



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **29TH DAY OF JULY, 2009** AT 9:30 A.M.

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

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

On a Y-5 roll call, the Consent Agenda was adopted.

COMMUNICATIONS	Disposition:
1034 Request of Daniella Dennenberg to address Council regarding single-use plastic bags (Communication)	PLACED ON FILE
1035 Request of Pete Stauffer to address Council regarding single-use plastic bags (Communication)	PLACED ON FILE
1036 Request of Nastassja Pace to address Council regarding single-use plastic bags (Communication)	PLACED ON FILE
1037 Request of Jasun Wurster to address Council regarding Mayor Adams (Communication)	PLACED ON FILE
1038 Request of Ivan Zorman to address Council regarding discrimination towards the transgender community (Communication)	PLACED ON FILE
TIME CERTAINS	
1039 TIME CERTAIN: 9:30 AM – Accept Right Brain Initiative Progress Report (Report introduced by Mayor Adams) (Y-5)	ACCEPTED
1040 TIME CERTAIN: 10:00 AM – Approve the designation of twelve trees as Portland Heritage Trees (Ordinance introduced by Commissioner Fish)	PASSED TO SECOND READING AUGUST 5, 2009 AT 9:30 AM
CONSENT AGENDA – NO DISCUSSION	

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<p>1041 Establish the City of Portland Fair Contracting Forum to support and promote accountable, transparent, fair, effective and efficient contracting practices (Resolution introduced by Mayor Adams and Commissioner Leonard) (Y-5)</p>	<p align="center">36718</p>
<p align="center">Mayor Sam Adams</p>	
<p>1042 Appoint Bill Dayton to the Portland Utility Review Board, Local Business representative, for a term to expire July 31, 2011 (Report) (Y-5)</p>	<p align="center">CONFIRMED</p>
<p align="center">Bureau of Planning & Sustainability</p>	
<p>*1043 Authorize agreements with Shorebank Enterprise Cascadia, NW Natural and Portland General Electric for on-utility-bill repayment of loan payments under Clean Energy Works Portland (Ordinance) (Y-5)</p>	<p align="center">183037</p>
<p>1044 Accept a grant in the amount of \$13,070 from the State of Oregon Department of Environmental Quality and authorize a grant agreement with Skyline School to support, promote and expand existing conservation efforts at the school (Second Reading Agenda 1001) (Y-5)</p>	<p align="center">183038</p>
<p align="center">Bureau of Transportation</p>	
<p>*1045 Grant revocable permit to Bridgeport Brewing Company to close NW 13th Ave between NW Marshall St and NW Northrup St from noon until 11:00 p.m. on August 15, 2009 (Ordinance) (Y-5)</p>	<p align="center">183039</p>
<p>*1046 Designate certain City of Portland property as right-of-way and transfer management responsibility of said property at NW corner of N Greeley Ave and N Going St from Portland Parks and Recreation to the Bureau of Transportation (Ordinance) (Y-5)</p>	<p align="center">183040</p>
<p>1047 Authorize an Intergovernmental Agreement with Metro and accept \$300,000 to administer the SmartTrips Portland individualized marketing project along the MAX Green Line (Ordinance)</p>	<p align="center">PASSED TO SECOND READING AUGUST 5, 2009 AT 9:30 AM</p>
<p>1048 Grant revocable permit to Jake's Famous Crawfish to close SW Stark St between SW 12th Ave and SW 13th Ave from 6:00 a.m. until midnight on August 23, 2009 (Second Reading Agenda 1003) (Y-5)</p>	<p align="center">183041</p>
<p align="center">Office of Management and Finance – Business Operations</p>	
<p>1049 Authorize contract with Sargent Designworks / Architecture + Interiors, Inc. for \$168,200 to provide consultant services for Stanton Yard Fuel Facility (Ordinance)</p>	<p align="center">PASSED TO SECOND READING AUGUST 5, 2009 AT 9:30 AM</p>
<p align="center">Office of Management and Finance – Purchases</p>	

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<p>*1050 Authorize an Intergovernmental Agreement with Clark Regional Emergency Services Agency to allocate \$115,000 of Public Safety Interoperable Communications grant funds for the Regional Radio Replacement Project (Ordinance)</p> <p>(Y-5)</p>	<p>183042</p>
<p>Office of Management and Finance – Revenue</p>	
<p>*1051 Authorize Intergovernmental Agreement with Multnomah County for the Revenue Bureau to continue to administer the Multnomah County Personal Income Tax (Ordinance)</p> <p>(Y-5)</p>	<p>183043</p>
<p>Commissioner Dan Saltzman Position No. 3</p> <p>Bureau of Police</p>	
<p>*1052 Authorize settlement between the Portland Police Association, Christina Nelson and the City of Portland through its Portland Police Bureau regarding employment claims (Ordinance)</p> <p>(Y-5)</p>	<p>183044</p>
<p>Commissioner Randy Leonard Position No. 4</p>	
<p>1053 Authorize City Attorney to appeal an order issued by the Employment Relations Board in Portland Firefighters' Association, Local 43, IAFF v. City of Portland, UP-14-07 (Resolution)</p> <p>(Y-5)</p>	<p>36719</p>
<p>Bureau of Water</p>	
<p>1054 Authorize an Intergovernmental Agreement with Multnomah County Department of Community Justice to conduct general heavy brushing work and provide for payment (Ordinance)</p>	<p>PASSED TO SECOND READING AUGUST 5, 2009 AT 9:30 AM</p>
<p>1055 Authorize a Net Metering Agreement with PacifiCorp, dba Pacific Power, for the Portland Water Bureau Meter Shop Solar Energy System (Second Reading Agenda 1010)</p> <p>(Y-5)</p>	<p>183045</p>
<p>Commissioner Amanda Fritz Position No. 1</p> <p>Office of Cable Communications and Franchise Management</p>	
<p>*1056 Consent to franchise transfer from Chevron Pipe Line Company to Kinder Morgan Cochin LLC (Ordinance)</p> <p>(Y-5)</p>	<p>183046</p>

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<p>1057 Authorize modification in the manner of performance of Comcast provision of FM radio signals in West Portland franchise area (Second Reading Agenda 1013) (Y-5)</p>	<p>183047</p>
<p>Commissioner Nick Fish Position No. 2</p> <p>Portland Housing Bureau</p> <p>*1058 Authorize subrecipient contracts totaling \$9,669,648 for services in furtherance of the goals of the Portland Housing Bureau through the 10-Year Plan to End Homelessness and provide for payment (Ordinance) (Y-5)</p>	
<p style="text-align: center;">Portland Parks & Recreation</p> <p>1059 Accept a grant from Multnomah County in the amount of \$234,255 for operation of an integration program for senior citizens who have developmental disabilities (Second Reading Agenda 1015) (Y-5)</p>	<p>183049</p>
<p>REGULAR AGENDA</p> <p>Mayor Sam Adams</p> <p>Bureau of Planning & Sustainability</p> <p>1060 Adopt and implement the Hayden Island Plan and amend Comprehensive Plan Map (Second Reading Agenda 1000) Continued to July 29, 2009 at 2:00 p.m.</p>	
<p style="text-align: center;">Bureau of Transportation</p> <p>*1061 Amend contract with the Portland Streetcar, Inc. for Portland Streetcar Operations Assistance Services (Ordinance; amend Contract No. 33325) Continued to July 29, 2009 at 2:00 p.m. (Y-4)</p>	<p>183053</p>
<p>*1062 Amend contract with Tri-County Metropolitan Transportation District of Oregon to fund the operation and maintenance of the Portland Streetcar system (Ordinance; amend Contract No. 51529) Continued to July 29, 2009 at 2:00 p.m. (Y-4)</p>	<p>183054</p>
<p>*1063 Amend contract with the Tri-County Metropolitan Transportation District of Oregon for certain contract employees to work for Portland Streetcar (Ordinance; amend Contract No. 51530) Continued to July 29, 2009 at 2:00 p.m. (Y-4)</p>	<p>183055</p>

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<p>*1064 Amend contract with the Tri-County Metropolitan Transportation District of Oregon to provide other services as needed by the City for the operation and maintenance of the Portland Streetcar (Ordinance; amend Contract No. 51545)</p> <p>Continued to July 29, 2009 at 2:00 p.m.</p> <p>(Y-4)</p>	<p align="center">183056</p>
<p>1065 Accept a grant agreement in the amount of \$1,639,677 from the Oregon Department of Transportation for the US 26 Adaptive Signal System project to optimize traffic signal timing along US 26, from SE Milwaukie Ave to SE 52nd Ave (Ordinance)</p> <p>Continued to July 29, 2009 at 2:00 p.m.</p>	<p align="center">PASSED TO SECOND READING AUGUST 5, 2009 AT 9:30 AM</p>
<p align="center">Office of Management and Finance – Business Operations</p>	
<p>*1066 Pay claim of Randall Cooley (Ordinance)</p> <p>Continued to July 29, 2009 at 2:00 p.m.</p>	<p align="center">CONTINUED TO AUGUST 5, 2009 AT 9:30 AM TIME CERTAIN</p>
<p align="center">Office of Management and Finance – Financial Services</p>	
<p>1067 Authorize revenue bonds for renovations and improvements to PGE Park (Ordinance)</p> <p>Continued to July 29, 2009 at 2:00 p.m.</p>	<p align="center">PASSED TO SECOND READING AUGUST 5, 2009 AT 9:30 AM</p>
<p align="center">Office of Management and Finance – Purchases</p>	
<p>1068 Accept bid of R&R General Contractors, Inc. for the N. Denver Avenue Improvements Project for \$1,195,629 (Purchasing Report - Bid No. 110668)</p> <p>Continued to July 29, 2009 at 2:00 p.m.</p> <p>Motion to accept the Report: Moved by Commissioner Leonard and seconded by Commissioner Fish.</p> <p>(Y-3; Adams recused)</p>	<p align="center">ACCEPTED PREPARE CONTRACT</p>
<p>*1069 Authorize a contract for \$768,740 with iXP Corporation for Radio System Planning Project consulting services (Ordinance)</p> <p>Continued to July 29, 2009 at 2:00 p.m.</p> <p>(Y-4)</p>	<p align="center">183050</p>
<p align="center">Commissioner Dan Saltzman Position No. 3</p> <p align="center">Bureau of Environmental Services</p>	
<p>1070 Authorize contract with Brown and Caldwell for professional engineering services for the Columbia Boulevard Wastewater Treatment Plant Solids Lagoon Reconstruction Update Project No. E09184 (Ordinance)</p> <p>Continued to July 29, 2009 at 2:00 p.m.</p>	<p align="center">PASSED TO SECOND READING AUGUST 5, 2009 AT 9:30 AM</p>

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**Commissioner Randy Leonard
Position No. 4**

1071 Direct the Water Bureau to continue to seek administrative and conventional compliance solutions for compliance with the Long Term 2 Enhanced Surface Water Treatment Rule (Resolution)

Motion to amend Resolution to change language from filtration to ultra-violet treatment: Moved by Commissioner Leonard and seconded by Commissioner Fish. (Y-5)

Motion to add resolved section to create binding City policy that land and infrastructure owned by the Portland Water Bureau integral to the delivery of water shall not be transferred to or operated by any private entity or any public entity other than the City of Portland: Moved by Commissioner Leonard and seconded by Commissioner Fritz. (Y-5)

(Y-5)

36720
AS AMENDED

**Commissioner Nick Fish
Position No. 2**

Portland Housing Bureau

***1072** Authorize subrecipient contract with Portland Development Commission in the amount of \$6,288,325 for affordable rental housing development and provide for payment (Ordinance)

Continued to July 29, 2009 at 2:00 p.m.

(Y-4)

183051

***1073** Authorize Intergovernmental Agreement between Portland Development Commission and the Portland Housing Bureau for housing coordination and transition (Ordinance)

Continued to July 29, 2009 at 2:00 p.m.

(Y-4)

183052

Portland Parks & Recreation

1074 Authorize Intergovernmental Agreement with Metro for ongoing Parks & Recreation management of Metro-acquired natural area properties (Second Reading Agenda 1028)

Continued to July 29, 2009 at 2:00 p.m.

(Y-4)

183057

At 1:14 p.m. Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **29TH DAY OF JULY, 2009** AT 2:00 P.M.

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

Mayor Adams left at 4:03 p.m.

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

<p>1075 TIME CERTAIN: 2:00 PM – Direct Bureau of Transportation to implement the Spokane Bicycle Boulevard and clarify process for implementation of new bicycle boulevards throughout Portland (Resolution introduced by Mayor Adams)</p> <p>(Y-4)</p>	<p>Disposition:</p> <p>36721</p>
<p>1076 TIME CERTAIN: 2:30 PM – Native American Youth and Family Center (Presentation introduced by Commissioner Fritz)</p>	<p>PLACED ON FILE</p>

At 4:06 p.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

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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.

JULY 29, 2009 9:30 AM

Adams: Good morning. Welcome to the Portland city council. We're glad that you're here. We have special guests that i'd like to introduce. Who is going to be speaking today? Why don't you come on up. And they have been working hard at looking over our draft climate action plan that has been out for public comments for the past couple of months, almost three months, and includes eight town halls throughout the city, and I know we have asked you to dig into it and give us your thoughts. And we're pleased that you're here and looking forward to what you have to say. Introduce yourself and then the floor is yours.

