior dispatcher, mike and senior dispatcher mike adkins, spent many hours shoveling the sidewalks and mike even slept there one night between his 14 to 16-hour shift and chris west did a lot of shoveling and working on our roof leaks. So thank you to all of you and your staff. At the office of neighborhood involvement, john came in at -- got up at 5:00 to come in every day and those of us who were coming in know how difficult it was with the buses not running on time and the challenges we had to get in so that the phones were manned so that we -- and woman -- so that we had the right messages going out to citizens and staff and so that the emergency message was updated. John and

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his staff helped community members inquiring about road conditions and local government response in addition to the other calls. They assisted the offices in obtaining emergency medications and maintained a service level of 85% of calls answered within 5 seconds throughout the three days of the emergency. That's amazing and recognizing Multnomah county emergency medical services, one of our partner agencies and citizens sometimes complain that government entities don't work together. But in this emergency, we really did and thank you so much for all of your work and challenges of getting into work and making that communication. Can you state your name for the record for us?

*****: [inaudible]

Fritz: Thank you, very much. And you're Susan Barr. American medical response is here representing our healthcare providers and private entities that helped with the response. I have to mention my hospital partner, the former OHSU nurse, and it's our hospitals and medical institutions stayed overnight and worked long, long shifts and made the system work and made sure services were provided to people who needed them and we really appreciate all of your service to our city, our region, remembering that both emergency communications and many of our other services are Multnomah countywide, not just the city of Portland. I thank you for all of your work. [applause]

Adams: Just to underscore, the voicemail message that up to 5400 employees in the city of Portland relied on for knowing the request to stay home, go to work late, that had to be -- that was updated every day and John had to get up 3:30, 4:00 in the morning to physically come to city hall and do that. And clearly a glitch we have to fix but I want to underscore our thanks, especially to John.

Fritz: And the two people with John are actually -- I appreciate them blushing to help the commissioner out. Thank you for your work.

Adams: Commissioner Fish.

Fish: Thank you, Mayor. I have the great honor of recognizing not only a number of city agencies and bureaus but some of our critical non-profit and community partners who stepped up and helped save lives. And I'm going to invite them to all come up as a group but before I do so, I just want to build on what my colleagues have said so eloquently. And note that we have a president who has called us to service and framed service to others as our highest aspiration and on election night, the new patriotism which he defined as service to others and I believe has set a tone during very difficult times and it's inspiring that we're being challenged to do more for our fellow citizens during very challenging times. There is a Tom McCall quote cited so often that frankly, it's at risk of becoming a cliché and every time Jack McGowan -- he's in semiretirement. And I'm going to take the liberty of quoting. Heroes are not giant statues framed against a red sky. They are people who say this is my community, and it's my responsibility to make it better. And the individuals and organizations that I have the honor of recognizing today are folks who have taken it upon themselves to make our community better. And I would ask representatives of all the following organizations to come up together and then I'll recognize you separately. 2-1-1 info. Portland rescue mission. Oregon food bank, city teen ministry, central city concern, Portland foursquare church. Salvation Army. Transition projects. Hands on Greater Portland. American Red Cross, Joint Housing Authority of Portland, Portland Bureau of Housing and Community Development, Portland Parks and Recreation. So very briefly, let me, if I can, describe what everybody here individually or as an organization did. 2-1-1 info, during the winter emergency, was the place that a citizen could go to get information about services. Homeless individuals could call to find out what shelters were open and what their operating hours were. Folks that were snow-bound could call and get help. People in our community flooded 2-1-1 info with requests and they stepped up and performed magnificently. Portland rescue mission, it's one of our key partners downtown and like a number of churches and soup kitchens and nonprofits, Portland rescue mission opened its doors throughout the storm taking more people than they could handle, providing hot meals, companionship, and love. And the community brought an extraordinary number of supplies to Portland rescue mission and

