



**CITY OF  
PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **22ND DAY OF APRIL, 2009** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz, Leonard and Saltzman, 5.

Commissioner Fish left at 11:51 a.m.

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

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>439</b>	Request of Victoria Taft to address Council regarding Commissioners support of Mayor Adams (Communication)	<b>PLACED ON FILE</b>
<b>440</b>	Request of Ulis Hardiman to address Council regarding parking enforcement (Communication)	<b>PLACED ON FILE</b>
<b>441</b>	Request of Elizabeth Gibson, Denali Stoneworks, Inc. to address Council regarding sheltered market program and small business in Portland (Communication)	<b>PLACED ON FILE</b>
<b>442</b>	Request of P.J. Mulcahy to address Council regarding Mayor Adams (Communication)	<b>PLACED ON FILE</b>
<b>443</b>	Request of Al Jasper to address Council regarding private vs a public sewer service lateral and the Local Improvement District process (Communication)	<b>PLACED ON FILE</b>
<b>TIME CERTAINS</b>		
<b>444</b>	<b>TIME CERTAIN: 9:30 AM</b> – Appoint Steven Straus to the Portland Development Commission for a term to expire April 21, 2011 (Report introduced by Mayor Adams)  (Y-5)	<b>CONFIRMED</b>

April 22, 2009

<p><b>445</b> <b>TIME CERTAIN: 10:00 AM</b> – Adopt findings, authorize an exemption to the competitive bidding process for development of an MLS Stadium and a Triple-A Stadium, pursuant to ORS 279C.330 and City Code Section 5.34.810 and 5.34.820 (Second Reading 431; Ordinance introduced by Mayor Adams )</p>	<p><b>RESCHEDULED TO MAY 7, 2009 AT 3:00 PM TIME CERTAIN</b></p>
<p><b>446</b> Authorize Sole Source Acquisition and Predevelopment Agreement and authorize Sole Source Acquisition of an Operating Agreement, both with Peregrine Sports, LLC for Major League Soccer and Triple-A Baseball stadiums, pursuant to ORS 279b.075 and City Code Title 5, Section 5.33.120 (Second Reading Agenda 427; Ordinance introduced by Mayor Adams)</p>	<p><b>RESCHEDULED TO MAY 7, 2009 AT 3:00 PM TIME CERTAIN</b></p>
<p><b>447</b> Select a site location for Triple-A Baseball Stadium (Resolution introduced by Mayor Adams)</p>	<p><b>RESCHEDULED TO MAY 7, 2009 AT 3:00 PM TIME CERTAIN</b></p>
<p style="text-align: center;"><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p style="text-align: center;"><b>Mayor Sam Adams</b></p> <p><b>*448</b> Amend ordinances to grant five Portland school districts funds for re-engagement of disconnected youth to educational opportunities, to accept reduced levels of liability insurance per each incidence (Ordinance; amend Ordinance No. 182653 through 182657)  (Y-5)</p>	
<p style="text-align: center;"><b>Bureau of Planning &amp; Sustainability</b></p> <p><b>449</b> Accept a grant from the State of Oregon Department of Environmental Quality and authorize a \$50,000 grant agreement with Portland ReStore to develop a strategic marketing plan to educate businesses and individuals about the value of new salvage materials (Second Reading Agenda 405)  (Y-5)</p>	<p style="text-align: center;"><b>182680</b></p> <p style="text-align: center;"><b>182681</b></p>
<p style="text-align: center;"><b>Bureau of Transportation</b></p>	

**April 22, 2009**

<p><b>450</b> Set a hearing date, 9:30 a.m. Wednesday May 20, 2009 to vacate a portion of NW Princess Dr northwesterly of NW Pleasant St (Report; VAC-10048)  (Y-5)</p>	<p align="center"><b>ACCEPTED</b></p>
<p><b>451</b> Set a hearing date, 9:30 a.m. Wednesday, May 20, 2009, to vacate a portion of Alley, Block 2, Cook's Addition north of N Revere St (Report; VAC-10050)  (Y-5)</p>	<p align="center"><b>ACCEPTED</b></p>
<p><b>*452</b> Revise ordinance to show the correct Right of Way dedication and Temporary Construction Easement legal descriptions for R/W file No. 7046-2 located in Section 1.d (Ordinance; amend Ordinance No. 182490)  (Y-5)</p>	<p align="center"><b>182682</b></p>
<p><b>*453</b> Authorize Intergovernmental Agreement with the Portland Development Commission for funding the construction phase of the Kenton: North Denver Street Improvement Project (Ordinance)  (Y-5)</p>	<p align="center"><b>182683</b></p>
<p><b>*454</b> Authorize contract and provide for payment for construction of the Kenton: North Denver Street Improvement Project (Ordinance)  (Y-5)</p>	<p align="center"><b>182684</b></p>
<p><b>*455</b> Grant revocable permit to Portland Saturday Market, Inc., to use W Burnside under the Burnside Bridge, parts of SW Ankeny and parts of SW 1st for market operations and to close parts of SW Ankeny, SW Naito Parkway and NW Naito Parkway from April 1, 2009 through May 31, 2009, during certain hours (Ordinance)  (Y-5)</p>	<p align="center"><b>182685</b></p>
<p><b>*456</b> Grant revocable permit to Terrapin Events to close SW Salmon St between SW Naito Parkway and SW 2<sup>nd</sup> Ave from 5:30 a.m. until 1:00 p.m. on May 3, 2009 (Ordinance)  (Y-5)</p>	<p align="center"><b>182686</b></p>
<p><b>457</b> Grant revocable permit to Scandals Lounge and Restaurant to close SW Stark St between SW 11<sup>th</sup> Ave and SW 12<sup>th</sup> Ave from 7:00 a.m. June 13, 2009 through 10:00 p.m. on June 14, 2009 (Ordinance)  (Y-5)</p>	<p align="center"><b>PASSED TO SECOND READING APRIL 29, 2009 AT 9:30 AM</b></p>

**April 22, 2009**

<p><b>458</b> Amend the Intergovernmental Agreement with Metro for the City financial contribution to South Corridor Phase II: Portland-Milwaukie Light Rail Transit Refinement Study and Supplemental Draft Environmental Impact Statement (Second Reading 408; amend Contract No. 53071)  (Y-5)</p>	<p align="center"><b>182687</b></p>
<p align="center"><b>Office of Management and Finance – Business Operations</b></p>	
<p><b>*459</b> Pay claim of Gregg Ericksen (Ordinance)  (Y-5)</p>	<p align="center"><b>182688</b></p>
<p><b>*460</b> Pay claim of The McLagan Company DBA Pacific/Hoe Saw &amp; Knife (Ordinance)  (Y-5)</p>	<p align="center"><b>182689</b></p>
<p align="center"><b>Office of Management and Finance – Human Resources</b></p>	
<p><b>461</b> Change the salary range for the Nonrepresented classification of Housing Director to reflect added responsibilities (Ordinance)</p>	<p align="center"><b>PASSED TO SECOND READING APRIL 29, 2009 AT 9:30 AM</b></p>
<p><b>462</b> Create a new Nonrepresented classification of Watershed and Conduit Supervisor (Second Reading Agenda 414)  (Y-5)</p>	<p align="center"><b>182690</b></p>
<p><b>463</b> Change the salary range for the Nonrepresented classification of Water Treatment Operations Supervisor (Second Reading Agenda 415)  (Y-5)</p>	<p align="center"><b>182691</b></p>
<p align="center"><b>Office of Management and Finance – Purchases</b></p>	
<p><b>464</b> Authorize an Intergovernmental Agreement with Multnomah County for shared use of electronic equipment and related sites (Ordinance)</p>	<p align="center"><b>PASSED TO SECOND READING APRIL 29, 2009 AT 9:30 AM</b></p>
<p align="center"><b>Commissioner Nick Fish Position No. 2</b></p>	
<p align="center"><b>Portland Parks &amp; Recreation</b></p>	
<p><b>*465</b> Authorize agreement with property owners and participants for the use of property for community garden purposes (Ordinance)  (Y-5)</p>	<p align="center"><b>182692</b></p>

April 22, 2009

<b>Commissioner Dan Saltzman Position No. 3</b>	
<b>Bureau of Environmental Services</b>	
<b>466</b> Authorize City Attorney to commence legal proceedings for cost recovery for costs incurred for investigation of contamination at the Portland Harbor Superfund Site (Resolution)  (Y-5)	<b>36698</b>
<b>467</b> Authorize grant agreement with Southwest Neighborhoods, Inc. to provide education, outreach and community involvement for watershed projects in Fanno, Tryon and Willamette watersheds up to \$150,000 for FY 2009-2011 (Second Reading Agenda 418)  (Y-5)	<b>182693</b>
<b>468</b> Authorize contract with Berger/ABAM Engineers, Inc. for professional services for engineering design and services during construction of the Guilds Lake Pump Station Reliability Improvements, Project No. E08877 (Second Reading Agenda 419; Contract No. 30000337)  (Y-5)	<b>182694</b>
<b>Commissioner Randy Leonard Position No. 4</b>	
<b>Bureau of Water</b>	
<b>*469</b> Amend contract with Sargent Designworks, LLC to extend term and increase compensation for design services for the comfort station renovation at Dodge Park (Ordinance; amend Contract No. 37627)  (Y-5)	<b>182695</b>
<b>Portland Fire &amp; Rescue</b>	
<b>*470</b> Authorize a contract and provide for payment for the purchase of replacement fire apparatuses (Ordinance)  (Y-5)	<b>182696</b>
<b>*471</b> Authorize a contract and provide payment for the purchase of MSA FireHawk Upgrade Kits for Personal Alert Safety Systems (Ordinance)  (Y-5)	<b>182697</b>

**April 22, 2009**

<p><b>*472</b> Authorize a contract and provide payment for the purchase of one 1500 GPM Triple Combination Pumper (Ordinance) (Y-5)</p>	<p align="center"><b>182698</b></p>
<p align="center"><b>City Auditor Gary Blackmer</b></p>	
<p><b>*473</b> Assess property for system development charge contracts and private plumbing loan contracts (Ordinance; Z0771, K0110, T0123, W0003, K0111, T0124, Z1176, P0086, P0087) (Y-5)</p>	<p align="center"><b>182699</b></p>
<p align="center"><b>REGULAR AGENDA</b></p>	
<p><b>474</b> Establish a Better Together Organic Garden at Portland City Hall to encourage the production of community-grown food and urge Portland and Multnomah County residents to assist hunger relief efforts by supporting the Plant a Row for the Hungry campaign (Resolution introduced by Mayor Adams and Commissioners Fish and Saltzman) (Y-5)</p>	<p align="center"><b>36699</b></p>
<p><b>475</b> Authorize the Portland Water Bureau to establish an Office and a Retail Sales &amp; Service use for the Portland Rose Festival Foundation and the Albertina Kerr Centers on property located at 1020 SW Naito Parkway and affix an electric roof top sign (Second Reading Agenda 424; Ordinance introduced by Mayor Adams and Commissioners Fish and Leonard; waive Title 33 use requirements and historic design review requirements; and Title 32 roof top sign regulations) (Y-4; N-1, Fritz)</p>	<p align="center"><b>182700</b></p>
<p align="center"><b>Mayor Sam Adams</b></p>	
<p align="center"><b>Bureau of Transportation</b></p>	
<p><b>*476</b> Authorize Intergovernmental Agreement with TriMet, Metro, City of Lake Oswego and Clackamas County for the Portland Lake Oswego Transit Corridor Project (Ordinance) (Y-4; Leonard absent)</p>	<p align="center"><b>182701</b></p>
<p><b>477</b> Accept a grant of \$298,980 from Oregon Department of Transportation and Metro for the SW Capitol Highway: Multnomah to SW Taylors Ferry Concept Plan Refinement (Ordinance)</p>	<p align="center"><b>PASSED TO SECOND READING APRIL 29, 2009 AT 9:30 AM</b></p>
<p align="center"><b>Office of Emergency Management</b></p>	