Justice Simpson: I'm justice simpson, senior at grant high school.

Brittney Brown: Brittany brown, junior at david douglas high school.

Adams: Go ahead.

Simpson: In order to achieve the goals of Portland's climate action plan, I think we need to teach to our young people, starting particularly in elementary school, what exactly climate change is and how it is going to affect them in the future and what changes are needed to be made. I think they need to understand that climate change is an urgent global challenge and also a dynamic responsibility that has unfortunately come upon us. The sixth objective of Portland's action plan is community engagement, and I think if we can implement that into the school's curriculum and also things like the social networks, social network sites that we use a lot, we can develop a citywide movement that can develop and flourish. I know a lot of people who know what climate change is, but it still never crosses their mind. And I will be honest with you myself. I always leave the lights on in my room. So, I think if we can -- our young students, that the little things that we can do to save our planet will become social norms for everyone in our society. The future is now, and it is in our hands and it is in your hands, too. And I also want to thank you guys for allowing us to speak with you today. We really appreciate this. Thank you very much.

Adams: Very well said. Thank you for your testimony.

Brown: We are told time and time again that we are the future, and knowing that, I would like to take part in the process of accomplishing this climate goal by expressing to you how important it is to be -- with the climate action plan in mind and everybody taking part to help the plan be accomplished, I believe we will accomplish our goals. And I believe you will see what you know as your youth turn into successful adults. With that said, I would like -- with that said, I really wish you would take action now in order to save our future.

Adams: Very well said both of you. Thank you very much for your testimony. And I hope that you will stay on this issue as we move from draft overarching strategy into implementation and really appreciate it. Well done today. Give them a round of applause. [applause]

Adams: Anyone else? All right. The city council officially comes to order today, wednesday, 9:30 a.m. Our morning session on july 29th, 2009. Karla, would you please call the roll. [roll call].

Adams: Can you please read the title for communication council calendar item 1034.

Item 1034.

Adams: Another key issue under climate change, consumerism, all kinds of issues. Good morning. Welcome to city council. Glad you're here.

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Daniella Dennenberg: Thank you so much. City commissioners, I'm Daniella Dennenberg, leave no plastic behind surf rider foundation and bag-to-bag coalition. Banning single-use plastic bags within the city of Portland. This issue might seem really insignificant and small in the scheme of the many issues that you address on a daily basis, and yet it is a big picture issue that I believe reflects the interconnection between so many other important issues, like marine debris, use of fossil fuels, consumer choice, municipal waste to name a few. And this I believe is also an issue where we have a choice to do the most good and the least harm, and I'd like you to all ponder that for a moment what that would look like to do the most good and least harm in this community, and I think it is a really wonderful guiding principle. Just on my way here, I spotted a plastic bag right down on 3rd and Alder going into a storm drain, and I looked at it and for a moment I thought I don't have time to pick that up. I thought, oh, my goodness, this is the issue that I'm addressing, one of the many issues I'm addressing in my personal life, and I bent down and picked it up. I realize this cliché of addressing choice and making choices on a daily basis, and that to me is a matter of choice and every moment we have a decision to make, and the same holds true, I believe, for all of us. So, I believe a ban that we are requesting is just one part of fixing or addressing this issue, and that's why I believe that education is so crucial. I spent eight years as a human educator, teaching young people about global, ethical issues, and I believe that once education is coupled with providing sustainable choices and critical thinking, which I believe are all tied into this very issue, the power that I witness in those young people to choose differently, like the young people we just saw presenting is extraordinary. Today I want to voice my support for the mayor's task force, emphasis on educating the public and teaching the public on this issue. Thank you very much.

Adams: Thank you for your testimony. Appreciate it. Can we please read the title for council communications number 1035?

Item 1035.

Adams: Good morning.

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

Adams: Welcome to city council.

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

Adams: First and last name and you have three minutes.

Pete Stauffer: My name is Pete Stauffer, and I'm a resident of Southeast Portland, Portland chapter of -- focused on protecting our oceans, coasts and watersheds, and I'm here this morning like the previous speaker to ask for your leadership in passing a ban on single-use plastic bags in Portland. I make this request on behalf of our 400 members in the Portland area, and also the bag the bag coalition in Portland, which currently includes over 40 different local businesses, conservation groups, and neighborhood associations, and is growing every week. As many of you know, single use plastic bags impose an unbelievable impact to our environment. Only about 5% of them get recycled, and so that means the rest end up in landfills, in the streets of our city, and they end up in the natural environment where they literally choke wildlife populations and our ocean's ecosystems. It is unsustainable for a product designed to last hundreds of thousands of years to be used an hour or so. We have an alternative, which is reusable bags. They not only help protect the environment, but they save money for the retailer and the consumer. That is a big reason why you see retailers, like Fred Meyer, New Seasons and others being so proactive in promoting the use of reusable bags. We want to applaud the efforts of those businesses. We want to thank Mayor Sam Adams for your support and leadership on this issue. Surf Rider is an active participant on the reusable bag task force. It itself however is not sufficient. We need a policy to complement that that will effectively shift consumer behavior. As a volunteer organization, we have been working hard for about two years trying to build understanding and support for such a policy in Portland. Right after me, Pace who is also with our Portland chapter, will tell more about outreach efforts,

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including bag giveaways and things like that and we have a number of petitions that we have presented, over 2,700 collected by citizens around the city and we have given those to Karla, the council clerk for your inspection, and did provide a letter signed by 43 local businesses, conservation groups, and neighborhood associations, a copy for each of you. The bottom line is we think we have a terrific opportunity here to position Portland as one of the most sustainable cities in the country, and we're here to let you know that there is a growing citizen-base movement in support of that. So thank you.

Adams: Thank you very much for your testimony. Appreciate it. Karla, can you read the title for council communications item number 1036.

Item 1036.

Adams: Welcome to city council. Glad that you're here.

Nastassja Pace: Good morning members of the city commission. My name is nastassja pace, i'm also a resident of southeast Portland and i'm here on behalf of the Portland chapter surf rider foundation and -- i'm here to ask for your support in the banning of single-use plastic bags in Portland. Members and volunteers of this Portland chapter understand that for this ban to be put into place effectively there must be community outreach, education, and partnership building. Our goal is to not only advocate for policy, but as our grass roots organization, we are blessed to have many volunteers that are dedicated to building our coalition educating our message and gaining understanding and support. The three main ways in which we do this are by holding outreach, educational events or by gaining partnerships with organizations, groups, and companies, and by tabling and canvassing. Earlier this year to celebrate earth day, team and the surf rider -- researchers from california's marine foundation spoke on behalf of plastics. There was a large turnout and it was really successful. We have partnered with several businesses to display our campaign's educational information and to promote reusable bags. A successful example of this is at the patagonia store in the eco-trust building. We have one on display there. We have partnered with the northeast coalition of neighborhoods. Several reusable bag give-away opportunities. We donated hundreds of reusable ban the bag bags that have gone to the neighborhood association operation outreach program, good and the neighborhood festival in northeast and the diversity fest in sellwood. Volunteers have been tabling for all of two years now raising awareness on the campaign, gaining support at local concerts, grocery stores, other community events. Future efforts include sunday parkways on august 16th, and the southeast Portland farmer's market on august 20th, and as a volunteer present at most of these events and organized these efforts, I would just have to say there has been a really positive community -- positive response from the community, and Portlanders seem to pride themselves on living in this green city and they want to keep it that way and I think they're ready to ban the bag. Thank you.

Adams: Thank you for your testimony. Appreciate it very much. Karla, please read the title for council communication item 1037.

Item 1037.

Adams: Welcome to the city council.

Jasun Wurster: Thank you members of the city council and the citizens of Portland for this opportunity to speak today. My name is jasun wurster. I am the chief petitioner for the community to recall sam Adams. We as citizens are living in the most incredible city in the world and yet we're at the most important crossroads we can find ourselves in Portland's democratic history. Do we allow political apathy to dictate our future or do we decide that we are the ones who will stand up for a government that serves the community that values integrity, honesty, and transparency. You five represent us. And I do know Portlanders are intelligent, progressive, and inclusive and they want a leader who respects their ability to make good decisions. They want to trust the information they receive from their leaders and know it's true. I also know the line all politicians lie does not have credence with the citizens of Portland. We love our home town. I have heard from many city

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employees that are afraid to sign on their own time the recall petition or even volunteer. And also I am deeply concerned that the signing sites we have in small businesses throughout our city are reporting people coming in, falsely claiming that they are from the recall -- from the recall campaign to pick up signed petitions. Let's just stop that. All right. Randy, please stop being sam's mouthpiece. It is not your job. I really do not want to involve state elections on this. Sam, just resign. Do you really need to put our community through this? And how many more news outlets, civic and business leaders need to call for your resignation or support our recall. Nick, dan, amanda, you were elected as leaders to listen to us, not to decide for us with your silence. So now that we know what we know, thanks to many in our community who sought the truth, courageous to speak and just want government they can trust, let us all decide, free from deception and negative campaigning, the government that we want. I ask for your support for our right by visiting recallsamAdams.com, or calling 503-799-7919 to sign the petition, volunteer to collect signatures, help in our new campaign office, donate because together we will make our government better. Thank you. [applause]

*****: Yes, sir.

Leonard: Since you mentioned my name, we don't normally respond, but I appreciate you and your background, and I appreciate the things I have read that you hold out as goals. I respect you.

Wurster: And I respect you as well, sir.

Leonard: This is my turn to talk.

Wurster: Yes, sir.

Leonard: I'm not sam's mouthpiece. I'm not known to be anyone's mouthpiece. I have my hands full controlling my own mouth and my own brain, and I want to assure you of that. So when I talk about this, and I don't want to get spiritual on you, and i'm not a regular church-goer, but my grandmother was. My grandmother started the church of spirituality that exists in salem, and her blood flows through my veins. She very much lived by the parable, and taught me -- which I try to remember every day -- judge not lest -- I don't think publicly on this council or any elected official has been more publicly critical of what sam did to the public and I have made it clear what he did to me. Sam asked me for his forgiveness, and I gave that to him. I believe sam in his heart to be an honorable, hard-working, and good man. I would never open my mouth to say anything in his defense, and I recognize Portlanders will weigh in on this. But I hope you don't misunderstand anything that I say as being something that sam has scripted for me or his consultants have scripted for me. They're things I say from my heart. I believe in sam. I believe he is good for this city. I believe this city needs him, and to the point that that continues, I will say that. To the point that I actually believe that he would not be good for this city, I will say that. So, I hope we can respect one another without questioning each other's motives, which I intend to do, be very vocal as part of this entire effort about my perspectives. I work with sam. He's a colleague, and he's also a dear friend. And I don't have friends that lie and I don't have friends that cheat and I don't have friends that steal. I don't have any friends that haven't stretched the bounds of my friendship with them at one time or another, and sam has certainly done that, but I forgive him for that and I think most Portlanders in the end will do the same. Thank you.

*****: Thank you. And I -- [applause]

Wurster: And if I might just say, that is exactly what the recall is asking for is for Portlanders to be able to have that opportunity, but also city employees are fearful to sign a petition, and I need your leadership to let your employees know that in their off time, there will be no political ramification for trying to give us the opportunity to come to the conclusion that you have come to commissioner, Leonard.

Adams: Thank you very much for your testimony.

Wurster: Thank you, sir.

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Adams: Please read the title for council communication 1038.

Item 1038.

Adams: Ivan. All right. Maybe Ivan will show up a little later. This gets us to the time certain at 9:30. We're running a half hour late.

Moore-Love: Consent agenda first?

Adams: Before we do the time certain, we will do the consent agenda, which begins on page one of our agenda today. Is there anyone that wishes to call any -- pull any items from the consent agenda? I don't have any noted. All right. Karla, would you please call the roll on the consent agenda. [roll call]

Adams: Consent agenda is approved. That gets us to the 9:30 time certain. Karla, could you please read the title for the 9:30 time certain council calendar item.

Item 1039.

Adams: I've got work to do here, don't I? Could our invited speakers come up. Council calendar item 1039, and recommend its adoption of right brain initiative progress report. This is a city council partnership project, and I want to acknowledge the importance of this effort. This city council began investing in the right brain initiative a couple of years ago, and we are beginning to see real results. Opportunity provided with the -- arts activity at some of our elementary schools. Only arts activity, unfortunately, many of our students receive at many of our elementary schools.

The reputation of the Portland metropolitan area as a creative community is growing. It's ironic at that same time that creative learning opportunities for our young people are not keeping pace. We know that not only does arts education offer students the opportunity to express themselves creatively, but it has also been linked to higher academic performance and lower dropout rates. Public opinion research over the years reveals that the value placed on arts education by the community is higher than the level at which we fund it. The city's partnership in the right brain initiative is powerful because it addresses the regional need for arts education. We are a partner in a regional effort throughout the tri-county area. Eventful first year for the on the ground work program, development of it, to the first end of the year showcase of student work and art. Early indications show that both students and artists and teachers are discovering the ways of working together to address the student needs and today we will have a progress report. It is my pleasure to turn it over to this great group in front of us, whose backed up as well by the regional arts and cultural council, and I know you give so much of your time and effort and passion to this and just up front I want to say how much having watched your work, how much it has inspired me. Thank you for being here today. Who would like to go first?