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brought jackets and socks and things that people needed. And as the mayor said, mayor Adams and I had the honor of serving dinner on Christmas Eve at the Portland rescue mission along with a church that volunteered that evening and for all of us who were there, it was a life-changing event and we were all moved by the power of service. And Oregon Food Bank, the Oregon Food Bank and Rachel Bristol and all of the good people helping to deal with the food emergency, we learned recently that the state of Oregon is now third in the country in hunger. Over 6,000 people a night go to sleep hungry or with inadequate nutrition and there's an explosion in demand for emergency food supplies and yet there they are in the front lines working to coordinate for many people could be the only meal they get a day and doing tremendous service. City Teen Ministries. Again, joining with our other churches and soup kitchens during the emergency to open their doors and provide a warm place during the day and a meal for people who needed it. Central City Concern. Is one of the city's and most effective nonprofit partners running all kinds of programs for people, providing pathways for self-sufficiency and time and time again they've made a difference. Portland Foursquare Church. A new partner, a church that when the storm and emergency hit, said whatever you need, whatever we can do. And they converted a gym, a small gymnasium into an emergency winter shelter. Managed wonderfully by the Salvation Army, with completely inadequate facilities but with people working long hours to make sure that everybody who came in the door was treated with dignity a respect had a place to sleep.

and I would remind people, there was no screening that occurred during this storm. Anyone who showed up was offered shelter and just imagine those challenges. Imagine what it is not to screen but be able to accommodate hundreds of people in a tight space and frankly, some of the volunteers I met for the Red Cross were extraordinary in their service. Transition Projects. Transition Projects runs a shelter on Glisan. And they were the place where people registered to get to an evening shelter operated by Multnomah County. They had an explosion of demand during this period of time and they were not only wonderful partners but they stepped up and provided essential services to our most vulnerable citizens. Hands On Greater Portland, a wonderful organization that provides through the power of the internet matches volunteers with service opportunities and it's needed now more than ever. I was at a community meeting recently and a woman raised her hand and said, "I want to volunteer, but don't know where to turn." I said Hands On Greater Portland has made it easy. Sign up online and volunteer. We need you more than ever and they played a critical role matching volunteers to programs and services that occurred. And it was a place where someone could find out where to volunteer in a shelter, warming shelter or elsewhere. American Red Cross was the partner that the city engaged to run and manage our winter warming centers and we think of the Red Cross as being an organization that collects blood and deals with emergency services but their scope of operations is so much broader and they manage and staff the Foursquare Church and other warming -- church and other warming centers and one of the things this struck me, and I think it's another reason we need to be grateful is how many volunteers who wore the Red Cross uniform and did not live in Portland. Who came to serve homeless individuals and who we know by getting in their cars, because the max wasn't running, put themselves at great risk. To join, a nonprofit providing vital services to homeless individuals and families and while firefighters were going along the street looking for people late at night and coaxing them into shelters, she was going out to parks and railroad stations and abandoned areas where they knew homeless were making encampment and trying to coax them within the boundary of our law but using forceful persuasion to get them to shelter. And we cannot determine how many lives were saved. To the Housing Bureau of Portland which provides the bulk of our services to the poorest, affordable housing. Maintenance and employees during the winter emergency 24 hours a day were monitoring and intervening at various developments they manage and operate to make sure that fur in as were operating and people were getting the heat they needed and the basic services. To the Portland Bureau of Housing and Community Development. To Ryan and Sally. He said not long ago if there