**April 22, 2009**

<p><b>*478</b> Amend an Intergovernmental Agreement with the Port of Portland for the distribution of equipment, supplies and services procured as a result of Urban Areas Security Initiative Grant awards (Ordinance; amend Contract No. 30000150)  (Y-5)</p>	<p align="center"><b>182702</b></p>
<p><b>*479</b> Amend an Intergovernmental Agreement with Tri-Met for the distribution of equipment, supplies and services procured as a result of Urban Areas Security Initiative Grant awards (Ordinance; amend Contract No. 53129)  (Y-5)</p>	<p align="center"><b>182703</b></p>
<p><b>*480</b> Amend the Intergovernmental Agreement with Clark County so the County may perform purchase obligations and extend the time period for the distribution of equipment, supplies and services procured as a result of Urban Areas Security Initiative Grant FY 2008 (Ordinance; amend Contract No. 52307)  (Y-5)</p>	<p align="center"><b>182704</b></p>
<p align="center"><b>Office of Management and Finance – Business Operations</b></p>	
<p><b>*481</b> Pay claim of Obdulio Chavarria (Ordinance)  (Y-5)</p>	<p align="center"><b>182705</b></p>
<p><b>*482</b> Pay claim of Cassandra Schreiber (Ordinance)  (Y-5)</p>	<p align="center"><b>182706</b></p>
<p><b>*483</b> Authorize acquisition of vehicles for use by City Bureaus at \$162,866 (Ordinance)  (Y-5)</p>	<p align="center"><b>182707</b></p>
<p><b>484</b> Extend contract with Kleinfelder West, Inc. for additional geotechnical engineering services for \$33,000 for the Fire Station No. 1 upgrade and facility remodel project (Second Reading Agenda 430; amend Contract No. 37832)  (Y-5)</p>	<p align="center"><b>182708</b></p>
<p align="center"><b>Office of Management and Finance – Financial Services</b></p>	
<p><b>*485</b> Authorize a borrowing to replace an expiring line of credit for transportation projects (Ordinance)  (Y-5)</p>	<p align="center"><b>182709</b></p>
<p align="center"><b>Office of Management and Finance – Human Resources</b></p>	
<p><b>*486</b> Authorize contract with Quest Diagnostics to provide confidential worksite blood screening to benefit eligible employees and provide aggregate reporting to the City through November 30, 2013 (Ordinance)  (Y-5)</p>	<p align="center"><b>182710</b></p>

April 22, 2009

<p><b>Office of Management and Finance – Purchases</b></p> <p><b>487</b> Extend contract with Environmental Systems Research Institute, Inc. for \$727,000 for an extension of geographic information system software maintenance and technical support (Ordinance; amend Contract No. 40983)</p>	<p><b>PASSED TO SECOND READING APRIL 29, 2009 AT 9:30 AM</b></p>
<p><b>Commissioner Nick Fish Position No. 2</b></p> <p><b>Portland Parks &amp; Recreation</b></p> <p><b>*488</b> Amend contract with Brant Construction to complete construction of South Park Block 5 now called Director Park (Ordinance; amend Contract No. 38050)  (Y-5)</p>	<p><b>182711</b></p>
<p><b>*489</b> Amend contract with Zimmer Gunsul Frasca Architects, LLP for design services for three downtown parks projects (Ordinance; amend Contract No. 36640)  (Y-5)</p>	<p><b>182712</b></p>
<p><b>Commissioner Dan Saltzman Position No. 3</b></p> <p><b>*490</b> Authorize grant agreement with Brother's and Sister's Keepers, Inc. for street level gang outreach from May 1, 2009 through August 31, 2009 (Ordinance)  (Y-5)</p>	<p><b>182713</b></p>
<p><b>*491</b> Authorize grant agreement with Emanuel Community Services for street level gang outreach from May 1, 2009 through August 31, 2009 (Ordinance)  (Y-5)</p>	<p><b>182714</b></p>
<p><b>Bureau of Environmental Services</b></p> <p><b>*492</b> Amend contract to continue to provide funds for the Portland Harbor Funding and Participation Agreement for Natural Resource Trustees to implement the Natural Resource Damage Assessment and Restoration Process by Federal, State and Tribal Natural Resource Trustees (Ordinance; amend Contract No. 52429)  (Y-4; Fish absent)</p>	<p><b>182715</b></p>

**April 22, 2009**

<p><b>*493</b> Amend contract with West Yost Associates, Inc. for additional work and compensation to complete an Ankeny pump station odor treatment system design and continue services during construction Project No. E08830 (Ordinance; amend Contract No. 36487)</p> <p>(Y-4; Fish absent)</p>	<p><b>182716</b></p>
<p><b>494</b> Authorize a permit of entry agreement with the Portland Public Schools and an indemnification to the extent allowed under the Oregon Constitution and the Oregon Tort Claims Act to maintain rain gauges at various school properties (Ordinance)</p>	<p><b>PASSED TO SECOND READING APRIL 29, 2009 AT 9:30 AM</b></p>
<p><b>495</b> Accept a donation of \$50,000 from Fred Meyer Stores for implementation of stormwater curb extensions in the public right-of-way at SE 38th and Main, next to the SE Hawthorne Fred Meyer Store (Second Reading Agenda 436)</p> <p>(Y-4; Fish absent)</p>	<p><b>182717</b></p>
<p><b>Commissioner Randy Leonard Position No. 4</b></p> <p><b>Portland Fire &amp; Rescue</b></p> <p><b>*496</b> Authorize the assessment of \$15,362 for a fire watch at 9236 SE Woodstock Blvd (Ordinance)</p> <p>(Y-4; Fish absent)</p>	<p><b>182718</b></p>

At 12:02 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.

April 22, 2009

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**WEDNESDAY, 2:00 PM, APRIL 22, 2009**

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

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**April 22, 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.

**APRIL 22, 2009      9:30 AM**

**Leonard:** This morning at 6:30 a.m., Katherine M. Kovatch was born to Ty and Elizabeth Kovatch.

**Adams:** That's good news. Karla, please call the roll.

[roll call]

**Adams:** Let's do the communications first. Read the title for council calendar 439.

**Item 439.**

**Adams:** Good morning, welcome to city council. Glad you're here.

**Victoria Taft:** Thank you very much.

**Adams:** Give us your first and last name.

**Taft:** Good morning, my name is Victoria Taft and I work and vote in Portland, Oregon, and I see in the news that you're doing a little horse-trading these days with Multnomah county. And you're willing to help replace the dilapidated and dangerous Sellwood bridge if Multnomah county will lay down and cheerlead on a shiny new convention center hotel and sure, this is political horse-trading and we see it every day at the local and state and federal level but this one is in a class by itself. The Sellwood bridge is among the least safe bridges in the country. In fact, it's a laughingstock. Sure it looks sturdy enough, I guess, and seems to get the job done on a daily basis but the foundational underpinnings are crumbling. It stands as a monument of neglect to the wishes of the voters and their wishes and safety aren't paramount to the elected officials. As I thought about my remarks this morning to encourage my friend, Sam Adams to resign because of having sex with a teenager and then engaging in a conspiracy to lie about it. I thought, the scandal and its relationship to the taxpayers and voters in. It looks like he's doing a job. Looks sturdy enough, but the foundations are weak and he's a laughingstock. But wants to make a political deal with the public and it goes like this: Ignore my crumbling support and I will bring you a shiny new bauble. He leverages the safety of the voters in favor of his selfishness and greed. And says if I rehabilitate myself, I will be ok. We don't buy it. That should be enough to convince Sam Adams to resign. A couple blocks away at Pioneer Courthouse Square. The place was packed. Those good tea party people, their message was clear. People come first and political horse-trading last. They called for an end to reckless spending especially in a time of recession. This is not the time to expand government. It's the time to consider who is paying the bills and give them more breathing room. Not less. And government and you all need to get the message. One of the things I wanted to talk about this morning was what I had to do to get up to speed on what the real tea party was all about back there 1773 and I called around and spoke with the expert on the Boston Tea Party. A university professor in Boston, Massachusetts, and he explained the rebellion by the people over tyrannical taxation. The control over people's lives by an onerous government. One man, one patriot who tried to negotiate had enough. He stood up for what was right. His name was Samuel Adams. And the professor said, yes, founding father Samuel Adams. Selfish, he's a far cry from your mayor. The only person who doesn't understand that you need to resign, Sam, is you. Thank you.

**Adams:** Thank you, Ms. Taft. Appreciate it. [applause] please read the title for council calendar 440.

**Item 440.**

**Adams:** Good morning, and welcome to the city council. Glad you're here Mr. Hardiman.

**April 22, 2009**

**Ulis Hardiman:** Good morning, your honor.

**Adams:** Have a seat and give us your first and last name and you have three minutes.

**Hardiman:** Absolutely. Ulis hardiman. Is my name. If I may be so bold, I don't think everybody speaks for everybody around here. I was on the wrestling team in high school and the periods were three minutes long. You get on the mat with a guy like [inaudible] and it would be a long time. I hope you'll give me help on this, i'm actually appealing to you. I need your help. I need your understanding. You know? We've -- the whole area, we just came through a harsh and vicious winter. Called -- caused odot trouble and me trouble. But the situation is that I have a car, just an old car. I don't think anybody here would even want it. It's a '79 buick. And what I hoped to do with it, i've got a tag, license, insurance. And I have a driver's license. And in order to break this employment problem i've got, I was going to haul pizza and some newspapers with the car. Well, what I have been doing with the car and I move it around in areas where the commercial district, areas where the curbs and whatnot, the parking is not enforced. Watching people drive cars around there with no place on the cars at all. One van parked for the entire winter. But i've got a situation in which -- and I hate -- i'm so ashamed to come before this august group and complain. In 2009, I think i'm being racially discriminated against. I mean, the only black guy in the area with a car is me. You know? Nobody complains on anybody else. People -- they peep around and peep around, oh, well, old black ulis over there, and they go and make a complaint. Talking to the parking bureau, you allow people to racist me, for pete's sake. I'm not trying to bamboozle Portland. I join the same frequencies -- and ok, your car will be ok until thursday. I didn't argue with her about the legality of parking my car, which is parked in front of an undeveloped old lot. Old growth, uncurbed and I didn't argue. Just left it alone and then I moved my car late at night and early morning and put it back. Almost the same place because of the condition of that lot right there. She said I would be ok until thursday. Ok. There, you know what I mean? And I get over there, wednesday, about 4:00, you know, just to make shush everything is ready to go. I wanted to -- to my car is towed. So I called the police and thought somebody stole my car. There are a few old 350 v8's around. Oh, no, the car's been towed. What do you mean? I tried to put out a stolen car complaint on the car. I know the charter says you've got the authority to do it. Please give me back my car. I mean, the judge is telling me I got to pay \$1,600, they're going to junk my car. It's got my papers and my harmonica in there. Do you what a leosk harmonica is?

**Adams:** I've given you almost an extra minute to make your case. If you could stop by my office on the third floor and we'll see what we can do.

**Hardiman:** Absolutely.

**Fish:** Also, mr. Hardiman was before us on the peterson's matter. And he's been working with george hocker in my office and so if you and george and shoshawna got together, I think it would be a good meeting.

**Hardiman:** Thank you, sir. [inaudible]

**Adams:** I appreciate that. Could you please read the title for communications item no. 441.

**Item 441.**

**Adams:** Good morning, ms. Gibson, how are you?

**Elizabeth Gibson:** Fine, thank you.

**Adams:** Give us your name and you have three minutes and that clock will help guide your time. And you can sit down.

**Gibson:** My name is elizabeth gibson. My company is denali stonework. I'm in business to fabricate and install and tile projects. I have two companies and I employ 15 people. In addition to that, I subcontract employees. So i'm responsible for keeping about 30 people in work. If it weren't for the Portland sheltered market program, about 15 people would be on unemployment today. While I was researching for new market opportunities, I came across jean jackson's name in the city of Portland's website. I called him and he gave me advice and told me to follow up and call him

**April 22, 2009**

back. I did those things. After a year, i'm now proud to tell you that i'm w.b.e. Certified by the state of Portland and i'm prequalified with the city of Portland as a masonry contract and I successfully won a bid as a subcontractor to do marble restoration at the pittock mansion. While the -- the pittock mansion. It allowed me to apply the expertise I had developed in the residential market to a beautiful public building. And more than that, it got me to think different, it got me to be able to translate the expertise in this market where i'd become entrenched and be able to go after public projects. The light bulb came on. I can now see how other work can translate. The same skill I have used to cut granite countertops and I can do boring holes in pipe and concrete. I have a master's degree in mechanical engineering. I like tooling and am good at it, but I wasn't able to make the jump. What the s.m.p. Did is give me an opportunity to bid on the small projects and ignited the spark. And now 15 people are refocused and using their skills in public projects and i've been able to hire two more people and it's encouraged me to really focus my company on results. The s.b.p. Helped save jobs and developing quality processes. I hope that some of the stimulus funding can be segmented out and channeled into the s.b.p., I believe it saved jobs and saved the city total cost because it allows more people to compete for these projects and when there's more people participating, you have more competition. The s.m.p. encourages creative thinking and partnerships between small business owners and an invitation to the bid room. So I want to say thank you to the city of Portland for being serious enough about small business to support a program like this. And personally, thank you for giving me an opportunity to bid and work on city work. Thanks for listening to my story. [applause]

**Adams:** Yea: So if someone wanted to get a hold of you to hire you, I understand you're at denali stonework at gmail.com?

**Gibson:** Yes, sir.

**Adams:** Any other place?

**Gibson:** Www.denalistonework.com.

**Adams:** Any special sales or promotional things?

**Gibson:** Anyone who has countertops, john holly is a reference.

**Adams:** John holly is great.

**Fritz:** I have a question. Thank you for taking the time to come back and say that the city program was helpful and I know you had a lot of things to say in a short amount of time. And you used a number of different acronyms. Can you tell people what s.m.p.?