Carol Smith: I will be happy to. I'm Carol Smith. I chair the governing committee for the right brain initiative. And thank you for giving us time to be on your agenda today. You received a copy of our very first progress report, and what we want to do is share with you some of the high points of that report and look at some of the student work that has resulted from that collaboration with teachers and artists. Incidentally, phasing through your computers now, you will see some of the branding work done by the right brain initiative, and these were created by human right brains ages five through 50. As Mayor Adams commented, since this is sometimes in many classrooms the only arts education opportunity for kids, it is important as we were developing our vision and purpose that we think about the responsibility that that really entailed, and as a result, this statement has really guided the design of the program. It emerged from an amazing number of community conversations across the tri-county area and also through focus meetings and interviews with schools, district leaders, artists, art organizations across the tri-county area as well. For me as a former arts educator and school administrator, one of the key components in terms of the goals had to deal with equity. All students we hope will have access to quality experiences and multiple forms of art education. Integration being a key component. For me the word integration is built on the word integrity, which means that it honors not only the core

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curriculum items but the additional core curriculum of the arts. Having teachers, artists, art specialists and other members of the school community working together is our goal. We want students to know how to create, perform, exhibit works of art, not only their own work, but work created by others as well. Because this is an integrated effort, written and oral expression, is one way that we're hoping to impact the education of the students through using arts as a vehicle of support for that literacy. I think it was mentioned earlier about the importance of the community, as a community-wide effort, it was important that we saw partnerships as a fundamental to making the right brain initiative a success. The nature of right brain is evident in our fundraising efforts. We appreciate very much the city of Portland who led the way with us in our 2007, initial investment in our planning efforts which were very extensive. 2008, 2009, significant and continued support leveraged -- leveraging is really important -- additional public and new private sector contributions. 54% of our funds came from public sources. School districts contribution of \$15 per student provides funds for direct services to students by artists and 46% of our funding comes from the private sector. We additionally so much appreciate your continued and increased contribution of \$200,000 for this fiscal year. I think the governance of our organization and our effort is another example of how we value the partnership. As you can see, the right brain initiative rack is the managing partner with fiscal and legal oversight for the projects appointed by the board is the right brain governing committee, and we oversee the program, its development, fundraising, and heavily involved in the advocacy, of course. We have an advisory council which is a broad-based community representation giving input to the governing committee. The program staff works to glue all of this together, connecting the leadership committees with our operating partners. Those operating partners include an evaluation of professional development and implementation partner. Dr. Denny palmer wolf is our evaluation partner. She is a principal researcher with wolf brown, affiliated with harvard and brown university, project zero, unbelievable talent that has given us much wisdom as we have moved forward. In our professional development, teachers and artists trained to really work together. Work and play well together, I might add. Deb we know well from her leadership in arts education in -- a leader in arts education through the kennedy center. We have an unbelievable number of community volunteers, over 1,000 hours of volunteer hours in the past year. You can see in our partnership that we are tri-county. We're involved in four school districts, lots of schools, lots of arts and organizations, but more importantly, the focus of it is over 9,000 students. We want to see this grow and include every child k-8 in the tri-county area. Currently in our pilot year, we had four school districts participate. One of our key participants, of course, was Portland public schools. You can see that really Portland public, we really tried to reach out to all corners of the city. Over 3,000 students being served in the Portland public school district. I would like to invite our project director to tell you a little bit more. Thank you so much.

Marna Stalcup: Thank you, carol. Thank you. Beginning of the year with our evaluation partner, denny palmer wolf to see what teachers were thinking about this, and re-enforced our focus on literacy is really key and very appropriate. We heard from superintendents early on in the year that this is the direction they wanted to go. The survey of teachers verified that. Some of the data from that survey indicates that 63% of the teachers surveyed cover all academic subject areas and 26% are reading or literacy specialists. The majority of the teachers responding have this area of responsibility in their work. In addition, teachers told us they value the arts. High level of interest in the arts, indicated by their own participation or support of family members who are engaged in the arts. But also that their preparation for arts integration was lacking. That preparation would have maybe been informal and not high-level college course work that would prepare them for this work. Not surprisingly then, they told us also that high-quality professional development experience to support this work in arts integration was their top priority. We have done that. We have had as a major part of what we are doing in our work, professional development, we hold

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sessions in the fall and winter with teachers and artists and the year ended with a fantastic three-day summer institute, and it was really valuable for all of them. This diagram demonstrates visually what it is we are looking to do, and what much of our professional development has been focused on, understanding of the relationship, arts, literacy -- where they come together is about arts integration. That has been the focus of our work and professional development. We're viewing literacy at this time, enhanced view of literacy, not the traditional, reading, writing, speaking, but other modes that the visual and performing arts bring to the table. Testimony to the work we're doing is really beginning to see the importance of educating the whole child. Now we want to take a quick look at a couple of examples of how this is manifested in the school setting. First want to look at how we structured this. We established school arts planning teams in each school that requires that a principal, specialist, ideally an arts specialist -- they have the opportunity to work with an arts integration facilitator that the initiative assigned to their school to move through these four important pieces, identify learning goals at the school, starting from where the students are. Help them select artist collaborators that make sense for that work, guide them through the co-planning with the artists, and examine the impact on student learning. A specific example from -- Julie Keefe, a photographer well known in our community, Julie was invited to be part of poet -- it occurred in April. Julie became a part of that work with classroom teachers. The work sample that we had is from a second grade classroom. Barbara Iverson is the teacher, this is a pre-writing sample. You can see not a surprising piece of work from a second grader. Fun in the snow, fun to do angels in the snow. Perfect to make snowman, cookies, and that is what winter is. She showed the students how perspective plays out in photography and writing, introducing them to different views and how that changes. One color that they could demonstrate the various perspectives, and arm them with a camera, took them out into the school surroundings, and the students took six photos or chose six photos along the way being taught about metaphors -- they read a classic work of poetry -- following this work, the sample -- you can see the impact on this work and this experience that she had. Greenest bushes to hide behind. Greenest grass to -- green is -- green welcomes people to the front door, green welcomes spring to the earth on our homes.

Adams: Very good.

Stalcup: Yes. Another quick example that we want to demonstrate, the regional nature of this work. We invited a third grade classroom teacher, Abigail Harvey, will talk about the experiences that her students had.

Abigail Harvey: Not exactly the third graders that I'm used to speaking with. Pardon my nerves.

Saltzman: You would be surprised. [laughter]

Harvey: Again, I'm a third grade teacher at Three Orchards elementary school. Last year was our first year open. We were a first year school, Title One, high poverty, second language being Spanish primarily in our school as well, a lot of pressure to teach the basics and meet standards with our testing results in the spring. I will be honest with you, speaking with these ladies this morning, and they're asking me for my experience, not only was I part of the Right Brain initiative committee in our building and having the opportunity to attend seminars put on by the Right Brain initiative, but a teacher in the classroom who is concerned about meeting those standards and who sees yet another thing added to our plate when we're already under so much pressure to meet the numbers that are being driven home to us constantly. However, the Right Brain initiative worked side by side with us and worked hard along with the artist in our building to help us integrate literacy into the arts that we were doing and helped us see that through the art that we were doing and the reading and writing that we're already doing in our classrooms, we could integrate the art activities expected from this whole initiative and asked of us. Amazing opportunity for our students to get hands on in different levels. Not all students in the -- in our building were able to

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touch the clay and be a part of the end result of handling the clay that went into our mural that now hangs in our entrance, but all students had an opportunity to partake in the process at one point or another. Also helped support our goal of having a presentation that was school wide and community-wide to our parents and other community members, volunteers in our school, presented this both spanish and english. Not only writing opportunities, but also performance and artistic opportunities, with hands on sketching, clay, those sorts of things.

Smith: Don't you wish you were in abigail's --

*******:** 2009, 2010, new goals and additional ways we hope to grow and influence our students and our community. We are hoping to grow the number of schools by at least three or four a year.

We want to increase the visibility and further development of right brain web site and social media as a way to reach out into the community. Of course, establishing partnerships, which is one of our guidelines, not just in our local area, but into the national level. We're also growing, increasing corporate individual major donations from gift givers, and establishing really a grass-roots campaign around that effort. We are wanting to build on our first year baseline data to again continue to document the progress. As a former school principal, that is one of the things that is really important to me to see that we are truly making a difference in the educational outcome amongst our students, and I think this is a pattern that is going to prove very, very impactful and we are looking for your continued support and should you be interested, you can meet annie and her puppet mr. Cake with his big pink brain on our youtube. Search the right brain initiative and meet -- initiative and meet mr. Cake. You will love it.

*******:** I don't know if there are any questions.

Adams: What's been the amount of planning that went in this up front, based on that planning, what has been the biggest surprise, the challenging side of the ledger, the challenge you had not anticipated, or the biggest positive that you had not anticipated up front in the planning?

Smith I think the answer could be both. And that is initially this was sort of a frightening agenda that came forward in this community. Nervousness on the part of artists and organizations, funding, for example. Why do we need to do this? We're already doing great programs. There was nervousness around it, and as abigail mentioned on the school side, we're doing so much, how can we do more? Bringing those two stakeholders together, artists and teachers, beginning to understand the power of this and how this work is different and supporting what they already do and taking it further, I think we gained some real supporters and friends across the board.

Adams: Can you turn the video back on? Anybody else?

Saltzman: I have a question. This sounds great. I'm trying to understand. I was visiting elementary schools in the spring. Woodlawn -- not woodlawn, but glencoe, whitman -- I saw they were on your schools. Is the right brain initiative and the artists in residence program the same thing?

Smith: Young audiences. They do many, many residencies to support those in the community and other arts organizations provide residencies.

Saltzman: Artist there who is helping kids --

Smith: We do --

*******:** Held up tiles --

Smith: The school identifies who that artist is that will go in. We are trying to take beyond a traditional residency model and extend the learning over time. The school that -- would identify the artist based on the learning goals that they have for their school. Who makes the most sense, help us achieve this. Who they work with and what that work results with. They both collect documentation of student work.

Saltzman: You help identify the artists.

Stalcup: Yes, an arts integration facilitators that coaches the schools through the process, both on the artist's side and the school's side to begin to see that as one view and one experience.

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*****: Thanks.

Smith: Just to add a little comment there, if I might, too. I talked recently, in fact this morning, with one of the artists who has done a traditional type residency versus a right brain initiative residency, and one of the comments there, if I might paraphrase her thinking, the right brain is so infused with working with administrators and working with teachers, there is this collaborative yes, we're all going to do this, versus so often, not always the case, but so often how the school arts performer for ten years as well, you know, you would come into a school and you are cold turkey, come in, do it, and leave. But this total buy in by the administrative, school districts, training for the teachers, and really stress the evaluation component truly makes this unique.

Saltzman: Thank you.

Adams: Thank you all very, very much. Great presentation. Appreciate it. Anybody signed up to testify?

Moore-Love: I believe that is all who signed up.

Adams: Please call the roll.

Saltzman: Thank you for the progress report. It sounds like you have accomplished a lot in a year or two and want to continue to help you do well in hopefully every school district in the region. Aye.

Fritz: I'm impressed with the science of this approach as well as the arts. I have three children who went through Portland public schools. Two more scientists, one after their father, more of an artist. I was impressed how the art helped my scientist son do better in the school year. Markham elementary, our neighborhood school, and I wanted to mention after measure five passed, the year after that was the year my first son started at markham. For ten years I was a parent there. And it was the parents and teachers who kept arts in the schools, the young audiences, very gifted parents who donated a lot of her time, and it was really meaningful. I know that a lot of parents in our society right now are worried about the cuts coming up and it seems like since measure five, we have had such a problem with school funding. I urged those parents to hang in there and do what you can to get through. Applaud you for your help and initiative to make this regional-wide, not just city wide, and it is really important that we continue to do this. It shows the commitment to everyone in our society. Take note of this and realize that our whole society is working together to make sure that our public schools are among the best in the nation. Aye.

Fish: Thank you for an excellent presentation. We have been getting interesting reports recently that take advantage of new technology and creative types -- this one takes the cake. So, thank you. I had the great honor of serving on the Oregon cultural trust, and something that strikes me about your report, you list at page 15 all of the participating organizations, and it is an honor roll of organizations that we also fund at the cultural trust level, but I want to just, you know, note that one of the places at cultural trust funding where you get extra points if you show how the grant to your organization will benefit the local community beyond simply, you know, allowing you to stage a new production or whatever. We give points if you say we're going to take it across the state, across the schools, make it available to people who can't afford access to the arts and the like. I hope our formula enhances what you are doing by creating further incentives for these groups to choose to come into the school and partner with you. To Eloise and everyone at Rak thank you for your leadership and hard work. I have two in public schools, one a rising junior, and one a rising kindergartner. Take us back to the future, and give our children what their father enjoyed, arts part of the curriculum and not some add on. Aye.

Leonard: It is interesting. My art of choice is music. I love a variety of music, from the classics to blues, what I call hard rock'n'roll. When I was a college student, I used to find it was easier for me to study if I listened to classical music, even if it was not my first choice of music. It led me to do some reading about that. A study done a number of decades back that showed that people who studied while listening, not just all classical musical, but -- actually retained information better.

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And they set up as part of that analysis plants near speakers, and they would play rock'n'roll, and the plants would grow away from the speakers, which was disheartening for me. But when they played only baroque classical music, the plants grew towards the speakers. Which I think gives to your efforts that arts not just a form of aesthetic pleasure or necessarily a way for one to relax, it improves how we think and how we learn. And I have read your report. I agree with it very much and appreciate that you have taken this on as a cause, and I will do whatever I need to do to help you do that. Aye.