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was a distinguished service award -- distinguished service award, I can think of those who should get it. Sally Erikson and Ryan Deibert alternated during the entire emergency serving as the incident commanders under a plan put together by the office of emergency management. I don't think I ever heard that phrase before but within 24 hours they became incident commanders and coordinated with the law enforcement friends at police and fire and he is where and did a magnificent job. To Portland Parks and Recreation, and the staff who performed marvelously during this period and I'm proud to be both the commissioner of parks and housing, they stepped up. Did I mention the Salvation Army captain? Let's leave the best for last. The Salvation Army. Captain Sloan is with us. They run a number of vital shelters downtown, services throughout our community. And something that I only learned when Captain Hotter, your predecessor was in charge. They're the largest social service provider in the state of Oregon. Do more services to more people throughout our state. To victims of domestic violence and young teens who want to continue their education and on and on. And Captain Sloan continues the great tradition at the helm. We know that hundreds of lives were either saved or enhanced because of your collective efforts and you came together not because of some master plan. You came together organically, because that's what you do. You serve and help people in need and you reflected in my view and the view of this council, the best of our community. A heartfelt thanks for everything you did and a round of applause, please. [applause] Give out certificates from the council starting with 2-1-1 info. Portland Rescue Mission. Oregon Food Bank. City Teen Ministries. Central City Concern. Portland FourSquare Church. Salvation Army. Transition Projects. Hands on Greater Portland. American Red Cross. They're probably too busy dealing with another emergency. Join. Housing Authority of Portland. BHCD. Sally and Ryan. Portland Parks & Rec. Can we give them another -- show our appreciation? [applause]

Adams: Thank you, Commissioner Fish. It's my pleasure and honor to recognize the agencies and bureaus that were out like a lot of others, in the field, working on public safety, law enforcement and a lot of folks working on transportation. So if I could have representatives from the police bureau, the bureau of transportation, Portland Streetcar, the Port of Portland Police, National Weather Service, the Portland Office of Emergency Management. And this was as has been mentioned, but it's worth repeating, this was the worst storm to hit the Portland area since 1940. It was a 10-day storm. A total of 16-18-inches in total. Ice. Winds, very cold temperatures. Sleet. And some parts of the region in the city, heavy accumulations of snow. It's incredibly challenging for service providers out there on the streets and roads. But this group of people worked their heart out. And with inadequate funding, because we don't fund to a 40-year storm. These folks served this city really, really well. And one of the great things about this particular group, as good a job as you did, is that one of the first things we do afterwards is to debrief on how we can do it -- is to debrief how we can do it better. And the city should take great comfort in. And on transportation, I was there almost -- I would try and stop in every day. I wanted to see sort of the front lines. I was able to ride with folks who were doing the plow trucks. We only landed in the ditch once. Because of bad pavement caught the plow. You guys were -- I mean, just so incredibly dedicated to this and the public doesn't get it see your commitment and passion and perseverance on the front lines but I did and the citizens are served well. The police bureau, always there to help out. I saw a number of officers in my time around the city in plow trucks, pushing cars. And it was incredibly, incredibly important that you all were out there and stayed out there in force and it really boosted people's morale and kept the city safe. The Portland Streetcar ran 24 hours a day for 10 days and took passengers 24 hours a day for 10 days. And never had a significant service disruption except when a bus stalled on the tracks or a car. And we have a policy of no ramming the Portland Streetcar. [laughter] The Oregon Department of Transportation, Jason Tell and his team, folks don't necessarily know, understand or should care that some streets and bridges in the city are operated by the city and some by the state. And you just were such an excellent partner helping us out when we needed it and we tried to help you out. Great leadership work, great work. Very difficult situation. Tri-