**Gibson:** S.m.p. stands for sheltered market program. It's a program developed and supported by the city of Portland, gene jackson is actually the program coordinator, and it segments some of the larger projects out and allows only smaller emerging companies to bid.

**Fritz:** And then w.b.e.?

**Gibson:** That's women business enterprise. It's state certification you have to go through and you can find that on the website.

**Fritz:** E.s.b.?

**Gibson:** That stand stands for emerging small business and that's a gender race neutral. The only requirement is to be small or emerging.

**Fritz:** And d.b.e.?

**Gibson:** That's disadvantaged business enterprise. And with that, you get a state certification. My understanding is it's beneficial for federal.

**Fritz:** Thank you so much.

**Adams:** Thank you for your testimony. Really appreciate it. Karla, please read the title for council calendar 442.

**Item 442.**

**Adams:** I guess they're not here. Please read the title for council calendar 443.

**Item 443.**

**April 22, 2009**

**Adams:** Mr. Jasper. Welcome back to city council. Glad you're here. You only need to give us your first and last name. And you have three minutes.

**Al Jasper:** Good morning. My name is al jasper, jasper. The title is stop the injustice. It's about a sewer matter in downtown central business district near southwest 4th and stark of a property owned by a friend of mine, mr. Hartman and it started about a sewer odor which occurred a few years ago. And the question has been bantered around for quite a while between different bureaus, and it comes down to the question of public verse private. The city, of course, has said there are no documents, no records of this origin of it, etc. I have spent the better part of the last year in doing research from multiple angles about this particular subject and there was new evidence uncovered. There's been an attempt for the last eight months to present this evidence to all of you folks. We've been getting silence, denial, determine. Nobody wants to look at what's going on here. Maybe there's something to hide. Who's afraid of the truth, i'm not sure. It's always been not just the doors are closed, but slammed in our face when we're trying to bring information forward and everything is deferred to an engineer. This is not a question of engineering. This is a question of city law and city policy. And who's trying to stop this investigation? I'm not sure. But let's just say that the commissioner in charge of b.e.s. At the time -- who is the commissioner in charge at the time b.e.s. -- when this issue arose? Who's the commissioner in charge of risk management? The office of city attorney? By coincidence they're all one and the same person. I'll let you decide if there's a theme that follows, i'm not sure. But by the rest of you folks silencing this issue, you're part of what's going on here. The city has taken a false position of this being a private sewer in the public right-of-way out in the street. In spite of the evidence we have and the city attorney has presented amicus briefs in a civil lawsuit with the case coming up may 13th, in the appeals court, if it goes against mr. Hartman it's into the quarter million dollars damages on his back caused by fallaciousness by the city. Do you want to take the responsibility for having been a part of this? By your position of being in the -- of this, you're endorsing the city attorney's position in this record. Are you attempting to do to mr. Hartman what Multnomah county has done to poor miss dorothy english? I'm sure you remember her, may she rest in peace. I ask that amicus brief is withdrawn and open a dialogue and look at the issue and address the truth and the facts instead of the continuing stonewalling we've been fighting over the last eight months. Thank you for your time and have a great day.

**Adams:** Thank you, mr. Jasper. Appreciate your testimony. That takes us to the consent agenda. Does anyone wish to pull an item off the consent agenda? Hearing no requests to do so, Karla, please call the roll on the consent agenda.

**Saltzman:** Aye.

**Leonard:** Aye.

**Fritz:** Mayor Adams doesn't like me to pull things of the consent agenda, but I want to put a note that 453 which mayor Adams has brought to the council is for construction on north denver street in downtown kenton and it's \$2.8 million to do many improvements using urban renewal funds and something long promised and it's a really good project putting people to work. I'm pleased to vote aye on consent.

**Adams:** Aye. [gavel pounded] consent is approved. Oops, we have a late aye. Council calendar items 445, 446 and 447 are rescheduled, unless objections. Until next week. Can we get a time certain for those?

**Moore-Love:** 3.

**Adams:** 3. Next wednesday.

**Moore-Love:** The 29th.

**Adams:** Ok. 3. Next wednesday the 29th. [gavel pounded] so moved. Karla, please read the title for council calendar 444?

**Item 444.**

**April 22, 2009**

**Adams:** Over the year, the p.d.c. which council voted on, we've moved housing component components out of the bureau or in the process of doing so that that the focus is on economic development. The emerging economic focus which will be finalized and released in the coming weeks is around building the most sustainable city and economy in the u.s. And hopefully the world. Today i'm pleased to provide for council consideration a candidate to serve on the Portland development commission who has hands-on expertise in for-profit sustainability to help lead our efforts and i'd like to introduce you to steven strauss who I am recommending for the Portland commission board. As we craft our economic development strategy that positions sustainability as the region as competitive advantage, I believe mr. Strauss' experience -- come on up -- and leadership in green building will be the perfect complement already on the board. He's president of glumac. Offices in seattle, Portland, sacramento, san francisco, silicon valley, los angeles, irving and las vegas. And on conserving other natural resources for projects big and small and he believes -- he provides integrative design solutions for complex projects around the world and solicits clients' feedback and i'm pleased to present steven strauss and do you want to make introductory remarks?

**Charles Wilhoite, Portland Development Commission:** Yes, charles from the Portland development commission, and i'm pleased to introduce steven strauss and provide a strong recommendation in support of his appointment to the Portland development commission and i've met steve within the last couple of months and had several meetings with him and while I haven't known him for very long. I can state three things with certainty. Steve has an electric and infectious enthusiasm for all things he does. And provides a firm commitment to doing things right and getting them done. And finally, as you indicated, mayor Adams, he has a wealth of knowledge in the area of sustainability and I just came from the Portland business alliance's annual meeting this morning and the focus was on the topic of sustainability. Our keynote speaker from wal-mart talked about sustainability and we know in Portland, our goal is to weave sustainability into everything we do. And we're pleased to have the opportunity to bring steve to the Portland development commission because his perspective will aid us in advancing our goals in the city of Portland and the state of Oregon. I'm pleased to have the opportunity and I do strongly recommend steve's appointment. I know commissioner mullis is here today to offer support for steve.

**John Mohlis:** Good morning, mayor and commissioners and i'm sure you have a busy agenda so i'm not going to repeat what chair wilhoite said. I've known steve for a couple of months as well. Enjoyed meeting him and I think he will bring great strengths and attributes to the Portland development commission and I urge your unanimous approval of his nomination.

**\*\*\*\*\*:** Thank you.

**Steven Straus:** Mayor Adams, commissioners, thank you so much for this opportunity. I would love to volunteer my time to help bring green jobs to the city of Portland. I would like to see Portland to be the epicenter for sustainable business. I don't want to use voltaic panels, I want to manufacture them here. Now is the great time to bring jobs to the city of Portland. We need those jobs and you've done so much to make this a fabulous city. We can attract great young talent and let's get to work and do that now.

**Adams:** Comments from council before we vote.

**Fish:** I enjoyed our meeting and what the chair said about your electric personality I think is true. I think I probably didn't have to drink coffee for a week after the booster shot of about a hour of talking to you about sustainability and the vision and you're going to add a lot. As the housing commissioner, you've made it clear that you're going to be helpful to this council in developing a green housing agenda. We're not talking about market rate, but talking about affordable and the mayor and I will have news on that I think will be exciting to people in Portland and I want to say to chair wilhoite I want to say thank you for -- it's not been easy but with your support and the team at p.d.c. And the full participation of the workforce that's helping us to make this a successful

**April 22, 2009**

transition, it will get done and i'm grateful for the leadership you've provided and i'm pleased to support, steve, your nomination.

**Straus:** Thank you.

**Adams:** Anything else? Thank you very much. You can stay there. Anyone signed up to testify?

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

**Adams:** All right. Let's take the vote while you're here at the table. Karla, please call the roll.

**Fish:** If we vote yes and this -- thanks for volunteering your time and after meeting you and reviewing your c.d., I don't know how you'll have time and all of the other things you're involved with, but we're happy to you and look forward to working with you. Aye.

**Saltzman:** We appreciate your time and energy you'll be giving to this job, but i'm also very impressed with your credentials and I think you stole some of my lines that i've been saying for years. We don't need to just be the place to use the stuff that goes into green buildings but manufacture those things. And I look forward to working with you. Aye.

**Leonard:** Thank you, steve, for serving. You're clearly the right guy at the right time in moving Portland forward. I appreciate your commitment. Aye.

**\*\*\*\*\*:** Thank you.

**Fritz:** Thank you for serving. I don't think citizens realize that. Portland development commission is volunteers and what a huge amount of volunteer time you put into that and it takes away from your own businesses and I really appreciate all you do and looking forward to working with you. Aye.

**\*\*\*\*\*:** Thank you.

**Adams:** You're now the p.d.c. commissioner. Aye. [gavel pounded]

**\*\*\*\*\*:** Thank you very much. [applause]

**Adams:** Karla, can you please read the title for council calendar item -- to the right page here -- 474.

**Item 474.**

**Adams:** All right. This was introduced by commissioners Adams, Fish and Saltzman, but I know support exists for all five, and this is really intended to be a garden of inspiration. It will grow some food, but given the relative small size of our plot outside, it's going to be symbolic but an important symbol. As we strive to become the most sustainable city in the world, it gives us an opportunity -- come on up -- gives us an opportunity to walk our talk in terms of cutting back on carbon emissions, buying local and building resilient and self-sufficient economies. It's estimated 36,000 people in Portland and Multnomah county require emergency food boxes every months as they struggle to afford food. The produce will go to loaves and Fishes where it will be turned into nutritious meals and I look forward to joining with my council colleagues in turning dirt. And I thank the Multnomah county food policy council for their hard work, yardwork on this issue and other food issues. If you want it begin, or --

**\*\*\*\*\*:** Yes, I would. Mayor Adams, commissioners, thank you. The climate action plan diggable city report and neighborhood food assessments and recommendations from the Portland Multnomah food policy council, all conclude if we are to create sustainable cities for the city, we must meet food needs closer to home. A better together organic garden at city hall can plant the seeds. During world war 2, the government encouraged the country to plant victory gardens. Over 40% of the produce consumed nationally. Our city residences are hungry to learn skills, by evidenced of people who have signed up for the sustainable food classes offered by the city. The better together organic garden will grow through done nations from local businesses, including Portland nursery, phil's head landscaping and one green world and it will flourish from the city's recycling programs and nurtured from volunteers, and its bounty will nourish downtown people in need. To simply plant something even if it's a plant of herbs on the window sill. As he writes, to take part in providing for one's own sustenance is the surest way to escape the culture of fast food and the

**April 22, 2009**

values implicit in that. That food is a product of industry, not nature, and that food is fuel and not a form of communication with other come municipal. So thank you for helping us to connect with the roots community.

**Adams:** Who would like to go next?

**Mary Bedard:** I'll go next. I'm a landscape architect in town and I sit on the food policy council. I'm not the chair of Portland community gardens. All of us in the food world appreciate the opportunity to make food issues more visible the speaking to the design, given the limited space and the formality of city hall, we kept the design simple. It will follow the curves of the paving in the entry with beds in concentric arcs. The sunny parts of the garden are best for annual vegetables, such as lettuce and beets and other salad things. The around the edges, the rose beds will be preserved but we will take out the box wood and make a path so that maintenance people can take care of the roses. We want to formalize the access to the liberty bell on the north and the memorial garden on the south. The paths will allow the public a view of the vegetable beds as well as accessing the perennial shrubs. Like blueberry and others behind the vegetable beds. It will demonstrate an easy way to incorporate food plants into home gardens. And incorporate signage about edible beds at a later time.

**Adams:** Hi.

**Tammy VanderWoude:** Thank you for the opportunity to talk to you today. My name is tammy vanderwood. I'm a public policy advocate at Oregon food bank and a member of the food council. The vision is that all residents have access to a wide variety of nutritious and affordable food grown locally and sustainably. We think the better together organic garden is important because of the ability to provide nutritious food to vulnerable citizens and to community to Portlanders, the benefits of growing food right here in the heart of the city. The timing of this garden could not be more important. Requests for emergency food continues to reach record levels throughout Portland. Day after day, Oregon bank is seeing new families coming to the food bank for the first time. It's increasingly difficult to afford nutritious food. Distribution of emergency food in Portland and Multnomah county shot up almost 15% and Multnomah county alone, an estimated 36,000 people eat from an emergency food box each month. A staggering number of Portlanders are asking for help. At the same time, we know that Portland is a city where people want to step up and help. For home gardens, I planting an extra row for hunger relief efforts can help neighbors. Plant a row for the hungry is a campaign of the national garden riders of america. As part of this campaign, helping to connect home gardens with relief throughout Portland. By calling the food bank or visiting our website at [www.oregonfoodbank.org](http://www.oregonfoodbank.org), you can find more information with local hunger relief agencies that can help the home-grown vegetables you grow. It will bring good tasting food on the dinner tables of our vulnerable neighbors. It's important because it will provide fresh, nutritious produce to the loaves and Fishes here downtown and further, the garden will communicate the value of gardening, of supporting hunger relief efforts and encourage citizens to participate in these efforts. Thank you, mayor Adams and commissioners for leading by example in fighting hunger in Portland.