Adams: Well, as usual, my colleagues have said it far better than I can. I do want to underscore the fact that in tough budget times they continue to fund this program. And that the good, positive encouraging words that you have heard from them today have been backed up with the resources. I want to give them all of the credit on this score because they have got lots and lots of competition for resources. I also very quickly want to thank the contributors, other contributors for '08 and '09, Multnomah county, clackamas county, hillsboro arts and cultural council, p.g. Foundation, u.s. Bank foundation, Oregon foundation, spirit mountain community fund, bank of america, school districts of gresham, barlow, hillsboro, north clackamas, Portland public schools, north creative, Portland center for the performing arts, magerne video media, heathman hotel, and laser -- and from my staff -- thank you all very much. All right. We're going to do the 10:00 time certain. For those of you waiting, unless there is any objection from council, we will hear after the 10:00 time certain, council calendar item 1071, regarding l.t. Two issues, but we're going to first consider and carla please read the title for the 10:00 time certain.

Item 1040.

Adams: Commissioner Fish.

Fish: This was originally scheduled for about a month ago, and because of the dense calendar, it was postponed for today. I have asked the chair of the tree's nominating committee -- the urban forestry commission know that trees add to our livability here in Portland. A range of environmental benefits, cleaning our air and water, reducing home heating and cooling costs -- trees beautify our urban environment, gracing public and private properties with the rich showcase of sizes, shapes, and forms. As recommended by the urban forestry commission, each year city council considers certain trees within the city for a special heritage tree status. This designation is based on the tree's age, size, type, historical association, and horticultural value. That is quite a mouthful. Upon approval, these trees will be added to an existing list of 283 heritage trees which currently represent over 108 different species. Michael mccluskey is before us to recommend that 12 specific trees in Portland be added to this list to those with special heritage tree status, and the recommendations are based on the deliberations of the nominating committee. I would like to thank the rest of the nominating committee spending countless hours researching and refining the list presented before us today. John warner, diana shervy, stephen peacock -- michael, welcome, and the mic is yours.

Michael McCloskey: Thank you, mr. Fish, I appreciate the opportunity to make this presentation to you. This is the product of last year's fieldwork to present to you. We have 12 trees to present to you today at 11 different sites, and they have been approved both by our heritage tree committee and unanimously by the Oregon forestry commission. In looking at the five bases for recommending the trees be added to our system and looking at the set that we have before us, seven of them qualify because of their type, three qualify because of their historical value, two because of their horticultural value, two because of their age, and one because of its size, among other things. In four cases, a new species would be added to our system, and those cases involving types of trees already in our system, the proposed additions compare well with those already in the system. Four of the 11 sites involve native species. Six of the 11 are on public land. Five are on private property, and in those cases, the property owners have approved these proposals and given their consent. In the -- one looks at the distribution of those proposed additions throughout

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the city, seven of them are in southeast Portland. Two are in northeast. One is in northwest. And one is in southwest, and when there are types of trees involved that are already in our system, often in this set these trees that we proposed are new in that part of the city. Now, let's look at the individual trees, if we may. I'll quickly run through a series of slides and offer a few observations about each of them. The ginkgo tree is before you. It is in the back yard of John Miller in southeast Portland, but it can be seen from an adjacent park, and it compares well with the ginkgos now in our system, but it would be the first in this part of Portland. I should have said northeast rather than southeast. Next this camperdown elm is in the front yard of a house owned by William Jones in Ladd's addition in southeast Portland. It is a fine example of this type of tree, and it is important because it can be easily seen by the public. One other example of this type of tree cannot be easily seen by the public close-up only at a distance. Next. These are crape myrtles. We're recommending the southern one and the most northerly of the three be designated as heritage trees. They would be the first of that type in our systems. They are the first two hybrids of their time introduced in Portland from the national arboretum to test their resistance to mildew. Next. This is a yellow bellflower apple tree in the southwest part of the city. It is historically important as well as the first of its type in our system. It is the remnant of an old orchard, and it's very old. It is thought to have originated from a sampling brought across the Oregon trail in 1847 by Lewelling. It is widely recognized by the Orchard Home Society and by the state of Oregon and added to their heritage tree system. Next. This is an osmanthus tree. It was transplanted in the Chinese garden from southeast Portland when the garden was set up. In the corner of the first courtyard, and it originated in China, and it also would be the first of this type in our system. There it was known as the sweet tea tree. I should add that the managers of the garden are enthusiastic about adding this tree to the heritage tree system. Next. This is a dove tree. Located in the Crystal Springs rhododendron garden. It is found near the rest rooms. When in bloom in the spring, it has spectacular -- sometimes it is called the handkerchief tree. This would be the first of this type in southeast Portland. The society which manages the garden supports this designation. Next. This is an incense cedar tree, managed by Metro. Metro has agreed to designating this as heritage tree as well as the other proposals we will make in a moment in the cemetery. Now, we do have other examples of this native tree type in our system, but we're interested in this one because it has a rare form that you see in the left slide, found on the north boundary road.

McCloskey: this is a Douglas fir, in Lone Fir cemetery, the one for which the cemetery was named. The tree is thought to be at least 200 years old, and it is inextricably tied to the history of Portland's pioneer cemetery. It is even marked with a plaque attesting to its provenance. It is on the north end and it is clear historical value.

McCloskey: Big leaf maple, known as the General Lane tree. There is a plaque at its base explaining that the tree was named in Lane's honor. Lane was a general in the Mexican war. Became one of Oregon's first senators and even served as acting governor. Thus the tree is historically important, and it is also old and it is large. Just one other of this tree type in our system, and this is a fine one. Next. This is a Port Orford cedar. It is found on the Reed College campus near the intersection of Southeast Woodstock and Reed College Place. Most northwesterly of three such trees there. Of those it's the one that has the best form and is free of damage and disease. This would be the first of this native tree in our system. It's 77 feet tall. Next. Finally this is an American chestnut. It is on the right of way of a home on Northeast Prescott. It's the most westerly of the two such trees found there. Healthiest of the two. 11 feet in circumference, and it is about 110 years old. We do have two other types of this -- examples of this time of tree in our system, but this would be the first of this type in this sector of the city. I should add for the -- for those of the public that are interested, you can find more about our existing system on the web site. You can google us and there is lots of information there including the location of all existing

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trees. That concludes my presentation. I would be glad to answer any questions that you may have.

Fish: First I want to thank you for your outstanding presentation. Commissioner Saltzman, my predecessor at the parks commission said this was one of his favorite annual presentations and now I know why. I would like to urge people, if you want to get a map that shows where all of the heritage trees are, type in Portlandparks.org, and it automatically connects to Portland online. Click on the nature tab. Click on urban forestry, and then click on heritage trees where you will find a list, a map, and nomination forms for future designations. Thank you, sir.

Adams: Thank you very much for your presentation. Appreciate it. Anyone sign up to testify on this item?

Moore-Love: No one signed up.

Adams: Karla, would you please call the roll on -- oh, it is a nonemergency ordinance. It moves to a second reading next week. Thank you. So done.

Item 1071.

Moore-Love: Direct the water bureau to seek administrative and conventional compliance solutions for compliance with the long term two enhanced surface water treatment rule.

Adams: Thank you.

Leonard: I want to make a couple of comments, and then offer an amendment. Each of us comes to our positions here from different places in life. I come from Portland, born and raised in northeast Portland, went to grant high school, went to grade school first, Portland state, served as an intern in the Oregon legislature in 1975, which expanded my view beyond tiny Portland, and became a firefighter, was lucky and honored to be elected as their president for 12 years. Was honored to be picked by the Multnomah county commission, including my dear friend, dan Saltzman, who was the third vote to serve in the state senate, the Oregon house, and then I have had no higher honor than to serve here on the Portland city council. And I know there are a lot of people who think of politicians, that they make deals and they make payoffs, hire consultants, meet with us in the back rooms, hatch a deal, pop it on the public as though it was our idea. And of course some of those perceptions don't happen out of paranoia. There have been examples of things like that happening. And to a certain degree, i'm not going to defend that prior to my being appointed to commissioner in charge of the water bureau in 2004, that that exact phenomena did not happen. But when I was assigned to the bureau in 2004, one of the things I first did was meet with lloyd jones and scott fernandez and a number of other advocates and listen to the concerns about those kinds of relationships in the water bureau and concluded that many of their concerns about improper relationships and undo influence by consulting firms were correct. As a result, you see sitting before you three managers that were not managers in 2004. I replaced the prior managers with mike stewart, as a chief engineer, david, director of the water bureau, and eddie campbell from a person prior to eddie that I believe acted improperly in representing not just the Portland water bureau, but the city of Portland. There are no managers on the team that existed in 2004 for those reasons. So, I know that doesn't mean a lot to some, because you probably even now, as I say that, thinking, yeah, but -- but I want to tell from my perspective, I have directed the water bureau to use no consultants, specifically ch -- montgomery watson, or any other consultant in making recommendations to me and this council as to what is in the best interest of the water drinkers -- as a result of their, what I will only characterize as stellar, top-notch professional work, looking at a variety of alternatives to comply with an It-2 law that each of us in this room agrees is unfair and that we continue to fight notwithstanding the fight we have had up until now, including filing a lawsuit that cost us over a million dollars, the law firm of which was jointly picked by floyd jones, scott fernandez and two people from the water bureau. Notwithstanding that we spent over a million dollars pursuing a variance that we will continue to spend money to pursue, we find ourselves in this place where if we are to meet the time lines that

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the feds have given us, which is april 1st, 2014, to have online a treatment system, we have to at this point begin planning on designing what that will be in order to be able to design it, site it, and have it up and operating by april 1st, 2014. And that is a time line that is not negotiable. In their wisdom and in their expertise, they decided, they being the staff that you see in front of me, that building a u.v. Plant while complying with It-2 provided no other protection. If we lost the bull run due to catastrophic fire, which happens about every 350 years, and the last one was 400 years ago, a treatment system would allow us to continue drinking the bull run water even if we lost the whole watershed. A u.v. System won't do that. And while people can criticize me a lot about my politics and my way of doing what I do, I don't think anybody has ever criticized me as being a bad vote counter. I know how to count to three. And I don't have three votes to pass a sand filter system. I have prepared an amendment that I am distributing to the council that will recommend that the council approve a u.v. System. Not because it is the first choice, but it does comply with It-2. It provides as I said no other -- we will have to deal with that at the point it becomes an issue. It may not be in our generation, it may be in some other generation, but that will be for them to deal with. The saddest part of me proffering this resolution is that the water bureau's history has been one of a group of men and women who are truly visionaries, and we overuse the word visionary. If none of you have ever taken up my offer to have a guided tour of the bull run, we have purchased a bus that has a bathroom on it, because that was my criteria -- everybody who knows me knows that -- there is a reason why i'm mr. Bathroom in Portland --

Saltzman: What fuel does it run on?

Leonard: Diesel -- you are welcome to go up and see what can only be called a treasure on earth, and not just in Oregon or the u.s., but on earth. It contains stands of timber that began growing 200 years before columbus came to america. It contains the most pristine water you will ever see. And it is truly a marvel. And if there is one part that I regret, that the action that we take today is not consistent with the visionary action of prior leaders of the water bureau to anticipate future needs and do that which may not benefit that generation of what they knew would benefit future generations. But, again, I can count. So, mr. Mayor, I move the amendment

Adams: Is there a second?

Fish: Second.

Adams: Moved and seconded. The amendment just to describe it replaces any mention of sand -- direct filtration facility and changes it to ultraviolet treatment facility. This will be the basis on which we will hear testimony. This is a change for those watching and listening in. Would you please call the roll. [roll call]

Adams: Amendment is approved. Commissioner Leonard.

Leonard: That's the conclusion of my testimony. These gentlemen are here to answer questions. If not, we can open it up to public testimony.

Adams: Discussion from council to water bureau leaders? You will stick around obviously. Thank you very much. How many people have signed up, carla?

*****: Having a lunch break.

*****: Got mad and left. No, she is going to gather --

*****: See, she wanted the sand filter system.

*****: No, she is getting the signature sign up sheet and she will be right back.

Moore-Love: We have about 33 people so far.

Adams: What's that?

Moore-Love: 33 people so far.

Adams: 33 people. Okay. So, if you came to testify for u.v. Treatment, that amendment has been made and that is what is being considered by the city council. Because we have 33 people signed up, you can approach Karla and take your name off the list, if you so choose. If you so not choose, we will listen to your testimony. With 33 people signed up, i'll also, unless an objection

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from council, take chair's prerogative and ask that you limit testimony to two minutes. For those of you who think you need three minutes and insist on three minutes, we will take three minutes. But we found that what can be said in three minutes can be said much better in two minutes. But we will leave that up to your judgment. Karla, please call the first three. Scott fernandez, frank gearhart --

Adams: Good morning. Welcome back to the city council. We're glad that you're here. The clock will be set for two minutes, unless you want three, and scott why don't you start with three. Okay.