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met, who had a heck of a time just one of the most challenging times that any transit agency should have in trying to keep the buses running. Some routes were not routes we could plow for a variety of reasons and I want to thank you for your perseverance and your willingness on the debrief. Is ty reed here? Not here. Along with our own weather forecaster. But works for the national weather service and every day we would hear bad news about some new variation of winter weather hell was going to be on us the next day, but he was not only delivering the weather, but also delivered sort of how should I say -- hope, that one day it would end. Day no. 7, it was hard to -- you sort of lose sight that this will melt one day. The port of Portland, there were a lot of flight cancellations but not because the port's runways and operations were affected by the storm. They were largely due because other airports were socked in or the plane schedules disrupted in other parts of the nation. I don't think the city truly understands what a great job the port of Portland did keeping things moving through the storm. Cheryl Cox, who -- where is Cheryl? Who stayed up two weeks straight and did an amazing job of keeping the information flowing, as long as with the rest of the team. But you prepared us well. Making the partnerships and information better than ever and I really appreciate the fact that you stuck with it the whole time. That sort of knowledge through the event of what had happened before and what might happen in the future was really, really important. And then finally, we asked the Portland office of emergency management during the storm to step up and take a leadership role like never before to help ensure coordination and the daily conference calls, the web e.o.c. Utilization by more partners than ever was really the informational infrastructure that allowed us to be as coordinated as we were. Other communities would be very lucky to have what we have in the Portland office of emergency management. I want to thank you for that. And then is Richard Beale here? Who is the business manager for the laborers, our largest union in the office of transportation representing workers and being able to see folks on the front lines and the extra passion and attention they took to this task was inspiring and I wanted to make sure you knew how much we on the city council appreciated that. So please give this group a round of applause. [applause] Thank you all very, very much. Really appreciate your work. [applause] All right. Let's hope it's another 40 years before we have to face this again. All right, that gets us to -- Karla, would you read the next.

Moore-Love: These are resolutions, I haven't read them into the record and we should take a vote.

Adams: Ok.

Moore-Love: You know, I'm sorry, I had three people signed up for testimony on these items.

Adams: Ok, on all items?

Moore-Love: I only had one sign-up sheet.

Adams: Good morning, welcome to city council. Glad you're here. Please give us your name and you have three minutes to speak to the resolutions.

Rhondine Ghiselline: Rhondine. Thank you for giving me the opportunity to speak with you. I wanted to thank the people who worked tirelessly and selflessly for the city. This is in stark contrast to our mayor who refuses to step down.

Adams: We need you to keep your comments to the resolutions.

Ghiselline: As mentors and foster parents look suspect.

Adams: I'm sorry, I'm going to have to rule your testimony -- I need to keep your testimony to the resolution.

Ghiselline: Ok. I just have one more comment about the winter storm. It would have been better if we could have spoken under Lars Larson or the other gentleman, but we were not allowed. There was no public comment allowed. Shame on you commissioners and Mayor Adams for not letting the citizens speak.

Fritz: There's five citizen testimony spots and you need to sign up and this is a fair way so that we make sure everybody gets a turn.

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Ghiselline: With all due respect, the sign-up sheets were not out there.

Fritz: You have to make sure you sign up in advance. If you talk to our clerk, you can sign up for a three-minute --

Ghiselline: Last week we got to speak to the agenda items. This week we're not allowed to speak. The only thing we can speak on is the storm. You're trying to silence us.

Adams: As Karla will explain. There are five slots every council meeting for the citizens like Lars did, to sign up and speak to any issue and we have five slots that you can come and speak on any issue any week and she can explain.

Chris Smith: I'm Chris Smith, the chair of the Portland streetcar advisory committee and a registered lobbyist for that group. We are the citizen body that interfaces. And on behalf of the C.A.C. And the citizens served by the Portland streetcar I want to add my thanks to the wonderful staff. It's been pointed out that we operated 24 hours a day during the storm. That was thanks to the great work of our drivers and mechanics who are tri-met employees and our supervisory staff and trading off to make sure that the maintenance facility was staffed with a supervisor. My family was largely transit-dependent during the storm and Portland streetcar was the most reliable form of transportation available in the central city and I wanted to express my thanks.

Adams: Thank you. Any other testimony on these three resolutions? Karla, do you want to call the roll on all three.

Fish: Aye. **Fritz:** Aye. **Leonard:** Aye.

Adams: Aye. [gavel pounded]

Item 91.

Fish: Aye. **Fritz:** Aye. **Leonard:** Aye.

Adams: Aye. [gavel pounded]

Item 92.

Fish: Aye. **Fritz:** Aye. **Leonard:** Aye.

Adams: Aye. [gavel pounded]

Item 93.

Fish: Aye. **Fritz:** Aye. **Leonard:** Aye.

Adams: Aye. [gavel pounded] Go ahead.

Item 94.