**Adams:** Appreciate your work and your testimony. Do we have anyone signed up to testify?

**Moore-Love:** Two people are signed up.

**Adams:** Come on up. Welcome to city council. Just give us your first and last name. You have three minutes.

**Jasun Wurster:** Good morning. My name is jason wurster. I would like to commend you on addressing hunger. Information on this agenda item will be salient to the aforementioned. Thank you, commissioners for providing an inexpensive yet symbolically powerful gesture by having a garden in front of city hall. I fully support this item as no citizens should ever know hunger. To increase the availability for Portlanders to make this a reality. Currently, the -- excuse me -- currently the Oregon trail card, also known as food stamps can be used to buy not only seeds but

**April 22, 2009**

food starts. One issue facing small nurseries is they're unable to accepting them due to the rule that stipulate a minimum gross sale. I urge this council to lobby d.h.s. To exclude nurseries from this requirement and allow payment via the Oregon trail card and this expands the ability for those on food stamps to receive expert gardening advice from staff and provides an economic stimulus to these struggling small businesses. In the city home property between the curb and street, known as the furniture zone or the planter strip. As a renter, i've lived in some places where the landlords prohibited gardening on their property. I ask that the city promote growing food in these areas, not only in front of residential units but schools and parks. It's estimated there are over 100-miles of unimproved streets. The lack of sidewalks, but also they have no furniture zones. I ask that the city allow residents to garden along these streets. I suggest that the city mandate any food grown be in a planter. The reason is that soil on unimproved streets have high concentrations of contamination from automobiles, such as lead and asbestos and oil. I ask we create a culture where garden in open spaces are open to all. When the food is ready to be harvested make it available to those who need it the most, by setting an example that it's ok to harvest what they need. I feel that the health of our city hall garden is representative of our culture as a whole. I would like to have the opportunity to spend a few minutes volunteering in our city hall garden weeding next to commissioners. Thank you.

**Adams:** Thank you very much for your testimony. Good morning.

**Robert Bradley:** Good morning, my name is robert bradley, i'm the program coordinator for loaves and Fishes. I cannot overstate how important the city hall garden is to loaves and Fishes. Reaches the very bedrock of our vision that no senior goes hunger or experience social isolation. Our mission, to ensure and enrich the lives of seniors and assist them in maintaining independence is rooted in providing healthy meals and healthy social interaction. This garden will provide both in meaningful ways. As you know, our clients are of an age where their ability to live independently is linked to access to healthy food and regular exercise. A community garden that encourages people to actively participate in vigorous outdoor activity, while assisting in providing fresh locally grown organic food is cardinal to their continued health and vitality. A yearning for standards they proked as children and among their fondest is the caring for and harvesting of food. Your resolution today will rekindle that spirited ideal. Thank you.

**Adams:** Thank you very much. I appreciate it. Steve, can you come back up? Questions, comments from council? Commissioner Fritz?

**Fritz:** I'm wondering if we have the cost of installation and where we're getting the donation from.

**\*\*\*\*\*:** The donations are coming from city businesses and from volunteers.

**Fritz:** And the volunteers shall going to be constructing the garden?

**\*\*\*\*\*:** Yes.

**Fritz:** And what about the hard surface. What's that.

**\*\*\*\*\*:** The hard surface.

**Fritz:** The paths we heard about.

**\*\*\*\*\*:** Wood chips. There might be -- actually, do you want to come up too to answer some of these. And dave? This is dave from fiddleheads landscaping and he does amazing rock work that you've probably seen around the city. And you've had ideas about using some rock as well.

**Bedard:** We'd like to use flagstone or some sort of pavers, permeable preferably to access those more formal areas and delineate them from the beds.

**Fritz:** And those are donated too?

**Bedard:** Yes.

**Dave Barnham:** I've been having lewis smith at smith rocks and said he would donate materials and we have a few questions and we're going to work out details.

**Adams:** And your name is?

April 22, 2009

**Barnham:** David banham.

**Adams:** Thank you for -- did you have more?

**Fritz:** I wonder how much staff time from parks is needed?

\*\*\*\*\*: Lance from parks has come to a couple of meetings and we're trying to make their job easier and lessen the workload they have at city hall.

**Fritz:** Is there a toolshed component or the volunteers will bring them and take them away again?

\*\*\*\*\*: I think that there's some opportunity that parks has stored things and I know they said they will find us a closet.

**Fritz:** Excellent. Do we have a contract with the master garden program rather than with particular volunteers?

\*\*\*\*\*: We don't. We've been talking to the leader of the program and he's chair of the food policy council and they have graduates every year and they're going to take volunteers for folks interested in making this be a significant part of their payback they have to give back to the program. So there will be a few people assigned to the city hall garden. We have no lack of -- a few people signed to the city hall garden. Every business we've talked to said, "whatever you need."

**Fritz:** I think in terms of having an account with a particular program, i've been involved in some of these things on school properties and sometimes when the initial volunteers, the enthusiasm wanes and they move on and there can be issues with who is going to take over next.

**Barnham:** I've been involved in receive several of these community gardens and it's important that long-term maintenance is thought about and so we've proposed getting things started over on -- on the weekend and then mark and I coming in and -- coming in and doing some more professional oriented work and building something that's going to sustain itself and be there for the long term and also get that good buy-in so that the system actually lasts for a long period of time. I totally understand all of your questions and where you're going with it. We've talked about it quite a bit.

**Adams:** There's a responsibility for city commissioners and the staff to do the weeding.

**Barnham:** All right. You're all on the hook.

**Adams:** We work year round here.

\*\*\*\*\*: There's a number of organizations who asked to be a part. Loaves and Fishes has seniors who would like to get involved. We have food works that would like to get involved and we definitely understand we need to have a long-term plan for how to manage the garden right now. It's taking the groups and seeing how we can divide up the energy they want to give to the garden the we make sure it's covered year-round and in perpetuity as long as the garden is there.

**Fritz:** Has there been discussion about potential problems with rodents. I know there was a problem across the street a while back. Any discussion about that?

\*\*\*\*\*: We'll let them eat to a certain extent.

**Barnham:** Is that part of your job description as well?

**Fritz:** I just want to clarify.

**Adams:** Rodents across the street? [laughter] several years ago.

\*\*\*\*\*: The Portland building?

**Fritz:** Not, not that street. In the park.

**Fish:** If you want to throw mud at my bureau, I would prefer to have that a private conversation.

**Adams:** Anything further, commissioner Fritz?

**Fritz:** Nothing.

**Adams:** Unless there's further discussion, this is a resolution. Karla, please call the roll.

**Fish:** Thank you. Mayor and your team, I understand amy took the lead on this, one of your sustainability coordinators, I want to acknowledge her good work. I want to start by thanking the food policy council for their tremendous dedication and for their leadership in helping the Portland region become a leader in the sustainable food movement and thank the friends of community gardens which does yeoman's work. We have people who serve on the food policy council and

**April 22, 2009**

developing the region's and the world's most innovative food policy solutions. Even with the great work going on, though, the state of Oregon is I think currently third in the nation in hunger and that number is likely to get worse. Since all of our numbers are eroding. And tammy, you might have mentioned it earlier, last I heard, over 50,000 Oregonians will go to bed hungry tonight. And while the data is disheartening, we have this opportunity before us. We have leaders from all sectors ready to collaborate and work together to find lasting solutions. So it's in the spirit of coming together that we're building this demonstration model here in downtown Portland and this is one way we can get out the message to our community that growing food can have a real impact on the lives of fellow citizens. I asked emily hicks, who is in my office working on these issues to research data. I want to share. Last year, Portland community gardeners were able to donate 10,000 pounds to local food relief organizations. And in the cully community gardens alone, they donated over 1,000-pounds of produce. I hope that despite the shadows of the downtown buildings, that our garden can provide produce for loaves and Fishes. And mayor Adams has made it clear that he's dedicated to removing barriers and I put the community gardens program at the top of my priority list. We recognize that improving access to healthy food helps our city become more resilient during tough times and we have been identified as a leader in sustainable movement, we've only touched the surface. Gardens not only provide nutritious food but there are lots of other benefits. They can become community focal points and we know that with our affordable housing portfolios and provide outdoor exercise and environmental opportunities and welcoming to birds and wildlife and growing food and buying local products helps us to address climate change and peak oil. These are complex challenges that we cannot solve alone. They require us as leaders to explore new forms of collaboration and cross agency partnerships and new public-private partnerships and I know that this is just one of the projects that the Portland Multnomah county food policy council is working on. I want to thank the mayor for his leadership on this issue and we at parks forward to being part of the plan to expand community gardens in this great city. Aye.

**Saltzman:** I want to thank the mayor's office and steve in particular and the food policy council to for getting this up and running and the businesses making this work and it's a great idea and touches on the themes as a city that are important to us and as a nation. Let's get growing. Aye.

**Leonard:** Aye.

**Fritz:** It's the visibility of this project and to highlight the good work at the food bank and the community garden program. It's important to note there's no tax dollars being used except for the irrigation. And we wanted -- we received an email for someone not allowed to put a garden in a planter strip. While we can't do raised beds, but you can mound up the dirt and plant stuff. We encourage that people take advantage of the sunny spots and go ahead and do that and share. Commend commissioner Fish and the friends of community gardens and the folks involved in this for putting together a great project and highlighting the value of the community gardens program city wide. The waiting list for getting the established plots and looking at the better together program, that mayor Adams is leading, so that folks in the community, you have spare space, can offer it to others to garden there and maybe share in the produce. It's great that we're getting rid of the lawn in front of city hall. Why did we not think of this before? Thank you so much. Aye.

**Adams:** We're going to be putting a garden in the front lawn of city hall and we're going -- we're currently looking at all aspects of the code to make sure there's no legal impediments for Portlanders to put gardens in their front yards and parking strips. When it came to our attention that a raised planter in a parking strip was being tagged by the bureau of transportation, that was news to me. My neighborhood has a number of these already in north Portland and we're taking that as an opportunity to do a quick review of the code. A more holistic review to see if there's anything else we need to fix. But we'll be fixing that and giving folks reasonable guidelines to continue to -- well, to encourage people to do more planting of edible plants in the front area. So I want to thank commissioner Saltzman for the diggable sort of root -- the diggable -- what's that?

April 22, 2009

**Leonard:** Diggable city?

**Adams:** Diggable city, I can't tell you how pleased I am to have commissioner Fish in parks that shares the enthusiasm and understands the benefits of its aspects and the support of everyone else on council. I'm pleased to get this done and we have a lot more opportunities we're going to be pursuing. Aye. 474 is approved. Please read the title for the second reading of 475.

**Item 475.**

**Adams:** This is a second reading so it's a vote only. Karla, please call the roll.

**Fish:** Thank you, Karla. I want to compliment my colleague, commissioner Leonard, for the hard work under a punishing timeline of both his office, he personally and his team at water and b.d.s., to reach this moment. I do want to say, though, I think that the discussion of the historic building, the structures and the sign, we from time to time, lose track of a bigger theme that has prompted this initiative. And frankly, is what I think is ultimately driving commissioner Leonard, and that is a historic new partnership between the city of Portland and the rose festival. Randy is our liaison to the rose festival. En and it's well known that like many other non-profit organizations in this time of economic catastrophe, has been hit hard -- economic catastrophe. We could have stood on the sidelines or become engaged. Randy has a well earned reputation for getting things done on time. And moving bureaucratic road blocks. Reasonable people can agree or disagree with the aesthetics of the rose sign. I happen to like it. Reasonable people can agree or disagree about the historic color scheme of the building but what we can't lose track of is that this is motivated by a desire to partner with the rose festival and help them be successful. And furthermore, this historic building has not had a very happy immediate past. And whatever one's view of the action we're taking today, the yeon building will be in much better shape than it would have been had we not taken action. I'm pleased to support this effort and particularly impressed with the way Randy and his team have moved this on a punishing timeline and 20 years from now when we look back on all of his great accomplishments and there'll have to be a chapter on signs -- [laughter] I think this will be a fitting legacy to the larger spirit of the city partnering with an important institution and helping it prosper. But also it a renaissance in this part of Portland, to a building that has been derelict and frankly, to a potentially new iconic symbol for our city going forward. In that spirit, I'm pleased to vote aye.