Scott Fernandez: I'm scott fernandez, and thank you council for addressing this issue. It has been many years we have been involved with this. I want to thank commissioner Saltzman for the letters that he wrote early on in inquiring about a waiver. I appreciate what the council has done today. But as I have here today, there are many things about ultraviolet radiation that I do not agree with and it is shown scientifically that they do generate chemical disinfection byproducts that are a great concern to me from the public health aspect. We have seen throughout the industry in the united states that ultraviolet radiation is not a stand-alone treatment. There are other treatments that are involved with that, and so that cost has not been incorporated into the final costs that we would be talking about. The concerns that I have of any chemical additions to our water are based on public health. We've seen over the years the weight of evidence that -- not a problem in municipally treated drinking water. There have been no deaths since 1993 -- the other unfiltered water sources, seattle, boston, new york, do have disinfection treatment plants, but those are based on 1990s court orders, agreed orders and consent orders for them to establish a basis for addressing bacteria and other water quality problems that had nothing to do with cryptosporidium. We do not need extra treatment at all.

Fernandez: How much time left?

Adams: You have another minute.

Fernandez: Okay. I do have concerns about the variance that I will be entering into the record for -- the variance is problematic in that it does not identify -- false positive, interference from other microorganisms and other debris in the water. In 2002, the state of california asked for a waiver in their air quality, fewer chemical contaminants in their water. That request languished for eight years, seven years under the bush administration. This january a waiver was requested by the state of california to have fewer chemicals in the air shed and that was granted a month ago by the obama administration. I am asking for the city of Portland to consider doing no additional disinfection and that would give us fewer chemicals in our water.

Adams: And your time is up.

*****: Thank you, scott.

*****: Thank you.

Adams: Sir, welcome.

Franklin Gearhart: Thank you mayor Adams and commissioners. I'm from gresham, Oregon, citizens -- since 1986. Thank you for allowing me to express my opinions to be entered into the record. We are proposing a resolution, 1071, giving the Portland water bureau the green light to proceed with the filtration for the bull run for these reasons. Number one, the water bureau has not consistently pursued all of the options for filtration, 40 cfr 141.71. Number two, the Portland water bureau has been -- james montgomery consultants paid \$1.9 million on august of 1989 for an ozone treatment study. Since then, seven payments totaling \$3.2 million. The city filtration and that was up until 2001, april of 2001. However, much has been spent since then. Who knows, I don't? I guess I would say follow the money trail. Number three, the best filtration system plant will not remove all organisms from surface water. This has been documented by the american society for microbiology. I quote from the scientific journal, applied to environmental microbiology. Treatment plants can have removal of parasites and still detect organisms in the

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finished water -- all you have to do is get on the web site you can find cases where the parasites still goes through. We would ask the Portland city council on behalf of the rate payers, stakeholders, concerned citizens and future generations to vote no on the resolution or table it for further dialogue with the concerned citizen group. We present this request in all sincerity. I will gladly answer any questions. Thank you.

Adams: Thank you, appreciate it.

Gearhart: Thank you.

Adams: Karla, the next three.

Joe Uris: Mr. Mayor, members of the council, i'm very pleased, randy, that you decided to go with the u.v. System. I'm not sure that it is the ultimate solution. Less chemically invasive, possibly similar cost, but that is a technical question to be worked out by staff. I wrote a ph.d. Dissertation on the corrupt city politics of the 1950s, I am pleased to say if I were to write such a document, I don't believe I would find similar levels of corruption. It is a small town, however, and opportunities do crop up here and there, and sometimes we find people moving from the public sector to the private sector in a manner that causes raised eyebrows. The city is going to believe fight long and hard and cleverly against what I essentially see as a politically punitive effort to force Portland to adopt a water system that was unnecessary. Very gifted and lucky to have bull run. And I believe that there has been this common pattern of one hand washing the other in Portland around the water issue. Assumptions of growth and -- try to make -- in fact, give away the water itself in exchange for another kind of system which might net income to the city. It would also, unfortunately, open the door to the use of willamette and columbia river waters in our system on the basis of the fact that such a filtration system would be adequate to meet needs. Changes in the water which would be subtle as one noted manufacturer of beers has pointed out could be a cascading disaster for one major industry in the area. I think we need to understand the crux of the matter, which is that once you destroy the uniqueness of the system -- can I take another minute? The possibility of logging bull run becomes rational -- the uniqueness and richness of our water system becomes destroyed.

Leonard: Can I respond? Thank you Joe for your testimony. I appreciate it and it raises a couple of issues that I meant to say in my opening remarks and I want to say here. There is not only no plans for us to drink the Willamette River. Anybody would be absolutely crazy on the City Council to propose such a deal.

Uris: Well, knowing that none of you are crazy, I am pleased.

Leonard: That's kind, but I wouldn't go that far if I were you. [laughter] The other thing I want to say is in a lot of these discussions there's often times a grain of truth. And the truth is—no secret that commissioner sten and I were very close politically. The one thing he and I had vehement discussions and opposition about was his proposal to regionalize our water system. I told him under no uncertain circumstances I would lead a fight against that. It isn't some parochial reason that I did it—because I grew up here and it's our water, blah blah. When I served in the legislature I was appointed to a committee that dealt with water issues. I knew nothing about water. I thought water was not a problem. You go to the kitchen and turn on the faucet, there's water. You need to take a shower, you turn on the faucet. Why do people get upset about water? The most impactful lesson I learned in the Oregon legislature -- and this is just in the state of Oregon. I'm not even talking about more arid states -- is that there are start the parts of the state that don't have enough water and will never have enough water. It causes wars, bad feelings, people losing jobs, grief I was unaccustomed to. And then I learned about water rights. Portland has the water rights to bull run. It would be a criminal act, in my view, for us to ever compromise our water rights, as egalitarian as it would be to share with the region those water rights. If I didn't oppose it, whoever succeeded me, I promise, would oppose it. I'm working with my staff to prepare a proposal that will be put before

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the voters, an amendment to prohibit the city from ever diluting our water rights by sharing them with any other community, and I want everybody to understand.

Uris: That's great.

Adams: Thank you, mr. Uris.

Milt Markowitz: Thank you to the city council, particularly randy Leonard. Last friday, I took the bus up to the bull run.

Leonard: Oh, good. Did you notice the bathroom on it?

Markowitz: I did notice the bathroom and used it. Thank you.

Leonard: You're welcome.

Markowitz: We were filled in on the epa directive. There was considerable talk of compliance and economic choices, basically what the conversation was about. I was feeling and expressed quite a bit of dissonance. I thought how might I frame the situation differently than what I just heard? The framing I just heard was one of dominion in the sense that we're going to fix or improve nature's way of improving water. Since my work revolves around sustainability. Every attempt by man to control natural systems has been a failure. And what we must learn is to flow with the natural systems. As our tower continued, I heard about the wisdom and common sense of leaders who had protected the pristine source of our water and the system by which it brought that water to us. Their wisdom was the recognition of the life-giving force of water and nature's way of maintaining its purity. In essence, they developed system that's complimented our natural water system. The challenge is to continue to adopt the wise way to help others understand what being sustainable is all about. It's being in harmony with the earth's capacity to renew and to heal and to cleanse, and our bull run water system is a classic example of the right way to be on this planet. This way of being mustn't be overwhelmed with politics. instead what i'd like to see is for Portland -- and hopefully other communities with similar foresight and natural systems -- are examples for every community and offer our wisdom and expertise to help other communities in a common quest for making healthy water for everyone on the planet.

Adams: Thank you.

Steve Geiger: I'm representing the Oregon wildlife organization. We're actually Oregon's oldest environmental group. Some of you may have noticed the bus named "cool" parked out in front of city hall yesterday. We use that bus to get people out to the forest to try to help protect it and also our water. I know randy noticed it -- and I want to thank you, randy. Instead of when he saw the pitchforks slinking in the back way, randy came out front and stood there in the heat for a good 20, 30 minutes talking with us. That's the kind of stand-up action from my commissioner I appreciate and respect. I also appreciate your work with senator merkley on the variance although it's disturbing to hear barbara boxer say it's dead on arrival, zero chance of getting out of the committee, so it seems like the money spent on this is was heed. I have to respectfully disagree with you, randy, when you told us we were at the wrong building and pointed us to go across the street. I think we're in the right building.

Leonard: The federal building. Make that clear.

Geiger: Some of us may not be in the right building, and I guess we'll figure that out sooner or later, but I think we're in the right building. There was a time in this town when we had a mayor and commission who didn't throw up their hands when the federal government tried to come up with a hammer. Tom potter took a lot of risk to stand up to the federal government on that issue, and this issue will take that type of commitment and integrity from this council this and mayor to not just throw up your hands and surrender to the federal government. This is what Portlanders elected you for, and this is what we expect, and hope every one of you will consider that before just throwing up your hands and saying there's nothing we can do here. Randy suggested that he would join us with a sign when it came time to go in front of the federal building, and i'll hold you to that, randy. But i'm hoping each one of you really, really considers this issue and don't just say, well,

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there's nothing to do. You can take a stand that's strong and be very of course cal on this issue. I hope each one of you will.

Leonard: I'm sorry to be so worried today, but these are issues we've worked on for a decade here, and so I would not make sure that --

Saltzman: That is a lucky rock?

Leonard: Can I have it just for a bit?

Fritz: You can.

Leonard: I want to assure you that we have not given up. Senator merkley has been a fabulous partner. We appreciate our entire delegation, but he has truly been a breath of fresh air. He calls me weekly, unannounced, to give me briefings of what he's doing. We continue to work vigorously and have a staff that works full time to develop the criteria the epa is telling us we need to meet to get a variance, and we will spend whatever amount of money that takes and use whatever political influence we have in Washington to get us in the best shape possible. We are, by no means, giving up.

Adams: , Karla, the next three? I just want to add a little personal testimony. It's not that capital hill security -- commissioner Leonard, you'll would not hear this, I think.

Leonard: Sorry.

Adams: It's not that capital hill security was brought to smith's office to remove us, but they came very close to doing so a long time ago.

Leonard: Four years ago.

Adams: When we were making our rounds to visit the regulatory agencies on this matter. But the conversation and the advocacy on our behalf by commissioner Leonard became so heated because he was so adamant in senator smith's office -- senator smith was not there, but his staff was there -- and we were so, I would say, underwhelmed with the response that commissioner Leonard fought and wouldn't give up during that 45 minutes to an hour which the senator's staff must have seen as weeks. We have been lobbying, and I want to reassure folks this has been a priority issue for us for a very long time. We actually are fighting two federal regulations, and we'll continue to. We have to. So I think -- were you first? Go ahead, sir.

Damien A Chakwin: I am from the lents neighborhood association, while it is always good to see you, I am unable to say it is a pleasure to be here today. I come here before you to speak about the bull run watershed. We're at a crossroads with this issue, the epa saying we do not have control of our water nor the intelligence to decide what we want. Is Portland a petulant child that just wants what it wants? Our water is among the most pristine in not only the country but the world, but that isn't good enough for the epa. This is the same epa that just approved raw sewage to be dumped into the ocean by san diego where people swim. Where is the concept of caring there? The citizens of Portland do not want this filtration system. The citizens do not want draconian edicts from the federal government, meaning the epa, not this council. The purpose of the epa is to protect the environment. How would encroachment into bull run protect the environment? The tests have been run and rerun, and every person here on the council as well as the people in Portland know the water we receive needs no filtration. Filters it would actually put chemicals into it which are actually more able for the people who drink it. Metallic sulfates, et cetera. I've seen the reports on detrimental effects of the chemicals used in the filtration process. Check this for yourself. What happens when it is a 60-pound child drinking the water or a pregnant mother? These chemicals will be in a water that at this time is chemical-free when they cross the placental barrier. May I have the last minute?

Adams: Sure. Are you testifying against filtration now?

Chakwin: Filtration in all forms. We cannot just fall into the position of apathy and resignation. The department is gearing up for 12 projects. How much bigger of a hole will we go into to accomplish these unnecessary projects. It has been said not to mistake activity with

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accomplishment. I charge the Portland city council to act in accordance with the ideals of the republic in which we live. You are the represents of the people of Portland, tasked by taking the jobs you have to fight for all people of Portland. The people of Portland have spoken. They do not want filtration plants, be salle del -- saddled with more bills, do not want heinous chemicals put into the water.

Gilly Burlingham: I never thought i'd be obsessed about the environment. Actually, i've for the first time sent something written to you all, and I never say the same thing as I write anyway. I have been obsessed by this, and I can hardly wait for today to be over, because i'm going to have to rest. Aim journalist -- I am a journalist. I research and research and research and try to meet deadlines. The oasis group is fabulous, and loren, our bus driver, he was in charge of bull run, and the educator is fabulous. Everybody should go on that trip. I came back more passionate than ever. The thrust of my argument is why waste your time with congress or the waivers. I know the arguments about why we're not going to get waivers. We have a new government, a new head of the e-p.a. I think if she looks at the lt2 tool it will be out. I called lois gibbs, one of the best strategists I know, the love canal heroine. When she comes back, she's going to give me some good strategy. But I think this is it. If you all talk to the new head of the epa, I think she would listen and look. Thank you.

Adams: We'll do it. Thank you.

Burlingham: Oh. And I have a book for you. "bottled mania." I highly recommend it.

Fish: You mentioned the vehicles of the water bureau, but some of you may not know that, during the winter emergency -- storm emergency over christmas -- and there were hundreds of homeless individuals at risk living on the street and dealing with one of the worst storms we ever had -- employees of the water bureau volunteered their time to drive those buses and to shuttle homeless people from a downtown location to shelters throughout the city. It was one of the most incredible things i've ever witnessed.