Fish: Aye. **Fritz:** Aye. **Leonard:** Aye.

Adams: Aye. [gavel pounded]

Adams: If it's council's choice, did you want to do the items pulled from the consent agenda? [inaudible]

Adams: Do you want to read item 98?

Item 98.

Adams: Hi.

*******:** Good morning.

Adams: Please state your name and give us a quick overview.

Anna Kanwit, Bureau of Human Resources: Mayor, commissioners, assistant director of bureau of human resources. What the ordinance before you today is to establish a new classification of chief planner and establishing that the range for that classification and we understand there's been questions concerning this ordinance and so David, the planner, is here to provide background information on the ordinance and then I'll discuss the other issue.

David Rhys, Bureau of Human Resources: This is an ordinance that we come to council because when we create a classification, we can't have monies assigned to that -- a range unless council approves. In this case, once it's approved, we have a request from the bureau of planning and sustainability to reclassify one of the existing positions and that would be our intent. There was a

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second request to us to designate this as a controlled class and anna will speak to that in more depth if you need it.

Adams: Questions or comments from council?

Fritz: Would you explain about the control class?

Kanwit: Sure, through the h.r. administrative rule that addresses compensation, the bureau of human resources has the ability to designate a controlled class and that means to compensate the individuals in that classification, in this case, there's only one, but there can be more than one, at a rate outside of their range. It's done only for exceptional reasons. And done for a limited time period and in this particular case, I received information from planning concerning the market need for going it a controlled class for the chief planner position. The issue is concerning the expertise that was needed, particularly, the expertise surrounding the merger. And making the -- you know, all of the decisions and things that need to be done on that. The expertise is required and the recruitment issue. That this particular had been offered a position with higher compensation than he was receiving from the city. And that was the reason I have approved the controlled class and it was -- as I said, it's quite limited. There's been literally probably less than a handful in the less eight years where we have approved a controlled class.

Fish: I'm trying to think this through in plain english. We have a highly skilled employee at planning that we would like to retain. Been offered another position by another governmental entity would involve a modest increase over his current plan. By voting yes we would allow the city to match or bridge the gap so we can retain someone --

Kanwit: We're working toward retaining the employee, exactly.

Fish: And from your perspective, this is a prudent and reasonable thing for us to do to retain highly skilled people?

Kanwit: Absolutely, and particularly in this case because of the merger of the two bureaus. There some complicated and intricate details that have to be worked out.

Adams: Other questions or comments?

Fritz: I completely support the ordinance before us is creating a classification and it's needed because of the reorganization. We have a highly skilled person we want to be the chief planner and what i'm interested in and request that the council reconsider is whether we should vote on the creation of a controlled class. Since there are a few of them, we have significant budget challenges and this is tens of thousands of dollars, even though it was just for the one employee, that in the future, we should have a discussion on whether there's value in controlled class decisions coming to council, rather than being made by h.r. And perhaps over a certain dollar value. Since we've got a classification system that the appropriate compensation, appropriate for the job and that's what we're creating today, I think there should be more council decision on individual cases and that was my concern. I'm willing to vote yes on this ordinance. That's the bigger policy question that I would like further discussion on.

Adams: So we'll come back with some policy choices on that.

Kanwit: Sure.

Adams: Any other discussion by council? Thank you very much.

*****: Thanks.

Adams: Karla, please call the roll -- oh, anybody here to testify? Please call the roll.

Fish: Aye.

Fritz: Thank you for your response. Aye.

Leonard: Aye.

Adams: Aye. [gavel pounded]

Adams: Item no. 99.

Item 99.

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Rhys: David reece from the bureau of human resources. We've asked council to pull this measure from the consent agenda and to amend it because of an error on our part which we apologize for. In the title, the section that says which is exempt from classified service was erroneously put into the title. That's the only place it appears. It's appropriate for the our classification we had going forward this week. So we're asking council to amend so that the information, specifically, the words which is exempt from classified service is not approved as part of the ordinance as it appears in the title currently.