**Saltzman:** Well, I've had conversations with commissioner Leonard in the ensuing week about concerns I had and expressed last week and before about the use of -- last week and before about the use of water ratepayer dollars for this project and getting bounds of parameters and in our conversations, and correct me if I'm wrong in your subsequent vote, commissioner Leonard, but any tenant improvements beyond sort of getting the building to habitability for an office use, will be reflected in the lease to be coming forward with the Portland rose festival foundation and at that most, we might front the improvement costs somewhere in the \$100,000 range and the second assurance was that the historic assessment that will be done with private funding, any improvements arise out of that will be subject to the water bureau's budget process which is an extensive citizen involvement process and those improvements will have to fare with the other things that are competing with ratepayer dollars. I believe that's the understanding I have reached with commissioner Leonard. Those do allay my concerns and while I still have concerns about waiving our sign code, I recognize the importance this project represents to commissioner Leonard and, therefore, I'm pleased to vote aye.

**Leonard:** I appreciate the comments from both commissioner Fish and Saltzman and his willingness to support this project. When we started out on this venture, the building on -- in waterfront park had been vacant for three years. Various entities have tried to move in and survive. All of whom have failed, but left behind a trail of destruction on the building that is nearly irreparable, including exalts for a venture sticking out of the roof, and the building has suffered dry rot and someone thought that turquoise was a good color to paint the building. When we inherited

**April 22, 2009**

it, we met with the friends of John Yeon and they expressed concern about the rose, but notwithstanding some of our partners across the river's apparent displeasure at trying to find middle ground when working together, we sat down and found a middle ground wherein we, the water bureau, would commit to a thoughtful restoration based on the original design of the building. But also with the inclusion of an iconic rose that would symbolize from this time forward that the heart of the rose festival resided within that building. Some would argue that it doesn't belong there, others would argue that -- very passionately it does. The point of view I took, if we were the landlord when the building was built in 1948, and hired John Yeon, and were I a commissioner in charge of the construction of that building in 1948, I would have said we want this to represent the Portland rose festival and to be its headquarters and to have a sign that forever more designates that place as such. Not just for those that walk by or drive by, but for those that walk across the river and can see it. It's my view that has been accomplished and I should point out that the design went through a number of iterations, including being reviewed heavily by the design community before we settled on the one that is going to actually be manufactured. It's my hope that -- that when the building is completed, it becomes really a recognized rallying point for the one thing that brings Portland together every year, and that's the rose festival. Including a world-class rose garden that's in the process of being installed around the building and that forevermore that Portlanders embrace this historic building in a way that hasn't happened up to now and that we have cadres of future generations that would never let the building degenerate to the extent it is now. I appreciate my colleagues' interest and observations and helpful comments and looking forward to our grand opening on May 22nd, which will feature fireworks and local blues musician, Curtis Salgado. To provide some reference within -- at dusk that evening, we'll illuminate the rose for the first time. Aye.

**Fritz:** I appreciate Commissioner Leonard's passion for supporting the rose festival and protection of historic resources, there's no question that the motivation behind this ordinance is the goodness of his heart and I'm disappointed that my motion to split the uses between the office uses and sign was rejected because I'm supportive of the rose festival using this building for an office space and supportive of the improvements that Commissioner Leonard is leading to make it -- restore it to its ancient or 50 year old -- sorry -- glory. [laughter] and I would have liked to have been able to vote in support of that. We had nine people testifying in opposition to the sign waivers and I'm troubled, I'm beyond troubled. I'm very disappointed that we're supporting waiving standards and waiving historic design review, which is a land use review process, and it avoids the proper public process for a deadline which really doesn't need to be met. The rose festival has other ways of publicizing that we're having a great rose festival and we've had a great rose festival for over a 100 years without a sign. And we have a letter in the record from Jeff Joslin that outlines problems with waiving sign size, and changing image. I value the voice and advice of the volunteers on our citizen commissions. And I think that waiving this code without asking the advice of the historic landmarks commission devalues their purpose and our respect for what citizen volunteers do on matters on which they're experts. I think this sign should be going through that process. I value the standards in the code. They're defined for reasons and I helped define the reasons for the sign code when I was on the code committee and the planning commission, the citizens of Portland spent months putting those regulations together to define what it is about Portland and about signs in Portland that we value. So to waive them without a full public process, I -- I'm very concerned about that. I believe that we're making a land use decision that will likely be appealed to the land use board of appeals and I believe we're weakening our ability to defend our sign code against billboards and things that we collectively as a community have decided we don't want. For making an exception for this, we weaken our ability to say no to other exceptions that other companies might want. And we devalue the public process. We're about public process in Portland and we're better because of public process even if it takes longer than we would like. We make better

**April 22, 2009**

decisions when we involve our citizens and our neighborhood associations and business associations and we're not doing that in this case. I want to state again my support for the rose festival and my respect for commissioner Leonard's good spent. You could put the rose on a pedestal and not have it twinkle and that would be taking less away from the things that I value in this process. Regretfully, I vote no.

**Adams:** The rose festival association has existed at arm's length from city government in terms of support for far to long and I absolutely applaud and support and seek to partner, where helpful, with commissioner Leonard's ability to make them -- to provide them more support. And to modernize them and make them even more appealing to more Portlanders. For that I'm passionate. I know commissioner Leonard shares that passion. The rose festival is at a very critical sort of tipping point in its existence. It's suffering as every other nonprofit and for-profit -- almost -- are suffering in this current economic climate. And so I do get -- I do have a sense of urgency, of the need to provide them stability. Of the need to provide them with assistance on a successful way forward. The fact that we get to do it while re-purposing and restoring the historic jewel in one of our famous parks in downtown Portland, makes it all that much more appealing to me. I've weighed the issues and appreciate the concerns and I want to thank commissioner Leonard for moving forward on this very difficult issue of finding a way to provide economic stability to the yeon building but also to improve the economic stability of the rose festival. For these reasons, I vote aye. Item is approved.

Can you please read the title for emergency item 476.

**Item 476.**

**Adams:** Thank you, Karla. Just to recap, sort of the order of sequence on streetcars. We're in the middle of seeking the approval, the final approval, we'd had initial approvals for federal funding for the east side loop. That is the streetcar extension that's next in line. After that, today establishes the priority immediately beyond that in terms of further streetcar extensions by considering this item, the city of Portland, will be committing to a link between Portland and lake oswego. Recently met with the mayor of lake oswego and we both agree on the importance of this to our cities and the streetcar provides green transportation options which reduce greenhouse gas emissions. The high quality -- attract ridership and reduce single occupancy trips. The intergovernmental agreement before you which has been approved by the city of lake oswego and tri-met, authorizes the draft impact statement and further refinement of streetcar alignment to john's landing. The input from john's landing is looking to maximize the ridership in john's landing while minimizing impacts to the existing neighborhoods. Known to members of city council, the streetcar is an economic engine. In addition to green transportation option. The current streetcar line back in 1997 and for which a total of eight mile, resulted from \$3.5 billion of private investment within three blocks of the streetcar line. This includes 9600 of new housing and 5.5 million square feet of non-residential space. The development within one block represents 53% of the development in the central city since 1997. The project resulted in estimate increase of property tax of \$30 million per year. The city estimated it's received \$50 million in s.d.c. revenue. This is a return on a 4.8-mile project. These are the types of investment that municipalities should make to encourage development, a john's landing stakeholder group has been formed and evaluate alignments in john's landing but divert to macadam for approximately one half mile to serve this important main street in Portland. The tri-met led deis will have consultation and we look forward to working with the city of lake oswego and clackamas county and regional partners and if staff would please come forward and provide council with additional details.

**Paul Smith, Bureau of Transportation:** Thank you, mayor Adams and members of council. My name is paul smith and we're with the bureau of transportation. Just wanted to give you a little bit of -- summarize a little bit of the supplemental staff report starting with a little background. In 2004, metro council approved the regional transportation plan. It called for corridor refinement plan for evaluation of high transit options. And 2005, metro's initiated an alternative analysis to assess the

**April 22, 2009**

feasibility of transit and trail alternatives between lake oswego and Portland. An extensive public involvement process was undertaken from July 2005 until December '07. Which included a project advisory committee. A steering committee. Which Mayor Adams served on. Public hearings, community design workshops, open houses and neighborhood meetings and meetings with individual property owners and in the fall of 2007, adopted recommendations on alternatives to advance into a draft environment statement and in November, they amended their recommendation to add a permanent John's Landing terminus to the alternatives to be advanced and also to initiate a refinement study of streetcar alternatives in the John's Landing area prior to starting the draft DEIS in December '07, the city of Portland submitted a letter to Merle Council stating the steering council recommendation as approved on November 19, 2007 and recommended elements to be included into the John's Landing refinement study. That study has recently been initiated. And we'll tell but the diverse representation of the community. The purpose of the item before you is to authorize the Mayor and the Auditor to enter into an intergovernmental agreement which would allow Tri-Met as the lead agency to initiate a draft environmental statement for the Portland-Lake Oswego transit project. The parties are Tri-Met, Metro, Clackamas County, the city of Lake Oswego and the city of Portland. Funding for the DEIS includes federal funding, and local match provided by Clackamas County, the city of Lake Oswego and the city of Portland. The financial impact to the city of Portland \$140,000 is involved in city funds. Local match to the federal funds. For both of John's Landing refinement study and the draft DEIS. In the transportation bureau's current capital improvement budget and I would like you to say more.

**Mauricio Leclerc, Bureau of Transportation:** We started with what we call a John's Landing stakeholder group. Representatives of the area, of the South Portland neighborhood association and South Portland business association and the bicycle transportation alliance and advisory committee owner, owners of major properties along the line. Including Melvin Mark properties, for example, as well as representatives of the streetcar advisory committee. We met twice and we have consultant develop new concepts to refine the options we have in the area north of the Sellwood bridge and it work with this group to define what the trade-offs and to help us then narrow the options via a public process, an open house, so it would take fewer options into the E.I.S. The environment impact statement. We have a third meeting scheduled for May 4th where we're going to review one more time the options developed to date and to offer -- ask them to tell us what they like and don't like. And then we're going to submit these options to an open house scheduled the week of May 11th. That's the process. At the same time, we're having interviews with stakeholders along the area and then everything is going to come together, a recommendation made by the steering committee and the [inaudible] committee.

**Adams:** Questions from council for staff? Do we have anyone signed up to testify?

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

**Adams:** Great. Thank you, gentlemen.

**Fritz:** Could you clarify that comment --

**\*\*\*\*\*:** Four years' worth of work.

**Adams:** Karla, this is an emergency, so please call the vote.

**Fish:** I'm going to support this, even though the Lake Oswego youth 16 soccer team stands between my daughter and the state semi-final, got to get past my feelings about Lake Oswego, but looks like an interesting opportunity. I'll vote aye.

**Saltzman:** Yeah, looks like a lot of good work and exciting thing. I want to see it become a reality. Aye.

**Fritz:** I want to stress again, this has multiple jurisdictions committing money. Portland, Lake Oswego, Tri-Met and Clackamas County and to explain the Mayor's comment, there was no one signed up to testify --

**\*\*\*\*\*:** I was being ironic.

**April 22, 2009**

**Fritz:** To me, that means there's been a good public process. It can be that nobody knew about it, but I think after four years, I think a lot of people knew about it and good work. And aye.

**Adams:** This has been almost a four-year effort. I want to thank the entire bureau of transportation team. This has been a very challenging project but a very rewarding one. The folks in these other jurisdictions have worked very hard to make it work and with this, we're on our way of looking at the alternatives for making the streetcar connection to lake oswego and also looking at the options for phasing it. So thank you very much. Pleased to vote aye. [gavel pounded] 476 is approved. Could you please read the title for council calendar 477.

**Item 477.**

**Adams:** So this is by happenstance, two great projects in southwest Portland related to mobility and transportation. This i.g.a. with odot -- go ahead and come on up -- provides \$530,000 in metropolitan transportation funding to refine a design concept and gather input for a critical segment of the 1996 capitol highway improvement plan from Multnomah village to Taylor's Ferry's road. Providing a match from system development charges. It has strong community business and regional planning support. What it's lacked is funding. The public support for this project has been demonstrated by the development and adoption in the 1990s and continuous advocacy of southwest residents for the regional dollars, gas tax dollars and system development investments to try to construct improvements according to the plan. It provides access from Multnomah village to local businesses and Portland Community College and Barbur Boulevard and I-5. The project will be designed for greatly needed bicycle safety and public transit improvements and right now as we all know, pedestrians walk on gravel shoulders in over 50 of the busiest streets in southwest. Transit riders must wait at unimproved stops. Sometimes just a pole in the dirt and cyclists share travel lanes with cars traveling an average speed on arterial roads of 39-miles and there's almost no sustainable stormwater improvements. And connections to transit paths and stormwater green water treatments and this is important in this part of town because the water goes directly into the Willamette River and its tributaries. So I'm pleased to move this forward. Again, a tough, difficult project. Who would like to speak first?