*****: I remember reading about that. When I got depressed about this issue here, then I became depressed over affordable housing.

Regna Merritt For over a century, Portland has enjoyed some of the finest drinking water in the world and saved hundreds of millions of millions of dollars in the process, all thanks to bull run. Today the water is still under fire. The long-term to enhance our treatment rule, as you've stated, is a one-size-fits-all approach in managing municipal drinking water across the nation. It's a regulation intended to protect consumers who drink from watersheds, unlike Portland's, that are polluted with human sewage and waste from cows. In january of 2005, the Portland city council committed to pursue alternative forms of compliance with this rule, compliance that would avoid intensive treatment of the water. The current resolution proposed by the bureau represent as departure from the strategy and may make it more likely that our water will be treated in the future. The resolution that was introduced today is a huge step in the right direction, and I want to thank you all for going that far. But it would still eliminate any possibility of future really from congress to avoid the onerous obligations of the rule. I think we should leave the legislative option in our toolbox. It might not be the one we're concentrating on right now, but I don't think we should ever take it out of there completely. The resolution doesn't address the design, the location of plant, and I think it gives -- doesn't give the city council enough control over where it will go. I like the editorial this monk. I think it provides an elegant solution. And i'd be happy to help work on an alternative. I think we could come together over the common sense with a new quick changes to this, so i'd encourage you to not vote on the verbiage in this but work with us quickly to find an alternative that most all of us could agree on. Thank you.

Adams: Appreciate the testimony. Good morning. Welcome to the city council. Glad you're here.

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Betsy Toll: Thank you for giving the full attention that you are to this matter, because it is so crucial, and I'm sorry commissioner Leonard left the room, because I just had the opportunity to tour Bull Run, and it is magnificent. It re-inspired my commitment to the importance and significance of the issue of ensuring that we protect this watershed and we protect our sovereignty and our autonomy to determine what is best for water consumers here in Portland, Oregon. Particularly as climate change and population increase, the demands for water escalate, which we know they will, in the coming decades. Honoring the commitment that our predecessors have demonstrated that Portlanders have shown for 125 years, honoring that determination to protect pure, pristine water is our guarantee into the future on the sustainability of our region. I am glad to see that commissioner Leonard counted votes, because I really hope the commission considers the first priority to be pursuing that variance. Because if we say, well, ok, not a problem, then there's no reason for EPA to give a variance and no incentive for council to continue pursuing a variance. So I would like you to sort of take that off your plate that what you are charged to do for the citizens of Portland and consumers of Bull Run water is continue to -- seek that variance and get that variance. As was pointed out in earlier testimony, variances can be achieved, and Bull Run is certainly an excellent candidate to have that variance.

Adams: Thank you. We agree. Sir?

Aaron Kesley: Good morning. Thank you for the opportunity to address the city council on this matter. Though I've been familiar with the unique protections of the Bull Run watershed my entire life, I was first introduced to the Issue 2 at the January 3rd council session. Since then I have tried to gain an understanding of this issue. It is as complex as it is divisive. Looking at this from the perspective of a younger generation of Portlanders, several troubling thoughts come to my mind. I worry about the additional financial burden an expensive treatment plant will put not only on Portland's residents. I worry about the introduction of additional chemicals and the effect on the overall water quality, and I worry about the environmental effects this will have on the Bull Run watershed. While I acknowledge that the time constraints placed on the city by the EPA, I urge all of you to carefully consider any decision regarding the potential effect of the affordability and drinkability of Portland's water and urge you all to aggressively pursue a variance from the EPA and continue to support Senator Merkley in this matter. I would like to add that I am very happy to hear that commissioner Leonard acknowledges the citizens' concerns over the originalization issue. That's definitely one of the main issues that came to mind when I first encountered this issue, and it pleases me that the city council recognizes this is a great concern. Thank you.

Adams: Thanks for your testimony. Good morning.

Chairi Lambert-Holmstein: Dear council members, from my understanding, we qualify for a waiver under federal code 40 CFR 141.101(d)(7) one of the Clean Water Act, and we meet the three criteria for avoidance. I have questions for you. Did any of you attend those hearings? Washington, anyone from the water bureau? Where are the records from those hearings? Have you made those available to the public? Was the Clean Water Act federal code addressing the lawsuit? If not, why not? And why is this hearing being held on the hottest day in history? It shows disrespect for the citizens. The papers in 1952 stated the people of Portland view Bull Run water as sacred, and we have a -- as sacred. It was all about logging, so we had the responsibility to inform the public about fire. In 1977, the Bull Run watershed consisted of 142,000 acres. It was our third district congressman, Robert Duncan, who convinced Congress to give away one-third of our Bull Run watershed. Where is our city council in alerting the public to this? It was the water bureau's own Joe Glicker -- Glicker. May I have another minute, please?

Adams: You can have another minute and after.

Lambert-Holmstein: I was chief petitioner in 1998 when the Portland city council voted unanimously to go with the regional water supply plan for the Clackamas and Willamette. It was the water bureau's own Joe Glicker who slandered Joe Wallace. Larson successfully sued the city. Joe

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glicker and ward keeney went through the revolving door to address the issue. Why is there -- don't you believe the public have the right to be informed? Some of the over 100 people that I called knew about the proposed treatment plant but only two or three knew about the hearing today. Why wasn't the public informed? This is their water. This will double their water rates and add chemicals to their water. A friend of mine has had nine brain tumor operations since the age of 19. She takes prescription drugs. With these added chemicals, what would it do to his brain. Mr. Saltzman, you have programs after school. I support that. Where is the support for the youth in this area? What would these chemicals do for little bodies? You plan to additionally burden these people already on the edge with doubled water costs. A young man I know, disabled, living in government housing, told me the tenants have been asked to cut back on their water sewage. They live in dinky little apartments. They're just tiny.

Adams: Ma'am, I need you to start wrapping pickup.

Lambert-Holmstein: This treatment plant is a disaster in the making. Your pretense of virtue obliging you to spend hundreds of millions of dollars on a false premise, you hold positions of trust and authority which gives you power. Please use that power to work on this issue.

Adams: Thank you all for your testimony this morning. Good morning. Welcome to the city council. Glad you're here.

Bob Sallinger: Good morning. I'm the conversation director for the Portland audubon society. First off, I want to thank you for the proposed amendment. It's definitely a step in the right direction. First and foremost, I want to urge you to keep fighting on the variance. The amendment shouldn't be necessary. We should be able to avoid this altogether. We hope you'll avoid doing anything actually in the bull run watershed. Any further treatment should occur outside. I think it's unique that you have this parade of environmentalists before you today urging you to avoid epa mandates. I haven't seen this very often, but in this case it is an important issue. The mandates are important. They're there to protect us, but in this circumstance, that's really not the case. The epa needs to do more than pay lip service to the idea of protecting green infrastructure. They talk about trying to avoid these kinds of situations. If they're serious, they need to reward communities for investing in green struck, not penalize them, and they should be holding up the bull run watershed as a shining example to other municipalities about how you can avoid these kinds of costs if you do the right thing in the first place. We have an unfortunate example already of a situation where we lost this kind of a battle with the big pipe. There was a proposal 10 years ago to do a smaller pipe, take slightly longer, and invest \$100 million in green infrastructure. The whole thing would have been much less expensive if we'd done that. The epa didn't sign off on that, and I would say we're in much worse shape than if they had agreed. I think it speaks to the importance of continuing to study and document the value will you of ecosystem services, and I applaud the mayor for his great green initiative, which is doing exactly that. The more documentation we have, the better off we'll be in these situations in the future. Audubon, whatever we can do to help, we're happy to do. I think we can make the case that we'd be far better off, if we're going to spend the money, not spending it on filtration but rather spending it to continue to enhance protections at bull run or to investing green infrastructure in other potential future water sources. Thank you.

Adams: Good morning.

John Eccles: I'm a lifelong citizen of Portland, Oregon, and I love our water. I've also visited many cities in america, many of our fine cities, and have never tasted water as refreshing and as pure as our own. I take great pride in telling you of that, particularly people in phoenix, arizona. I am proud to say, on behalf of the club, that we have written our delegation requesting legislative relief for our open reservoirs and our bull run source water. This is a very important issue to you, and you've spoken well with a positive direction. We must stand and fight. We must stand and resist people from outside our area determining what we will drink and the quality of our life. Thank you very much.

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Adams: Good morning.

Diane Tweten: Much is known since 2002 when the discussions first began, and the filtration plan is being proposed because it is more beneficial to the city than other treatment alternatives, even though it costs more than u.v. I would like to believe it's about protection. There are many good people at the epa, but exceptions are granted to some in various ways by those at the top. The epa had concluded that it's best as a possible carcinogen at all levels of exposure, and yet the court system ruled in favor of the asbestos company in overturning the ban unless an economic alternative was found. It remained up regulated on 3000 projects. In 2001, there were discussions about arsenic in water and cancer rates. They stopped and said it would be too expensive for drinking water providers to comply with. At toxic site in the willamette, pcbs, have been known about for five years. The same year seven people died from crypto sporidium in canada for drinking from a plant like the one in wilsonville. It's only a matter of time before human error will allow untreated water to pass. I believe this will make spending possible beyond the control of commissioners. Nature is on the job 24/7 and doesn't care about economics as long as we respect her as we have for over 100 years. She will continue to do it. In 2003, Portland's water and sewer rates were the second highest. I don't see how the public can pay for this and how this won't force us into relationship with agencies who are currently using 40% of water and only pay 20% of the cost. If we are forced into this, then logic and truthful operations for the greater good has failed, and we will have become a democracy because we said so.

Adams: How many do we have left, Karla?

Moore-Love: We have about 25 people more left.

Adams: Please call the next three. Welcome.

Serge Vrabec: I'd like to say i'm grateful for your audience. I'm also grateful for your stand on the filtration. I support keeping our water the same way it was. Everybody's pretty much mentioned these already so, for once, i'm kind of out of words. But I also believe that the epa is being restructured because of the economy, et cetera. There's been a lot of noise, and I think a lot of the new policy that will be set -- i'm not a visionary, but I do believe -- and I have certain feelings towards things, and I do believe there will be some changes as far as the epa -- epa and environment goes. I think the cities who are responsible and act accordingly will be rewarded. I'll keep it short and sweet. Also other things is I love the drinking water here myself and hope it will stay the way it is.

Nancy Matela: I represent alliance for democracy. Interest in this issue stems from our concern about potential privatization of which water is the most important. The typical pattern for privation is for the water bureau to incur large expenses they cannot afford in the long run. Then, at this the some point, a private corporation comes in and offers to buy the system and run it or just a contract for the operations, as in the case of wilsonville. Some years ago, montgomery watson employee who used to work for the water bureau, who's already been named, was contracted to assist in the epa enhanced water rules, including lt-2, the rule that would ultimately mandate the conception of filtration of the bull republic water plant. Initially the process was focused on increasing watershed protection. The only true way to keep sewage and it's contaminants out of drinking water. But the final rules mandated post contaminant treatment facilities. Let's face it. Watershed protection doesn't have any profit in it whereas water treatment is highly profitable. With regards to operations, wilsonville's mayor actually told me they didn't have the expertise to run the treatment plant that they built five years ago, so they contracted it out to a private company that had the skills. That company is a french multinational corporation called violia which not too long ago was called the vendi -- vendi, the oldest water-treatment corporation in the world. The usual results of such a course of action is that rates are increased and service deteriorates as a private corporation drains profits out of the system.

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Adams: I think I can speak for my colleagues on the issue of privatization when I say it would be over our collective dead bodies. So thank you for your testimony. I really appreciate it.

Matela: I just want to say, though, in dire economic times people do desperate things.

Adams: We'll never be that desperate.

Matela: I appreciate that. I hope your predecessors believe the same way.

Adams: We'll make sure they do.

Leonard: The charter amendment keeps the water system from ever being privatized. Any operation, watering the flowers or mowing the lawn or washing the windows of the water bureau building.

Matela: Thank you. You have my vote.

Christine Lewis: Mayor, members of the council, i'm here today to comment on behalf of the sierra club, which has over 6000 members in Portland city limits in the columbia group, a group of which i'm the vice chair. Without a doubt, this issue is important to the club and our membership. The office has had an onslaught of calls inquiring about this issue over the past few days and weekend, and we've been letting those folks know that they should contact your office because we believe all stakeholders should have a voice in a discussion that affects our environment, our community, and one of Portland's greatest assets. I hope you've been getting lots of those calls. I urge you to appreciate the decision to commit at minimum a million dollars in upfront cost and operating expenses in the high end of thousands to a filtration plant as a significant and sizeable decision. Consumption of bull run water is one thing all Portlanders have in common. Bull run meets all state and federal requirements for water quality, and we support the efforts that have been made to protect the watershed, including the current investment by the forest service to decommission roads within the area. I'm here today to ask you to please delay your vote on 1071 as amended as you are able and allow the public process to transpire. The sierra club would like to have the time to work through our process of informing and involving our broad base of membership in order to fact find, strategize, and take an informed position alongside your process. I hope you are willing to hear more voices from community voices before you make the million dollars decision to move the Portland water bureau from forest to faucet to forest to filtration to faucet without further exploration of legislative and other solutions. I was pleased to hear earlier the comment that the city has delegated funds for this.