Adams: Hear such a motion?

Leonard: Because it's not an exempt position?

Rhys: It's not.

Leonard: Moved.

Fish: Second.

Adams: Moved and seconded. Any discussion? Anyone who would like to testify? Karla, please call the roll.

Fish: Aye. **Fritz:** Aye. **Leonard:** Aye.

Adams: Aye. [gavel pounded]

Adams: Any other discussion on this ordinance? Anyone who would like to testify to this ordinance no. 99? Karla, please call the roll --

Moore-Love: This is nonemergency.

Adams: Sorry, it holds over to next week for consideration. We have pulled item 102.

Item 102.

Matt Grumm, Commissioner Saltzman's Office: Good morning. Matt Grumm with commissioner Saltzman's office. I am here to answer questions you might have.

Adams: Did you pull the item?

Fritz: I did.

Adams: You did? Do you have questions?

Fritz: Well, I pulled the item to highlight the item and the high dollar amount. The folks who were just here in purchasing and contract gave me an excellent briefing last week. And so I asked why do we have these kinds of items on our agenda, what's the purpose? And I was told there's two. One is to let citizens know that money is being spent and when we're spending \$63 million, it's appropriate that citizens should know. And so that contractors know that these are going out to bid. The more we can be clear that we are going to be bidding out these large contracts and people might want to watch the local journal of commerce to look for those proposals the better. And wanting to call out, I think it was -- when you were commissioner, before you were mayor, that you instituting the process of having the bureau say what they're level of confidence on the cost of the bid would be. When we as city commissioners get the ordinance each has an attachment that says whether the cost is optimal, high, low, whatever, so that we have a sense of whether these contracts are going to come in on target on time, under budget, on budget are or whether there's some concern that they may come back later. So I wanted to point out this particular price level rating is optimal, which is the best, I assume.

Grumm: Yes, until complete.

Fritz: So you're confident that [inaudible] is the dollar amount?

Grumm: The maximum, correct.

Fritz: Commending you for doing this well and having the high level of confidence on such a --

Grumm: I can't take that credit. It's the incredible staff and the incredible capitol programs. Complete the combined sewer on time and under budget.

Fish: We actually want to condemn you. We want to build some -- since you and I share an office door, I want to make sure that the ledger is even.

Leonard: A secret office door?

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Fish: Thank you, matt.

*****: Thank you.

Fritz: Thank you.

Adams: This is an emergency item. Anyone who would like to testify on item no. 102? Unless there's further council discussion, please call the roll.

Fish: Aye. **Fritz:** Aye. **Leonard:** Aye.

Adams: Aye. [gavel pounded]

Adams: Emergency item 105.

Item 105.

Fish: Mayor, i've asked this be pulled for a simple purpose. I support the proposed change in our procedures, but we have procedures and customs, some which are written down and some which are less formal and they govern how we conduct business and I think when we're about it make a change, I think it's useful to give the public a notice why we think it's good policy. Because I fully support the change, I asked the auditor to come and explain it and then vote on it.

Moore-Love: I should read the title into the record first.

Gary Blackmer, Auditor, City of Portland: Gary blackmer, city auditor. Excuse me, the charter assigned the agenda to my office. And I think -- if you want to know, the kind of procedures and background, it comes from the fact that the city auditor was the city clerk from the beginning of 1913 with this charter and carried out the administrative duties of council which was large.

Including all of the financial transactions as well. The reason why the agenda has stayed there, I think, is partly because of the form of government we have. That this is really a council of five, almost equally powered commissioners, and a mayor. And the power of the agenda was one of those critical aspects that the former -- form of government assigns to the auditor. So my office trying to perform that duty in a fair and consistent manner and we have worked with council over the years to come up with city code that ensures that the items placed on the agenda are available to all council members to put on there. And that the proceedings are done in a fair and equitable manner. Occasionally council members will bring ideas that will make the order of business better. I've heard folklore that basically not put things on the agenda -- this goes back to the '50s and earlier -- that it was a matter of doing favors from the deputy auditor in order to get something on the agenda.