**Greg Jones, Bureau of Transportation:** Why don't we have our project manager speak first.

**Ross Swanson, Bureau of Transportation:** I'm Ross, the project manager with PDOT. Sorry. Sorry, I'm drawing a blank. I've been put on the project about two months ago and my apologies and I've been running the i.g.a. through. It's a difficult task with three agencies. We walked the site with Sweeney representatives and with Mary Ann Fitzgerald and Leonard Garr and Steve Townsend, our engineer and Sue Keel, and got a pretty good assessment from the neighborhood what they're looking for and their desires are and excited about the project and especially with the implementation of the stormwater, which needs to be integrated into the '96 stormwater plan.

**Adams:** Because it wasn't part of that plan?

**Swanson:** It was not part of that plan.

**\*\*\*\*\*:** Katherine, do you want to say a few words?

**Kathryn Levine, Bureau of Transportation:** I can't come here as someone who talks about systems development charges in the past and not make the comment that you're seeing those dollars at work here. I think the system development charge commitment to local match is about \$60,000 and for that, we're leveraging federal money through ODOT and Metro, over \$500,000. Which will help us get through a refinement plan which involves a stormwater pre-design, to look at the stormwater designs needed to treat water going to both Fanno and Tryon Creeks and update the plan and profile is that the project will be ready to move into final engineering.

**Adams:** Thank you. Any questions from council? Anyone signed up to testify?

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

**Adams:** Anyone wish to testify? This will move to a second reading. Thank you for your work. Take comments from council.

**April 22, 2009**

**Fritz:** I wanted to thank staff. I used to live right in this stretch, and it's been a long time coming since 1996 and it's now 2009. And it's -- there's been a lot of hard work by the city staff and citizens. It says concept refinement. I thought, concept? Why can't we actually do it. But there's been a lot of documentation and you've been helpful in getting back to my staff. I want to read a paragraph. Although capitol highway is designated -- city bikeway, walkway, major emergency response route, existing improvements consists of a two-lane highway on a 24-foot ribbon of asphalt. It lacks bikeways and yet serves as the link between hillsdale town center, southwest barbur and the Portland community college sylvania campus. There are a lot of streets that could fit that description. With different names. And this does represent a significant investment in our systems development charges in recognizing, yes, we need to plug away at least the most important arterials to get that done. I appreciate that. I have one other comment. Exhibit a. Under the public engagement, there's nearly \$17,000 for staff and materials for public engagement and I want to talk to see if the office of neighborhood involvement can't be involved and indeed, all of the city bureaus to looking to see whether city staff and volunteers in the coalition can help on projects like this. Thank you very much for all of your good work.

**Levine:** Thank you.

**Adams:** Moves to second reading. Thank you very much for your great staff work. Karla, please call -- read the title for council calendar item emergency 478.

**Item 478.**

**Adams:** Hi.

**Patty Rueter, Office of Emergency Management:** Hi, patty with the Portland office of emergency management. As Karla said, this is an amendment on what we've done and we have reflected the accurately -- the amendment accurately reflects Portland purchasing policies in the i.g.a.'s and it is to amend for the '08 grant awards.

**Adams:** Questions from council? Anyone wish to testify on council calendar 478? Karla, please call the roll.

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 478 is approved. Can you please read the title for council calendar 479?

**Item 479.**

**Adams:** It is an emergency ordinance. Would you like to give a quick overview?

**Rueter:** I would like to say all of these awards are for urban area security initiative and allows our partners in the region to be able to work better together with us and with each other through interoperable equipment purchases. The -- even though urban areas security initiatives for terrorism, that's one of the large events and it will cover other events as well. We're getting a mini-bang for the buck here.

**Adams:** And also the emergency council calendar 480.

**Item 480.**

**Adams:** Similar action, different partner. Any questions from council? Karla can you please call the roll for council calendar item 479.

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 479 is approved. Can you please call the roll for council calendar 480?

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Fritz:** Aye. **Adams:** Aye. [gavel pounded] 480 is approved. Thank you. Can you please read emergency ordinance 481.

**Item 481.**

**Randy Stenquist, Office of Management and Finance:** This ordinance will approve the settlement of a property damage claim that arise cents from a motor -- arises from a motor-vehicle accident between a police officer and citizen. The accident occurred in october of 2008. Our officer was responding to a call for assistance from a fellow officer involved in a fight call, and his assistance had been requested to be stepped up to get there in a hurry. The officer was responding

**April 22, 2009**

with his lights and siren on, code 3, approaching the intersection at northeast columbia and 60th, a signalized intersection and the traffic signal for the officer was red at the time. He braked hard to try to come to a stop at the intersection but was unable to quickly control his vehicle before moving into the intersection. Unfortunately he moved into the path in the lane of northeast columbia who had the right-of-way. The two vehicles collided. The settlement will basically pay progressive insurance back for the money they have paid out from their insurance company.

**Adams:** Questions from council? Anyone who wishes to testify on emergency ordinance 481? All right. Karla, would you please call the roll on item 481?

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

**Adams:** Aye. 481 is approved. Please read the title for emergency ordinance 482.

**Item 482.**

**Becky Chiao, Office of Management and Finance:** My name is becky chiao. I'm from risk management. This is an ordinance that will resolve a bodily injury claim results from a collision between a police officer and cassandra schreiber at the intersection of southeast 62<sub>nd</sub> and duke. The ordinance will pay \$22,000 to ms. Schreiber and her attorney or pain and suffering and medical bills and some to uniguard insurance for payments they made for ms. Schreiber's neck and back injuries resulting from the accident.

**Adams:** Questions from council? Is there anyone here that wishes to testify? Karla, please call the roll.

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

**Adams:** Aye. 482 is approved. Can you please read the title for emergency ordinance council calendar item 483?

**Item 483.**

**John Hunt, Office of Management and Finance:** Good morning. The item before you today is to gain approval, if you approve, to add some vehicles that are actually coming to the city through a uasi grant through the homeland security funding and also some lease rental vehicles for the Portland police bureau that they use to do their work. And then actually they rotate them quite often because, if they're identified, you rotate them.

**Adams:** Questions from council? Is there anyone in the audience that wishes to testify on council calendar item 43? Karla, would you please call the roll on emergency ordinance 43?

**Fish:** Aye.

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

**Fritz:** Good work. Aye.

**Adams:** Aye. 483 is approved. Second reading of council calendar item 484.

**Item 484.**

**Adams:** Please call the roll.

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

**Adams:** Aye. 484 is approved. Could you please read the title for emergency ordinance council calendar item 485.

**Item 485.**

**Adams:** Welcome to the city council.

**Eric Johansen, Office of Management and Finance:** This ordinance author rises the refinancing of an existing line of credit for the office of transportation. The existing line has a balance of about 1.6 billion. It expires on june 1<sub>st</sub>. Because of the status of the credit markets right now, the larger financing is not proceeding at this point in time. Nonetheless, we have the looming expiration date of the line, so we're asking for authorization to refinance that line for an additional five years. The \$1.6 million balance will amortize completely over that five year period, and we will request proposals from local commercial banks to provide that line of credit. We plan to send out that request for proposal shortly and evaluate the proposals, make a decision on the new line of

**April 22, 2009**

credit.

**Adams:** Questions from council?

**Fritz:** This 1.6 million in debt we currently owe?

**Johansen:** It is.

**Fritz:** How long have we had this debt?

**Johansen:** I believe this line of credit originated about five years ago.

**Fritz:** And why didn't we pay it off over those five years?

**Johansen:** There were a number of projects included in the line of credit. We look at the individual project, set an amortization schedule for those particular projects. This piece of it, we knew it would take longer to amortize, but the expectation we would refinance it when we did the next gas tax bond issue. So we need to extend the term of the line of credit or get a new line of credit actually in order to complete paying that off.

**Fritz:** What's our plan for paying off the defendant?

**Johansen:** Right now the pdot budget will include about \$375,000 a year to pay off the line of credit over the five-year period.

**Fritz:** And how much of that is interest?

**Johansen:** Quick math, rough math, i'd say 300,000-dollars.

**Fritz:** But we do have a plan to pay it off so we won't have to do it again?

**Johansen:** Correct. If we proceed with the refinancing of the larger deal, we may choose to refinance it at that time.

**Adams:** Questions from council? Anyone in the audience wishes to testify on emergency ordinance council calendar item 45? Carla, would you please call the roll?

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye.

**Fritz:** I am concerned about continuing to borrow and having plans to pay back, but i'm comfortable that we'll pay it back. Aye.

**Adams:** Aye. Please read item 486.

**Item 486.**

**Adams:** Good morning. Welcome to the city council.

**Scott Strauss, Bureau of Human Resources:** My name is scott strauss. The city council earmarked one-time funds to be used for citywide blood screening program for city employees as part of the wellness initiative within the benefits department. The program is important several reasons. It allows on-site blood screening for employees who may not otherwise take the time to go to the doctor. It allows city employees to get a baseline of their own health and possibly alert them to health issues they may be unaware of and allows the city the benefits and wellness office to get a baseline to measure the health of city employees as a whole. It also allows the wellness program to develop programs tied to specific locations for specific health issues amongst city employees, and it will allow us to retest in subsequent years to test for improvement. The testing includes blood pressure, body mass, weight and height, lipid panel, which is cholesterols, as well as glucose. The testing is voluntary and hipaa comply can't. Male, female, by age groups, by testing locations and bureaus the data is gathered. That way we can determine where we need to do what kinds of wellness programs. The contract is for a five-year period that can be terminated at anytime. We did experience a high level of participation for a first-year program, nearly 20% of city employees. That exceeded quest diagnostics' expectations. The employees were also quite pleased with the program. They received an individualized printout of how they tested. It showed whether they were within acceptable ranges or not. If they weren't, there were messages that they needed to see a doctor. Within a couple of weeks, they received contact either via e-mail or phone call from quest diagnostic to see if they'd made an appointment with a doctor, if not did they need assistance for contacting a doctor. Our goals next year is to increase the program, increase the number of city employees, and possibly add spouses, possibly include retirees and their spouses. We're looking at

**April 22, 2009**

this to help make the city healthier, which I am proves our health outlook. It helps reduce our medical trend, which in turn reduces dramatically the increase in our medical premiums, which is a financial benefit to the city. Health insurance premiums keep increasing, but anything we can do to mitigate that is a plus for us.

**Adams:** Questions from council?

**Fritz:** So my understanding is this is only about \$150,000 less than the fund for this.

**Strauss:** No. Nothing has been paid out of this \$250,000 yet.

**Fritz:** But the extent of the fund was \$150,000?

**Strauss:** Yes.

**\*\*\*\*\*:** \$250,000 over five years.

**Fritz:** Right. But where is it anticipated that we'll get the money from?

**Strauss:** If we don't get it, then we don't continue the program. We're hoping at some point in time we could continue that program. If kid \$250,000 -- that's if we had \$250,000 over the years.

**Fritz:** Is quest going to supply us the aggregate of employees?

**Strauss:** That would not be allowed from hipaa.

**Fritz:** No. The aggregate.

**Strauss:** We will be getting the results, all the statistics, everything that we could possibly ask for.

**Fritz:** Thank you.

**Adams:** Other discussion with council? Anyone in the room who wishes to testify on emergency ordinance 486? Karla, please call the roll.

**Fish:** Well, this make as lot of sense to me. I have ab-positive blood, which apparently is the second rarest, so I get a phone call every 40 something days from red cross directing me in to give blood.

**\*\*\*\*\*:** My father-in-law was the same way.

**Fish:** I do it because it's the right thing to do and because I get krispy kreme donuts. [laughter] But there's a lot of screening that goes on there, so this makes perfect sense. Aye.

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

**Fritz:** I was really delighted to be assigned to be special liaison to this program by mayor Adams. I'll follow up to find out whether it is cost effective. It will be difficult to determine how helpful it is as far as health and wellness. I do want to emphasize that we're not committing the money from scarce resources, that that will have to go into the blender and decision making packages. Thank you for your work on this. Aye.

**Adams:** Aye. 486 is approved. Read please 487. This is the first reading of a nonemergency ordinance.

**Item 487.**

**Christine Moody, Bureau of Purchases:** Good morning, mayor Adams and commissioners. Christine moody, bureau of purchasing. Before you is an ordinance recommending authorization of a contract amendment with environmental systems institute for the city's g.s. -- g.i.s. System. This has recently been adopted through the state of Oregon's g.i.s. Standard. The contract amendment is for continued licensing and support during may 30\_th\_, 2011. The cost is estimated at \$727,000.

**Adams:** Karla, could you please read the title as well for council calendar -- oh. The next two. Sorry. This is an men merge ordinance. Questions or comments from council?