Adams: Good morning. Welcome to the city council. We're glad you're here.

Brad Iazzolino: I thank you for the opportunity to speak today. I'd also like the opportunity to shoot a photograph of you all up close. Oh, I can't even get you all in at once. We'll get back to that in a second.

Adams: I'm not really with the word shoot followed by photograph.

*******:** [laughter]

Iazzolino: I commend you all, commend the fact that we have a commendable group of commissioners now. Portland does need something set in stone declares what the bull run is and what it does for the citizens. The epa is set on giving Portland a hard time, some think, and the reason they want to do that is because our watershed is in fact, like she said before, a shining beacon that shows the world how to collect pure rain water from a 100-mile or so away basin where you can collect clean water and bring it by gravity to your city. It's a wonderful system, extremely green, as if it's from some super green future, and I touch on these things in my written testimony. Basically I just want to point out that I do want you to aggressively pursue a variance in some form, congressional or epa or whatever dynamic system you have to invent in order to get it. I'll be wrapping up soon. This is a 2006 article. The epa plays hardball with Portland. It's a long article. It lists a bunch of the things which are now maybe going away in the epa, but their practices have been vindictive. I urge you to read the court case that set this whole thing in motion, It-2 in d.c.

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That was reviewed by one judge and pays no attention to Portland or the evidence. That's another avenue of pursuit.

Steve Geroulp: Commissioner Leonard addressed a lot of the issue that's i'm about to bring up but, since i'm here, i'd like to. I've been a Portland resident for the past four decades. Thank you for allowing me to speak on this timely manner. My comments will be short. I don't know how much excellent Portland water i've enjoyed in this time span, but it is one of the thing that's made me a believer in this unique region. For some reason it seems that tins and their representatives around the world -- representatives around the world often have to come to the defense of their water. There is an apparent revolving door relationship between Portland and a global company. Now we are forced to comply. A patterned conflict of interest apparently goes back a long time. Why is this the case? The city council hearing today should be about protecting the public from these abuses where they exist, not doubling our water rates and have us sold questionable chemically treated water. The best water is minimally treated water. I and 20% of Oregonians who count on our water bureau expect it to adhere to the highestethical -- ethical standards. I am disappointed, because I thought we were beyond this. You have already started to privatize -- started to privatize. This is not economically sustainable as we head into what is likely to be a deep, prolonged recession. Environmental sustainability is also definitely compromised with this big footprint that opens up new rationales for opening up bull run. It seems to be a strategic retreat by passing -- this resolution. With this resolution, once again, it will be the water bureau, not the commissioners or the citizen owners who will make the final determinations. It all makes me wonder about this resolution. Please do not create bigger problems by voting for it.

Stephanie Stewart: I'm a citizen in the mount tabor association chair. The mount tabor neighborhood association opposes the filtration and greatly appreciate the amendment made today but also support the vigorous pursuit of regulatory -- because this language and this amendment still is weak on the legislative and regulatory reform, we'd still have to oppose today's resolution. I find the resolution today, even as amended, marginalizes the efforts the citizenry has made to communicate our wishes to you. We have asked time and time again to protect us from unnecessary and costly build projects. April 11th, 175 citizens, which is a rational number given that it was eastern and passover weekend -- passover weekend, to communicate this the people of Portland want protections for our water and open reservoirs. We have exceptional efficient and green system with an uncharacteristically small carbon footprint. Our country needs systems like ours to propagate, and it is as of our duty as it is anyone else's to shape a political and regulatory climate in which that is possible. It is unacceptable to ignore the scientific evidence that we've achieved pure water without massive resource consumption. We've heard via senator merkley what the dominant argue will be from democrats. We shouldn't let the fear of exploitation stop us from doing what is right. Our cause will be further strengthened by some of the latest data that's come in from the american water works foundation research study, a year-long high-volume study that reportedly has found no harmful crypto anywhere in our system. In recent months, many have written to the delegation urging protections for both our source water and our reservoirs. These groups include the Portland utility review board chairs, p.s.u. Capstone water quall quality class, state representative ben cannon, the friends of reservoirs, Oregon wild, east side democrats, alliance for democracy, the Portland chapter, arlington heights, mount tabor, uplift neighborhood coalitions as well as the liveability commission there. The love for abernathy and sustainability chair as well as mill, pleasant valley neighbored enrichment systems.

Adams: It is very rare for a u.s. Senator and someone in senator boxer's position to come out and publicly declare so very little chance of success in the legislative option, and this resolution speaks in very straightforward terms about seeking administrative options through epa rule making and absolutely redeclares the city council's support for both that while leaving the legislative option on

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the table. Help me -- you say you still oppose this resolution because we're moving forward with sort of beginning the planning work in case we lose on all those fronts.

Stewart: Well, I have a couple of cautions there. I would say the language isn't strong enough in here saying that you still want the water bureau to be pursuing legislative and regulatory relief. I've worked very carefully on another issue for my business.

Adams: It's right here in the therefore be it resolved that the water bureau -- the city council directs the water flow to continue to seek administrative alternatives to the treatment including seeking a variance from the epa and seeking a deadline extension from the state of Oregon and the epa.

Stewart: I don't see the definition of variance to be --

Adams: This is the epa side, getting relief from epa.

Stewart: Is there language in here i've missed about legislative.

Adams: And so that part is ok with you. Right? You still want us to pursue the epa relief. Right?

Stewart: Absolutely.

Adams: Ok. Are a your point is you want us to declare "continue to seek legislative relief" even though our folks have told us we don't have much chance.

Stewart: On another issue, I found that the pursuit of legislative reform actually often helps tremendously with the pursuit of regulatory reform. So I wouldn't take either off the table while you're pursuing the other.

Adams: It is the policy of the council f they approve this, to continue the legislative pursuit. Right?

Leonard: And I absolutely appreciate your passion and why you would think that, and I can only share with you my own experience, having been a legislator and, before that, a lobbyist on behalf of firefighters. The most effective lobbyists are ones that work closely with legislators and listen to what they are willing to do and not do. When lobbyists go beyond what a legislator says they're willing not to do, they tend to then come up with reasons they can't meet with you anymore and help you anymore because they don't think you're respecting what they're telling you. And i'm not trying to teach politics 101 here, but I want to share with you the benefit of my own experience that where senator merkley has communicated in a letter one thing but orally to me communicated to me that senator boxer had related, if he brought this amendment up in a public forum, it would embarrass him is the word used. I want to respect senator merkley's honesty with me and candor and then his offer. He went on to say, however, I will use everything in my power, randy, to help you, including attend an epa meeting with you to make sure you get every break possible. I appreciate what you're saying but have to balance it with my own experience and understands how that -- how the natural interaction occurs. Senator merkley has to work within a system. He was give vane a clear message, don't you dare even bring this up, because you'll put me in the position of shutting you down. I have to respect that.

Stewart: I understand that, have had my own experiences with lobbying this year and have found maintaining an open dialogue with your legislators is important in achieving reform in any area, whether it's legislative or not. And I do believe that you can temper the type of legislative assistance you're seeking, and that is not the same as language that removes the legislative assistance.

Leonard: You may have skills I don't. I will give you his personal phone number.

Stewart: I've talked with his office..

Leonard: I mean jeff's number. And maybe anything you can think of to talk to him you're welcome to do.

Stewart: I've worked with his office a lot on another issue, and we've been told for a year we would never receive legislative reform, but they've still worked very hard on helping us all year on regulatory reform.

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Leonard: I will just tell you from meeting you the first time, you have a much more pleasant reputation than I do, so maybe you can get through in some way I am unable to.

Stewart: And my second caution to your original question to me is I think when you are defining here the options, it seems like that should be more clearly nailed down, because otherwise you'll get into a battle with the various people with different definitions of when it is time to begin building.

Adams: So you're saying set a deadline for ourselves?

Stewart: I'm saying you should be aware. I would be nervous to have the language be as vague as this.

Adams: You want to us set a deadline for ourselves. I'm not quite sure what deadline you want to us set.

Stewart: I'm not asking for a deadline.

Fritz: The ordinance, the resolution said that we should seek a deadline extension from the state of Oregon, the epa.

Adams: Right.

Fritz: I wanted to read what senator merkley said in his letter, in the record. To find a solution that is satisfactory for both and baker city which is in a similar situation, it is very clear from conversations with my colleagues in the senate that this legislative approach has very little chance for success. I appreciate it when legislators are really clear to me we can't do this, but we can do it a different way. I appreciate this resolution in actually saying, let's not continue to put our efforts into that legislative solution in the u.s. Congress. Let's do what senator merkley suggests in seeking the variance from the epa.

Stewart: I think in stating that today, then it sounds to me like you're giving up on any hope of protecting the reservoirs, because the reservoirs' only avenue for protection is legislative.

Fritz: The legislation on this particular issue. We're not saying we've not ever going to be seeking additional protections.

Stewart: Then this is a very narrow application just to the treatment issue.

Fritz: Yes. Is that right?

Leonard: It not only is right. I greatly appreciate commissioner Fritz reading that so that it gives me the opportunity to say that, why senator merkley arrived on the scene, I was told that in much more blunt terms by every other congressional office and senate office who refused to meet with me and you and tell all of you that. So I cannot begin to describe how refreshing it is to have a united states senator who says things in writing none of us were wanting to hear that he respects our intellect and judgment enough and our ability to discern information enough to tell us the truth in writing. So I told that to the "oregonian" editorial board yesterday. They told me they actually repeated that in the editorial. Jeff merkley deserves a lot for the integrity he has brought.

Adams: Having been in some of those rooms with commissioner Leonard and my own conversations with folks, I can bear witness to that.

Fritz: I'd like to thank the mount tabor neighborhood for the excellence in your presentation and all your diligence on this. You read a list of organizations supporting your position. I know from my own community reputation how much work it takes in that. Thank you very much.

Adams: The next three? Good morning. One minute to go. Glad you're here. First and last name. You'll each have two minutes unless you want more, and i'll assume ms. Jones would like more, so we'll give ms. Jones 60 minutes. [laughter]

Adams: Give her three minutes.

David McCutchen: Hello. I'm Portland's inventor and businessman, and I wanted to thank commissioner Leonard for his very fine work fighting for the city and getting protection for this very precious resource we have two recent developments, one a supreme court case, river keeper versus entergy, and it was to decide the question about whether a cost/benefit analysis was an appropriate part of the epa's decisions on enforcement of the clean water act. Before, that was never

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considered to be allowable to balance out that a cost may be an unreasonable amount for the amount of benefit. But the supreme court said that this is allowed, and it is a reasonable part of it. So in our case, it does seem to be that we are being asked to pay an unreasonable price for a very minor benefit. The second development is something that might have just happened today, a new water officer sworn in at the epa, peter silva, and he has replaced the wonderfully named benjamin grumbles so peter silva may be a much more sympathetic ear for our case. So I hope that is the case. Thank you all.

Jane Malarkye-Harmon: Good morning. I've lived in Portland all my life. My family has been here for many generations. And I feel a little bit like the movie "groundhog day." I feel like I've been to city council meetings over the years. I've been to other meetings discussing issues around bull run. And I feel very worried exasperated, too I'm still trying to defend bull run. I feel there is no place in the world like Portland where you can turn on the tap and get water that is completely potable. I oppose any activity in the word shed. I urge the water bureau and city council to spend their time on working for a variance. I don't understand why anybody or entity would want to spend money treating our water when it is so pure. If we feel we need more water out of bull run, then we could try something that's absolutely free, which is conservation, something I don't hear very much about in terms of public relations from the water bureau. Conservation, conservation, conservation. Thank you.

Floy Jones: Good morning, floy jones with friends of the reservoirs, in march the mayor asked the community concern regarding corporate involvement in the It-2 negotiated rule making process was just a national concern or if there were local issues. Since then you've received a document that details a series of Portland water bureau corporate contracts with Montgomery Watson harza global. Contracts related to negotiating the It2 rule, bull run treatment and open reservoirs. A few weeks ago, dave shaff, spent two hours arguing for bull run chemical filtration plant, basing the bulk of their argument on a seven year old mwh lead bull run treatment panel. The panel did not and does not represent the community nor community values. Mwh held a four-year contract to run the 18-month panel. This contract followed their involvement in negotiating the It-2 rule. They sat on both sides of the negotiation table. Portland brought joe blicker, mwh via a separate water bureau contract and serving as the chair of the epa science advisory board drinking committee was Montgomery Watson harza's national ceo, 32 year veteran, Rhodes trussell. MWH already deciding what type of treatment Portland would build. This was documented in their infrastructure master plan. It would build a chemical filtration plant, the largest in the nation. They acknowledged in their 1980 document that the biggest obstacle to their building the bull run treatment plant was the community interest in preserving pure bull run water. Montgomery watson's harz.'s grand vision for bull run had already been documented in the Portland water bureau regional transmission and storage strategy document. Build another tank at powell butte. They built powell butte 1. Build chemical filtration and blend toxic river water with bull run. You have already received the friends of the reservoirs detailed arguments against the chemical filtration plant in our july 19th letter. I've attached today some additional supplementary information. As Stephanie stewart advised you the Portland city council made a commitment, via ordinance, to pursue legislative relief. 21 groups have written to the delegation seeking protective legislation for both source water and the open reservoirs. This option should not be removed. I've spoken directly with senator merkley at a town hall meeting and directly with his staff. They agree that It-2 is a bad rule. The concern of barbara boxer was that community that's have real public health problems, for example arsenic in their water, might seek to attach or exploit our efforts to protect bull run. But we have science on our side. While others may seek to do wrong, that's not a reason for us to eliminate the option to do right. I've attached for you a community-recommended proposal. There's no reason to remove legislative language from here. It will ultimately be up to our congressional delegation to decide whether or not they pursue that, but why would we, as a city, as

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a city council, want to shut off the option of pursuing legislation at this point. We've heard a lot of talk about --

Adams: Where do you see that that it's removed.