Leonard: Or keep it off, maybe. [laughter]

Blackmer: Or keep it off. I've had moments when I felt a punitive measure might be worthwhile.

Fish: You've shown remarkable restraint.

Blackmer: So we try to follow the rules that council adopts and what you have before you is changes in the order that items are on the agenda and voted on. And essentially, this is breaking the tyranny of the alphabet. [laughter] as someone who has a name beginning with b, I understand the burden of having to be prepared all the time immediately to answer questions. And that having to vote first all the time is something that commissioner Adams as a commissioner felt frustration with and I think he empathized with the newly arriving commissioners and felt it was appropriate to rotate the voting order. This puts forward a quarterly change on how the agenda items are put on the agenda among the commissioners so that four times a year, we'll rotate from position one, which is commissioner Fritz, to position two in terms of the first vote. So then it would go to commissioner Fish to be the first vote and then cycle through that way. So that allows for at least a little more of an opportunity for everyone to be the first one to vote. And the mayor gets to vote last. So that's a consistent practice that has carried over. And in terms of order of items on the agenda, the mayor's items would be first and then the rotation would happen in the same manner for the commissioners and their items that come forward and the auditor would follow up last.

Fish: Thank you very much.

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Leonard: I would -- I would just observe that in the Oregon state senate, they rotate on each vote. Roll call vote. And each vote changes order beginning with the first person that was last. The prior vote. In the Oregon house, it's electronic voting, although they used to do it that way. They do it by electronic voting now. But that's apparently a commonly accepted practice.

Adams: When I posed that option to Karla, it made her a -- I won't say she cried. [laughter] she had to restrain from slapping me. This is a compromise.

Fish: There's a number of benefits that i've reflected on. On certain noncontroversial items we deal with, the first person to vote often in their comments sets forth the framework for how the council views the issue. We end up associating ourselves with the comments of that person.

Leonard: Or not.

Fish: Or not. But it gives us a chance to rotate that privilege of putting the first marker down. The other thing I noticed, I think there's a misperception of how we do our business. I can't tell you how many times i've come to a hearing on a contested issue where I had no idea how the votes would come down. None of my colleagues came to my office. Said we need you on this. I'm prepared to hear the testimony, deliberate and then make our best judgment. But that said, the first person who votes often put down a very powerful marker.

Leonard: Uh-huh.

Fish: That person is helping shape the way his or her colleagues view the issue. So I think there's a benefit of rotating that.

Leonard: Especially when reasoning is offered first. You're hearing a point of view that you maybe you haven't heard before.

Fish: For our benefit and as well as the public's benefit that we do a rotation.

Fritz: We might want to consider for having a system for speaking during the debates and do the framing because often there's extended discussion and we don't have a button to push to say i'd like to turn.

Adams: That's how metro does it.

Fish: In the legislature, don't you have to ask permission of the presiding officer?

Leonard: You do actually push a button that shows up on the speaker or the president's desk but they get it choose on their own particular whim.

Adams: Who they recognize?

Leonard: Yeah.

Fritz: I think having a auditor's office who is committed in improving transparency and fairness and I appreciate this ordinance.

Adams: Thank you, gary. Anyone signed up to testify?

Moore-Love: This was pulled.

Adams: Anyone who wants to testify on item no. 105? Unless further council discussion, please call the roll.

Fish: Aye.

Fritz: Aye into well, I actually particularly appreciate this change, mayor Adams, because I think the nuances are -- maybe not important to the public, it is important to us as we do our work here and can you know influence how a measure ultimately is decided. So I think this is a particularly thoughtful change and appreciate it. Aye.

Adams: I want to thank you, Karla, and gary and diane and the entire team for making this happen. Aye. [gavel pounded] gets us to the regular agenda, item no. 107.

Item 107.