**Fritz:** I have a question. So this is another example of a contract where we choose a software provider and then we're kind of locked into continuing with that provider. How do we negotiate these kinds of contracts to make sure we're still getting the best value for the buck for the taxpayers without -- 'cause we really don't have the billfy to change software. That would cost a lot more to change the company. There are a number of different situations in different bureaus where, at the beginning, we choose a contractor and then we're basically saying we're to continue on with them.

**April 22, 2009**

How do you deal with that?

**Moody:** Well, this in particular we have a special procurement authorizing Portland city code that allows is to continue on with software, hardware, and maintenance when the provider is already here with the city. And we do sit in on contract negotiations -- negotiations and try to get the best value for the city. This software was approved by -- I might need rick's help up here.

**Fritz:** Maybe I can get some more information later. I'm just interested in general. I'd just like to know how do we, when we're picking a provider at the very beginning, try to put face cards in so, when they come back with upgrades, maintenance, new things, we can't go back and start over again because that would be way more expensive.

**Moody:** Right. So this particular product was authorized in 1999 through the city's -- i'm not sure. Rick, I need your hetch.

**Fritz:** Again, I just want some information. How do you get to \$727,000?

**Rick Schulte, Bureau of Technology Services:** Good morning. My name is rick schulte. I'm the corporate technologies manager for the bureau of technology services. I was here back in 1999 and actually negotiated this enterprise license agreement. We have entered into these types of agreements for many reasons. One is to actually reduce the cost of ownership for the city of Portland. We do extend these contracts on an as-needed basis. Every time the contract is open for renewal, we evaluate the current technology in the city, the trends in the market. At that point, we make a decision on whether it's good practice to continue on with that technology or look for another alternative. In this case, where it looks like it's a technology that we'd like to continue with, we proceed with negotiations. In this case, we've negotiated a contract amendment that follows basically a very minor amount of percentage of increase over the cost of the contract. It also locks us in on pricing and increases over the course of those contracts. And I do understand the concern of once we pick a very large or expensive software contract that it is expensive to change. This particular one that you're hearing before you today has saved the city, in its duration, well over \$3.5 million. The contract itself, when we renegotiated again this year, is saving the city almost \$300,000 just off of the normal maintenance fees that we would normally pay. So the cost savings particularly on these enterprise license agreements which you're seeing here today is actually a very large cost savings for the city, and we do look at these closely every time they come up. We evaluate what we need to do, if we need to continue these, and we negotiate very rigorously with these companies to make sure we're getting the best deal for the city.

**Adams:** Additional discussion with council? If not, this item moves to a second reading next week. That gets us to-- can you please read two emergency ordinance titles for item number 488 and 489?

**Items 488 and 489.**

**Fish:** I'd like to call robin grimwade and allison rouse forward. They can get settled, i'll make this brief comments and then turn it over to them. I'm pleased to introduce two administrative items related to finishing the simon and helen director park. It's one of the most significant revitalization projects in downtown Portland today. I must tip my hat to my predecessor, commissioner Saltzman, under whose leadership this project was started. Director park will link sidewalks with the park and people-friendly park scapes. It's a european-style parkway. The tom moyer family and jordan schnitzer, without whose civic responsibility this project would not have happened. This involves the good work of nearly every city bureau. Those of you who have been on the council longer than I know that this project was a very deep hole in the ground for many months, and surrounding businesses and neighbors are understandably eager for us to complete our work. Portland parks is seeking authority to extend both the construction and design contracts to finish the work, which is anticipated to be completed at the end of august. Your approval will allow Portlanders to enjoy this lovely park plaza during the nicest time of the year. I've asked robin and allison from the parks bureau to provide a quick update and answer any questions that you may have.

**April 22, 2009**

**Robin Grimwade:** As commissioner Fish indicated, we're here to seek your approval today to vary two contracts relating to this project. I'm extremely pleased to report that, after some 20 years of planning relating to the mid park blocks that this project is taking shape and will be completed by august of this year. Once it's completed, i'm confident that many, many Portlanders will enjoy the park as a place to relax and to escape the humdrums of the business world during their lunch hours while, for others, they will gain enormous appreciation just viewing the park from the neighboring offices. Before you consider the two ordinances before you, i'd briefly invite allison to provide a quick overview of the project in terms of its history and where we are.

**Allison Rouse:** Good morning. My name is allison rouse, and i'm the project manager for simon and helen director park. First i'd like to orient the park for you. This image shows the park avenue district, also called the midtown blocks, with park avenue and 9\_th\_ avenue in red dash lines. In this image, north is up, and north park blocks are at the extreme right and the south park blocks at the extreme left. With three parks sprinkled along the way. In 2004, council adopted the park avenue vision plan to link the north and south park blocks with a special scape and development of the park, designed to take advantage of the special character of this district related to the small blocks and narrow seats and would emphasize pedestrians. South park block 5, now known as director park, is the first opportunity to implement your vision. This image of the park, which is under construction now, looks from nordstrom's southwest across to the little café on the corner tucked under the glass canopy. In the foreground is the mountain and the areas that serve the parking garage below. There are numerous tables and chairs that will be provided, all unified by a carpet, so to speak, of granite hearing bone paving. The plaza . Durable and comfortable. We're expecting as many daily visitors as visit pioneer courthouse square but the park is half the size. Also note the pavement in this rendering that's drawn across the right of way to the building faces. At the time this illustration was produced, that was just a concept but not anymore. A coalition of bureaus came together in 2007 and has been working very hard to make the enhanced streetscape happen in time to be complete with the park. P.d.c. And nearly every city bureau has worked together to produce the final design. At left you see a view of southwest park avenue with the fox tower and, on the right, southwest 9\_th\_ avenue. Both show the granite herringbone paving across the street and tactile warning to mark the pedestrian zones, storm water facilities and lighting. On street parking and loading are on the busy sides of both streets. The one multi purpose plaza with active edges and an active interior. We've kept the property owners and retailers plus the busy alliance and of course the p.d.c. In the loop, and we hear everyone is very excited for the construction to be complete.

**Fish:** Hold this slide for a moment, allison. By extending the park to the sidewalk and preserving the vehicular circulation, what you're doing is giving us the flexibility for certain kind of events to have the whole park used for a particular purpose?

**Rouse:** Correct. If someone would like to have a festival, they would go through the regular permitting processes, and then these streets could be closed and the entire square used as an event space. So the project is fully designed, fully funded, and the permits are expected next week.

Today we'd like authorization from you to extend our contract for construction of the park to also include the streets, and we'd also like to extend the consultants' contract to compensate them for extra services we've had to request in the past two years to get the design of both the parks and streets completed. Portland parks and recreation would like to thank again the moyer family and jordan schnitzer for their generosity, commissioners Saltzman and Fish for your support, our partners at p.d.c. Who facilitated the private donations and all of the other bureaus, particularly the bureau of transportation, the mayor, the mayor's chief of staff, and director kiehl in helping to make this project happen.

**Fish:** This presentation, just for the benefit of my colleagues, we've shop the dalles around and hopefully answered questions, but there's also a q&a from when we met with a number of you in

**April 22, 2009**

your offices. One thing I want to highlight here, when you throw in the value of the land and combine that with the cost of the construction, 60% of the cost for this park will be born -- borne by the private sector. The total cost, 60%, is coming from public-spirited individuals. So we have a lot to celebrate on this. Questions from my colleagues?

**Grimwade:** Commissioner, that q&a is only in your folder.

**Fritz:** Yeah. I don't have it.

**Fish:** Only in mine?

**\*\*\*\*\*:** Yes.

**Fish:** We'd be happy to share it next time. Next time we'll make sure, if I have a q&a, it's in their notebooks as well.

**Adams:** Discussion from council? Anyone in the room who wishes to testify on this issue?

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

**Adams:** These are both emergency ordinances. Karla, please call the vote on 488, emergency, and 489?

**Fish:** Thanks, team, for a great presentation and good work. I want to acknowledge hannah kuhn from my office who has done great work and I want to thank commissioner Fritz for points out the q&a is not in everyone's notebook. I always appreciate q&as because it answers some of the issues that come up. We'll make sure that we, in an environmentally sensitive way, reproduce these, but this q&a is excellent. I thank you for doing that, and we'll make sure we do it for future projects. I can't wait to christen this park. When mr. Moyer is now stalled but future development on the other part of this campus moves forward, the people who work in the fox tower and who work and live in the adjacent building will have one of the great locations in the city of Portland. A special thanks again to the moyers and schnitzers for their philanthropy

**Saltzman:** Aye. Want to acknowledge the moyer and schnitzer families, the parks bureau and transportation bureau and p.d.c. Who were able to come together and figure out a way to get the extended pavement done, because I think that will really enhance the the versatility southwest park block 5. I'm pleased to support this and look forward to seeing it open in august. Aye.

**Leonard:** Aye.

**Fritz:** I've in three months come to greatly respect commissioner Fish and hannah coup. Given the emergency ordinance, i'm willing to support it and thank you for all your good work.

**Fish:** I must say not in that order, though.

**Fritz:** I have known your senior policy person, and she has been a stalwart for many years. I'm going to support this. There's no new general funds being involved in this increase. There was general fund back in 2007 and '08 but not since. I'm concerned that the initial bid was something like \$2.4 million and we're now to \$6.6 million on this one. I hope that this council, as we move forward, can start looking to get greater confidence from this at the beginning so that we can evaluate whether we want to do projects like this downtown or other projects with this development.

**Fish:** Coot commissioner yield on that point just on that? It's an important point. Why want to make absolutely care is the bulk of the original contract costs here is directly connected. This is not a contract that went out of patrol. This is a project where the scale and scope of the project grew dramatically over time and the project budget grew to fit the enhanced community vision. Your point about an initial contract price and increase is well-taken, but on this one I think we could demonstrate to your satisfaction that this is not a construction budget that grew in some irresponsible way.

**Fritz:** That's good to know. Then i'll amend my comment that we should have the vision process and contracting more complete at the very beginning. We agree that this is what we're going to buy, this is what we're going to pay for it. There's always greater things we could do as we get more good suggestions as we move along, and at some point we have to look at whether we can

**April 22, 2009**

afford that. Obviously a lot of good work. I'm sure I'll get many more good answers from the office of commissioner Fish. Aye.

**Adams:** I have been concerned about the increased cost of this project, but it's been addressed with the very substantial private fundraising, so this is a very good deal, remain as fantastic deal for the city, city taxpayers, and I want to thank commissioner Saltzman but especially commissioner Fish for bringing it home. Aye. 489?

**Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye.

**Fritz:** This one also increased a lot, and I understand why. I appreciate getting the information in our packet as the report from the consultants as to what it was that held them up, and I think that's constructive in our discussions last week in terms of permitting, some other decisions made, not made, remade. So it's helpful to have specific examples of what was done when and said what, when when having those other discussions. Thank you again for your good work. Aye.

**Adams:** Aye. 49 is approved. Please read the title for emergency ordinance council calendar item 490 and for council calendar item, also an emergency ordinance, 491.

**Items 490 and 491.**

**Saltzman:** Since the end of late last year, the city of Portland and the entire metro region have experienced a substantial increase in gang violence. The increase became readily apparent in december of last year and january of this year when there were three gang-related shooting deaths in Portland and gresham. Each of these shootings were interrelated and local gang members had begun a tit for tat battle. The Portland police, gresham police created operation cooldown, temporarily increasing the number of officers on the street, quelling the violence. Since "operation cooldown," we have redirected funds both within the Portland police bureau named our grant funding through the office of youth violence prevention to focus on best practices intervention, proven to deescalate gang violence. The police have also permanently reassigned two detectives and 1 sergeant to the gang enforcement team while simultaneously moving gang officers to the street during the hours when they are most needed. This is not a problem, however, that police alone can solve. There must be a coordinated approach to ending gang violence, utilizing both intervention and prevention strategies to end the cycle of violence. The grants before us today are a second step to furthering a coordinated approach, ensuring that we can intervene effectively. These grants today are focused on street-level gang outreach. The two grantees to receive the funding for the summer months are brothers and sisters keepers and emanuel community services. John cando of brothers and sisters keepers and tanya dickens, with their expertise and dedication to street live level outreach, will train and bring on two new outreach workers. Emanuel community services will apply a strong consortium approach to street-level outreach. Rob richardson of emanuel community services will supervise five street-level gang outreach workers, three of whom will be our seasoned and professional outreach workers from naia, irco, and his panna -- hispania. So i'd like to first have rob ingram, the director of the office of youth violence prevention, walk us through the best practices methods these outreach grants employ and briefly touch on the process that led us to award these two grants. Joining rob will be lieutenant mike leloff who oversees the gang enforcement team for the Portland police bureau, to talk about the strength and coordination between law enforcement and street-level outreach workers. And then we have rob richardson here, too. John canda was here earlier but had to leave.