Fritz: I'm pleased to bring this before the council. I'd like to ask david and others to come up and talk to us about it. It will add a definition of cable communication utility to the city and by agreement with comcast will ensure the telephone services provided by comcast are subject to the utility license fee just like others in Portland. We're done with suspending the rules. And the

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settlement will bring additional much needed resources to the city's general fund at a time when these resources are severely needed. At least \$600,000 a year and this is ongoing. Not one time. And a cable office staff have been working on comcast for a considerable time and I commend commissioner Saltzman and previously, commissioner Leonard for setting the direction. It's important to assess this matter and the avoidance of litigation and delay. The comcast cable office staff and excellent support from the city attorney's office. So thank you very much. As with the qwest settlement last month, the cable -- the small but expert staff of the cable franchise office management continues to pursue critical revenues and defending one of the city's major general fund resources, utility franchise and license fees. And as a minor budget note, we'll be bringing forward proposals to continue expanding our revenue enhancing effort and I want to note that as we're bringing significant income. David?

David Olson, Director, Office of Cable Communications and Franchise Management: Thank you, mayor and commissioners. I'm david olson, director of cable franchise management and joining me at the table are the vice president of government affairs for comcast and mark, attorney for comcast. And we're here at the table to sort of demonstrate to you that though, of course, you know we're -- we can be aggressive in the office with the folks we work with and regulate, there are times when all of us -- many times -- and i'd say the majority of times -- come together and work on issues and resolve them cooperatively for everyone. This is a classic example of that. The question of how comcast's telephone service revenue would be treated and whether it would be subject to the city's ongoing telephone taxation scheme is one we've been working on and discussing and today we're happy it say that it has been amicably resolved and through the diligence of all parties sitting and working together and as commissioner Fritz mentioned, this is substantial unanticipated additional revenue for the city's general fund at a time when it's needed. I would just conclude briefly by not only saying thank you to comcast, commissioner Fritz and all of you, and recognizing a key staff on our end, including ben walters who provides excellent support for us in these negotiations and our deputy director, mary beth henry and david and melvin, who can you can be confident will be managing this resource responsibly on your behalf. I would like to turn it over to comcast.

Sanford Inouye: Thank you. We too would like to thank david and his staff for their cooperation, working together. And addressing the issue and coming to the point we're at today and with your indulgence, I have a brief statement I would like to make regarding the proposed amendment before you today. As you know, while we had concerns with the amendments to the utility code, the propose amendment before you provides the city with certainty and regulatory parity for providers of phone service using --

Fritz: Can you say what that means.

Inouye: Voice over internet protocol technology. And we trust and are confident that the city licensing code will be administered fairly and equality to all phone providers within a city. Again, thank you very much and happy it answer questions you may have.

*****: I'm also here to just to answer questions you may have.

Leonard: I have one comment of mr. Inouye. Are you any relation to the u.s. Senator?

Inouye: Same last name, same neighborhood in hawaii, but no direct relationship.

Leonard: Oh, shoot. How would we know the difference.

*****: Call him uncle jack.

Leonard: As proudly you should.

Adams: I want to thank you for being such a good partner and coming to a win-win situation on this. We're very grateful. Do either --

Leonard: Thank you.

Adams: Thank you very much. Anyone signed up to testify on this matter?

Moore-Love: Did not have a sign-up sheet.

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Adams: Anyone want to testify on item no. 107? All right. Unless there's further council discussion. Please call the roll.

Moore-Love: It's a nonemergency.

Adams: Moves to second reading.

Fritz: Can I make a comment? To remind everyone that the council last year directed any increase revenue over the budget would be going to transportation. This settlement actually helps with some of our backlog of transportation needs and greatly appreciate.

Leonard: Have we identified how much that is yet?

Fritz: Still working on that.

Adams: All right. Can you read the second reading of council item 108?

Item 108.

Adams: This is a vote only.

Fish: Aye. **Fritz:** Aye. **Leonard:** Aye.

Adams: Aye. [gavel pounded] ordinance is passed. We're in recess until next week.

At 10:53 a.m., Council adjourned.