**Rob Ingram, Commissioner Saltzman's Office:** Good morning, mayor and members of the council. Thank you for your time. I'm going to run through a powerpoint first. So first it's important that we identify some common language and make sure we understand what exactly it is that these streech outreach grants will do. Professional adults who can prevent felony crimes. What they do is build relationships with individuals and groups refer them into appropriate quality services and track their engagement and success. It's important to note that some common skills of effective outreach workers that is they are street wise, have good communication skills in crisis, are

**April 22, 2009**

even tempered, compass gnat, and dedicated. Some of the best practices we've identified include practices from the cities of boston, chicago, and philadelphia. Common identifiers that we look for to identify who to target our services to related to gang members or affiliates, not completed education or not unrolled, unemployment -- not enrolled, unemployment. 16 to 25 year olds, recent victim of violent crime closely related to recent victim, active in street or violent crime, and consists of having a history of violence, possibly lacking pro social traits. Our dire outcomes, in other words how we can demonstrate that we are doing what we set out to do: Decrease shootings, violent crimes, decrease retaliatory acts and increase safety in neighborhoods. Our tracking method consists at looking at the location, time, and date the outreach workers are at, the number of youth contacted and referrals given. Tom peavy, our policy manager, will track the follow-up referral, whether services were met. We will also capture types and members of referrals given by category, including mental health, drug and alcohol, education, and employment. One key strategy to our approach is a three-pronged approach where we stay coordinated with prevention, intervention by our law enforcement partners, and supervision. Beginning may 1<sup>st</sup>, we'll have two collective organizations that will provide a total of at least seven outreach workers representing various outreach groups. The purchasing process, an r.f.p. was released, the detail of services we desired. We received seven consortium applications, and the committee carefully chose and selected two a mr.ly cases -- applications that provide the services we desire. We're also recently launching a pilot referral program with the Portland police bureau and a host of community service providers. The goal is to, in collaboration with our partners, catch youth before committing crimes. We're also involved with the crime prevention program, the local public safety council, the juvenile justice council, Multnomah county's department of community justice, and gang reduction intervention team. The following slide is just a visual that shows our comprehensive strategy and some of the partners that we either do have in place or intend to pursue future strategies. We'll slab brat that the above agencies in an effort to eliminate duplicate -- eliminate duplication.

**Mike Leloff, Portland Police Bureau:** Good morning. Thank you for the opportunity to testify on behalf of these two grants. These two grant organizations are proven organizations and partners -- long-term partners. This is a partnership, a collaborative effort, and a balanced approach. The chief's office and his office added two detectives and a sergeant so that we could have an afternoon relieve out there on the significant times with these gang activity occurrences. Increasing law enforcement alone doesn't work. We need our community partners, our outreach partners, as rob said, penetrating the door of the criminal justice season. We really would not target youth. They penetrate that door, reducing costs and burden on the law enforcement system. Rob and dave and tanya and john and many others have been very successful partnering with the police and going out in hotspots, locations, and I think the lowrider event is one of those events where it was very effective in 2007 and 2008. We had no acts of violence in those two years. We're in support of this. We look forward to a good relationship with these organizations. Thank you.

**Saltzman:** Rob?

**Robert Richardson:** Yes. Just as tanya talked about the multicultural approach, we've had this approach one time before, and it touches all ethnicities. As we know, the flowing, fluid part of a gang problem, they don't have those flags. They don't make those distinctions. They actually work a lot more collaboratively, computer, "myspace" has opened a whole wider door. Certainly some of the things we'll be able to do, one of the things i'm really excited about is that we've already lodged an office that will have office space at the lloyd center, which is a centralized hub. As we know, we had a latino and asian conflict stabbing over at the lloyd center just recently. What we wanted to do is mobilize to get the best expertise we could possibly put on the streets at one. I will certainly be in the hub of taking care of the responsibilities as the calls come in. Certainly I will dispatch those calls. We will be meeting weekly. Certainly we'll have a paper trail that will be able to solidify what we've done and how we're doing it, and there for -- therefore during the heated months and

**April 22, 2009**

beginning of school is a very intensive time. -- intensive time. I look forward to working closely with the agencies mentioned. Together these four agencies have over 100 years of experience as noted before, irco, naio, and catholic charities el programio hispanio. With tanya and john and brothers and sisters keepers, it brings a level of approach that we've also assisted and had. One outreach is going out to engage youth in other activities, education, et cetera, getting them back on a solid pathway. The other thing is that everyone is not cut to know how to do police assistance. In a heat situation, you want to help the way, not be in the way. We're thankful that we have a team that can deal with that and to assist the police, not be in the way of the police, and diffuse the anger and frustration there could be in a certain situation. Again, I thank you, mayor, all the commissioners, and we're looking that we could hope that this is something that can launch out and we can get in front of the curve of the gang problem here in the city. Thank you.

\*\*\*\*\*: No questions? All right.

**Adams:** Anyone who wishes to testify?

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

**Adams:** All right. Unless there's additional council discussion, please call the roll on emergency --

**Saltzman:** I think commissioner Fritz had raised the possibility there might be an error in the first one. Shannon, can you come up here?

**Fritz:** Maybe a minor correction if the -- in the finds on 419 and 7. My question before had been why one contract for one amount and different for another amount, and the answer was just given.

**Saltzman:** Is it number 5 full time --

**Fritz:** There's two in 490 and five in 491. Is that correct?

\*\*\*\*\*: Yes. Actually it's 2.5.

**Fritz:** 2.5.

**Fish:** You view that, shannon, as a scrivener's error.

\*\*\*\*\*: Yes.

**Fish:** Then we don't need to amend it.

**Adams:** Unless there's additional council discussion, Karla, please call the roll on emergency item 490.

**Fish:** Good work. Aye.

**Saltzman:** I want to thank again rob ingram and all the outreach workers who will work very hard this summer to make sure there's no fatal shootings, stabbings, and that we have constructive alternatives for youth and young adults to gangs, and that's a bigger effort than just those agencies alone. It takes the parks and recreation department with its important summer programming, our children's investment funds which provides important after-school and mentoring. It is designed to provide kids and young adults safety and providing them something constructive, either careers or something else constructive. So i'm pleased to vote aye. Shannon callahan and commissioner Leonard, thank you for lending jimmy brown from the water bureau to help on this strategy.

**Leonard:** I do appreciate this very thoughtful approach to a very complex issue that is multilayered and multi-faceted, and I am sure, with the words that we heard here today and the work that you all will be successful in keeping our streets safe. We really appreciate it. Aye.

**Fritz:** Thank you all very much. It's important for this to get on the streets as soon as possible, which is why I was questioning that number, because I didn't want us to have to come back and revise it. I wasn't sure whether the findings can be amended like that, so i'm glad they can. Thank you for your work. And thank you, commissioner Saltzman, for your work on this. It's very important work and we need the community to be engaged as well as the particular grants. Aye.

**Adams:** Forecast predict the highest use on employment rates in the nation. Having programs fund and and making sure they're working is more important now than ever. Very supportive of both of these items and working very hard, and we'll try to protect and expand programs for youth. Thank

**April 22, 2009**

you for your work. Aye. 490 is approved. Please call the roll for item 491.

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

**Adams:** Aye. 491 is approved. Commissioner Fish has an excused absence. Please read the title for emergency ordinance council calendar item 492.

**Item 492.**

**Saltzman:** I'll turn it over to rick applegate for a brief explanation.

**Rick Applegate, Bureau of Environmental Services:** Good morning. I am rick applegate, the administrator within the bureau of environmental services. When the Portland harbor site was listed as a super fund site, that listing invoked some very complex, formal, expensive, and time-consuming federal processes. One is the cleanup of the superfund site which we discussed a few days ago. The other, the topic for today, is a series of claims that can be filed by natural resource trustees under federal law to seek compensation for damages cause -- seek compensation for damages. The city of Portland has been engaged with the natural source trustees so they are federal, state, and tribal for six years now in evaluation of those damages. Frankly, their success in evaluating, assessing, and collecting nor those damages is part of our effort to restore ecological development in -- ecological development. They're actually assessing the extent of injury caused by the contaminants. But prior to that, working with the city, we've, I think, engaged in what is probably a unique effort in the country so that we can more quickly move to the day when we're able to implement actual on the ground restoration projects to compensate for those damages. The funds we are seeking today will continue that effort. We've sought them as an emergency ordinance, because they have expended the funds so far and are ready to spend more. As part of the injury assessment they noticed some time ago in consumerration with us, they have been able to attract additional parties who are providing funding for this effort, and that's the way it should be.

**Adams:** Questions for mr. Applegate? Anyone in the audience wishes to testify on the emergency item 492? Karla, please call the roll.

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

**Fritz:** Thank you very much for all your good work on this. I'm very impressed with the diligence of commissioner Saltzman, former commissioner Adams who worked on this many years also and the bureau of environmental services. This is a responsibility that we owe to future generations to help repair the fast generations. Want to recognize patty howard in my office for informs me more about this whole work, having worked with the intertribal commission. Aye.

**Adams:** Commissioner Saltzman, thanks for your leadership. Mr. Applegate, thank you for your excellent staff work. Aye. 492 is approved. Please read the title for emergency ordinance item -- emergency ordinance item 493.

**Item 493.**

**Saltzman:** This item will be a very important thing to deal with before the new saturday market opens shortly, so that's why this is an emergency. This does amend the contract to a second phase of voter control from the sewage pump station.

**Adams:** Discussion on council? Anyone in the room wishes to testify on once calendar item 493? Karla, would you please call the roll on item 493?

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

**Fritz:** I'm a little concerned again, but the level of confidence on funding, i'd vote aye.

**Adams:** Aye. Please read the title for the nonemergency council calendar item 494.

**Item 494.**

**Adams:** Any council discussion on this -- discussion on this issue? If not, it reads -- moves to a second reading.

**Adams:** 495, second reading.

**Item 495.**

**Adams:** Please call the roll.

**April 22, 2009**

**Saltzman:** Once again, I want to thank fred meyer for their donation and efforts to make their remodels store at 39<sup>th</sup> and hawthorne I believe the highest leed that can be obtained and this is part of it. Thank you, aye.

**Leonard:** Aye.

**Fritz:** This is exciting to see one of our grocery store chains really getting into the whole Portland ethic and stepping up to be certified and respond to the neighborhood in which it's in and to contribute financially to that. Aye.

**Adams:** Aye. Thank you, fred meyer. Please read the title for emergency ordinance 496.

**Item 496.**

**Adams:** Commissioner Leonard?

**Leonard:** We have the fire chief, fire marshal here to answer questions and give a brief presentation on this item.

**John Nohr, Portland Fire Bureau:** John north, fire marshal. In october of last year, the building at 9236 southeast hawthorne was inspected --

**Leonard:** Woodstock.

**Nohr:** Woodstock. Was given a temporary occupancy permit for the lower business only. This is a business on the first floor, new construction, business on the first floor, apartments on the second floor with a center hallway downstairs to the outside or by elevators. Subsequently occupants were allowed to move into the upstairs apartments. There was no permit given for that. On january 2<sup>nd</sup> of this year, one inspector went out and found people living in that area, also found that the smoke alarm system, smoke detector system was no longer being monitored. The building owner had no, sir paid their bill, so the monitoring company had stopped monitoring. I have photos of smoke detectors that have been covered up and fire alarm enunciators, the loud bells and alarms have been taped over. One of the sprinkler pipes was broken because of the snow and ice events that happened last year. Center hallway apartment buildings present one of the highest risks to occupants because everybody must exit out to a center hallway. If somebody leaves a door open, everyone is exposed to heat and combustion. The fire marshal has the authority to vacate a building, but there is one provision that, if you displace low-income individuals, council has to approve it. Boeing a holiday weekend, I didn't think it proo kept -- prudent to put them on the streets. We ordered a third-party fire watch on the building. On the 5<sup>th</sup>, there was violation of the permit. We've made numerous attempts to contact the building owner through certified and first-class mail. It's a bit of a shell game as to who owns this building. Of the six letters we sent out, four have come back returned, and so here we are today requesting a lien for nonpayment of the third-party fire watch.

**Adams:** Questions from council?

**Saltzman:** Just for my edification, a fire watch is what it sounds like? Watching?

**Nohr:** Somebody awake, alert, on duty for the full 24 hours. Not the same somebody but somebody is around the clock who is capable of recognizing an emergency. Any other council discussion? Anyone in the room who wishes to testify on 496? Karla, please call the roll on 496.

**Saltzman:** Aye.

**Leonard:** Thank you, both, for your continuing vigilance and watching out for stuff like this. It's very important work. Aye.

**Fritz:** I learned a lot on a previous lien we had a month or so ago. I love your common sense approach to not evicting people on a holiday weekend in that ice storm. It was obviously necessary to protect their safety even though we were letting them stay in an illegal residence. Thank you very much for your work. Aye.

**Adams:** 496 is approved, and we are adjourned for this week.

At 12:02 p.m., Council adjourned.

**April 22, 2009**