Jones: In the first line.

Adams: Where does it say "removed?"

Jones: Well, it was never put in there. In the 2005 ordinance, direct the water bureau to continue to use administrative. You add the word "legislative." this is our proposal.

Adams: I got it. I don't see where it explicitly removes legislative. Ms. Jones, if I could finish? It definitely focuses on the agency path, but I don't see it removing the legislative options. We are getting back from our delegation, maybe different than you are, that the legislative option has scant chance of approving. Focusing our efforts on the agency side is what this is doing.

Fish: Because you've been so involved in this issue, I want to make sure I understand the drift of your testimony today. We have before us an amendment offered by commissioner Leonard that proposing a dual track: Fight the feds vigorously and seek the waiver that everybody in our community agrees we should get so that we don't have to fix a problem that doesn't exist. In the alternative, if we are mandated to do something, pursue a low-cost option called u.v. Now, with the exception of what you're raising around whether we should continue to pursue a legislative as well as administrative fix, do you support this amendment? I just need clarity, yes or no, on that point.

Jones: No.

Saltzman: Your July 19th letter to us, it says support u.v. In the alternative.

Jones: Of course, if a gun is put to our head, we would support u.v., but there are other problems with the resolution why we wouldn't support it. We'd like to say specifically that Portland is not going to support ownership with the wholesale customers. Because those negotiations have been going on since December. It's in the contract that they can own facilities, so we'd like to see it specifically stated in the ordinance that you're not going to support that.

Leonard: I do not have a problem amending that language.

Fish: I think that would be considered a friendly amendment.

Leonard: I would have no problem with that and language if the city attorney or somebody -- why don't we get the staff out here working on something that would make it explicit in this resolution that the facilities being constructed will be owned by nobody but Portland -- the city of Portland.

Adams: What other amendment?

Jones: Well, the other amendment is that you not start the building process until it's brought back to council. It should not be left to the Portland water bureau to decide when all of our alternative compliance options have failed.

Leonard: What this actually authorizes us to do is give the engineers the direction to be in designing what they need to have in place by 2014. By the time they design what that would be, it would have to go out to bid. Anything that goes out to bid has to be approved by council for disbursement of funds.

Adams: And our decision making at that point on all these contracts takes into account the bigger picture, so it isn't just that we get to decide only on contractor a or b. We get a briefing and make those decisions sort of in the frame of everything else that's going on.

Leonard: This doesn't authorize the constructive of a u.v. Plant. It authorizes and provides funds that will allow the staff to begin -- researching and designing the appropriate size u.v. Plant and what it would look like. After that was done, we would get back here an r.f.p. To select who would build that based on their price, and the entire council here in open session discusses that and votes yes or no.

Jones: And the other option mentioned from Oregon wild is the location of the u.v. Facility. There hasn't been a big enough discussion about that issue, whether it should be located at head works as proposed or outside the watershed.

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Leonard: Floy is correct. It hasn't been addressed. We did an analysis of, if we had to build a variety of plants, the driving force was what would be the cheapest plant we would build, whether it was sand filter or u.v. system to comply with the It-2 rule. If you have not been to bull run, Dan has been to the bull run. Sam has not? Have you? There's an industrial part of bull run where we have a building where all the -- electronics are. That is staffed 24 hours a day, 7 days a week by a human being who opens valves to allow water in, shuts valves to close water. Monitors chlorine that's inserted into the water. What else gets inserted into the water? Just chlorine -- chlorine inserted to the water. And acts a semi security person, our eyes and ears up in the middle of nowhere. The plan is to build this system within that industrial compound, not like go out to the middle of the woods, cut trees, create an industrial treatment plant where it doesn't belong but rather on this industrial site. The trucks and garages are parked and the treatment system, and it would fit there. The reason we've chosen to locate it there is it's downstream from the reservoirs so there is never any possibility, if one of the mercury, one of the bulbs that's contains mercury in it breaks and contaminates the whole reservoir 'cause it's downstream from that. But you also have a live person 24 hours a day, seven days a week, who can sit in the room they sit in now and monitor that the system is operating the way it should. You have roads and access to it for people who need to maintain it. What floy and others have suggested is locating it outside of bull run in some other remote location. The problem with that is, when it's in another remote location, you have to then be concerned about security. Would anybody ever think about doing something bad to the building, knowing it's unattended, breaking into it and doing something we may not be aware of versus having it where it is that not only has a person full time right on spot. Since i've had the water bureau, we've created full-time, 24-hour security person who lives in the bull run who has weapons, emergency vehicles, that has a gate that doesn't allow people in. So we have a high level of security. It's in an area that is impossible to contaminate the water system. The last point I would make, without getting too technical, is a u.v. System requires what's known as a dry well. A dry well is basically a large -- how many gallons? 100 million-gallon well that, after the water goes through and is exposed to the u.v., goes into this dry well because, if one of the bulbs break and contaminates the water with mercury, which would not be a good thing, it would first go into this dry well, and we could isolate it and get it out of there. The beauty of doing it at bull run is what functions as the dry well as compared to having to build one is the actual pipes that go from bull run to the second treatment system, this is on lusted hill, because those pipes act as that dry well. We could shut it down at the treatment plant, empty the water out of the pipe, and save ourselves tens of millions of dollars in construction costs that we would otherwise have to pay.

Jones: But I don't think you can avoid the possibility of operator error. To say you're going to use those pipes as the clear well and there can't be a mistake made, and then you're going to send mercury into the drinking water, it's an issue that brings bigger discussion.

Leonard: I respect and appreciate you have that opinion. The engineers we have, I believe, are the best in the world, and they disagree on that point.

Adams: The bottom line is, this particular issue, as i'm understanding the next step as than this, this sets the policy direction for council. It doesn't say specifically the treatment plant will be, as commissioner Leonard describes or some other option -- he's describing his best thinking based on staff work. This doesn't make a determination on that. But when the contract comes back, that will be when council has to sign off on location and all the thinking that goes into backups in case of any exigencies.

Jones: But they've been designing the u.v. Plant for a year up until this december, and the effort they're going to continue on with in terms of designing makes a difference, whether it's locate the at lusted hill or head works.

Leonard: That's true. I am very much influenced what the citizenry say. At some point, on these technical questions, I have to require the political side of me to be removed and rely on the experts,

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and the experts tell me, for a variety of reasons -- I forgot to mention I by remaining at bull run and the head works location, it maintains the gravity fed system. If it's anywhere else we have to start adding electric pumps which add costs to the system. I have to rely on what the experts tell me, and they tell me, without question, this is the place to put this. You're right that's how they're designing it. You could come in at that time and provide evidence that that was a mistake to council, as it did today, i'm not getting what we want today.

Jones: But we're wasting a lot of time and money if we do that down the road.

Leonard: I cannot more disagree that this is -- if we're going to do this, this is in the best interests of all Portlanders that it be constructed on a site that lends itself to be built at the cheapest -- in the cheapest possible way and provide maximum security for the plant.

Adams: I think this dialogue has been good to sort of get this issue once again out on the table. Council will be making the decision when the authorization to proceed with an rfp occurs, so that's well before we actually consider a contractor. Appreciate your conversation, your continued advocacy on this issue. Thank you all very much. We're trying to, sue, figure out logistics here. How many more do we have signed up?

Parsons: I believe 12.

Adams: So I think we're going to be able to break at 1:00. So if you're here for additional council items, you can come back at 1:30. Sorry. You can come back at 2:00 where we will take the morning items first on the calendar and then go through the afternoon items. So if you're staff waiting for us, we're going to deal with this issue, finish it up, take a break, be back at 2:00 and deal with the rest of the morning items starting at 2:00. Nice to see you back, mr. Craford.

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

Kent Craford: Unlike me. I am the former director of the Portland water users coalition. Unlike me, my cotestifier is not a Portland native anymore. This jar of steinfeld's pickles comes from wisconsin. Up until two years ago, steinfeld's pickles were made with bull run water, and of course they're not any longer. They were a casualty of Portland's high water and sewer rates.

Leonard: Have their sales gone down?

*******:** [laughter]

Craford: I couldn't tell you.

Leonard: I bet they have.

Craford: I think they're symbolic of what the trend has been among large users over the next decade. When lt-2 first surfaced about 10 years ago, some of the largest users in Portland were blitz weinhard, soleser . All of those companies are now gone. And the family wage jobs and the, in steinfeld's case union jobs, 88 of them are now gone. What has happened is that we have a shrinking rate base. As rates go up, the rate base shrinks. More companies go out of business, more companies conserve, so rates have to go up even higher to make up the difference. We see the spiral happening again and again and again, and we need to break that pattern and do it now. And so I really appreciate the amendment. I was here to support a u.v. System over filtration. I think if we're going to waste money, let's waste 100 million dollars instead of 400 million. But then again it's a shame that we have to make that decision in the first place. I will say I feel very strongly, as a member of the committee that selected the attorneys, that fought our appeal before the u.s. district court in dc, that the city has done about everything they can to get this waiver. I know there's nobody more disappointed in that court's decision than the water bureau. But now is not the time to let our foot off the gas. I strongly encourage you to keep up the effort. We'll do what we can to support you. I'd urge you to channel all the energy in this room into that effort, and I wish you success.

Kathryn Notson: I support the adoption of the resolution to comply with the u.s. Epa's lt rule, either ultraviolet light or filtration. Waiting after analytical services, inc completes it's bull run water cryptosporidium study is completed, as part of the us epa administrative treatment variance

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application to plan, design, budget, permit, and construct a treatment plant creates an unreasonable and unrealistic delay to comply with the epa treatment deadline by april 1st 2012 or 2014. There is no treatment compliance deadline in the lt-2 rule beyond april, 2014. And the city will not be granted a treatment deadline beyond that date. There is no acknowledgment in this resolution of the original bull run watershed cryptosporidium study done by dr. Mark w lechevallier of american water works service co., inc. in Voorhees NJ which was published February 23rd in applied and environmental microbiology, vol 69, no. 2, pgs 971-979 and cited lechevallier 2002 by the usepa in its proposed and final lt2 rule published in the august 11, 2003 and january 5th, 2006 federal registers. The lechevallier crypto spiridium report states viable and cryptosporidium parvum species of bovine cattle and murine rodent genotypes clustersterd with bovine genotype were detected in bull run water. Of the 186 bull run water samples of up to 100 liters collected from the intake, 11 water samples contained cryptosporidium oocysts, resulting in a 24% viability rate. The risk of infection is 1/45 to 1/95 per year versus the epa's goal of 1 in 10,000 per year infection risk. The u.s. Epa's maximum contaminant level for cryptosporidium oocysts is less than 0.01 oocysts per liter. Analytical sources inc must demonstrate to usepa a maximum contaminate level of 0.000075 cryptosporidium oocysts per liter or less in order for Portland to obtain usepa administrative treatment variance to avoid treating bull run water. The lechevallier report has already established the fact that bull run water doesn't meet usepa's maximum contaminant level of less than 0.01 cryptosporidium oocysts per liter. Critics of treating bull run water haven't read the lechevallier report. There were no false positives as cryptosporidium dna was measured in all water samples containing oocysts. The doctor conducted an ultraviolet light study on the same bull run water samples water samples collected for the cryptosporidium study and determined an u.v. Treatment light dosage of 4 was effective in inactivating cryptosporidium oocysts in those water samples. This dosage allows treatment lapses three to seven hours per month due to power outages. Usepa requires an ultraviolet light dosage of 12 to achieve 99.9% inactivation. Ultraviolet light is already being used to treat bull run water in swimming pools to inactivate cryptosporidium oocysts. Thank you.

Adams: Thank you very much for your testimony. Appreciate it. Sir?

Chad Kromm: My name is chad kromm, and i'm a lifelong resident of Portland, very passionate about the water, and I take pride in being able to probably go and travel anywhere in the world. People knowing about Portland, we're famous for our water. You probably know that by now. I also work at intel and have colleagues around the world. Whenever I get to talking with them about the best things about living in Portland, maybe after the beer as the water but not necessarily in that order, and so i'm here today to say "thank you" for, I think, broadening your perspective and considering other alternatives as a last resort to the filtration. What i'd like to see is really -- sometimes the best option is doing nothing at all. I'd really like you to go with the waiver. I know you've given it a great effort, but i'd rather see you spend a few more million dollars to get 100 million or 385 million in return. I guess that's the way i'm looking at it. To echo other comments made today, I think we have a great sustainable system as it is. The folks at the water bureau are dedicated professionals, and I know they have the means you're probably already working on, alternatives in green, sustainable ways so we can save, conserve, and get the most out of our water resources. So that's what i'd like to see today. Thank you for your time.

Adams: Thank you all for your testimony. Appreciate it.

Joe Keating: Good afternoon, folks. Thanks for allowing this testimony to continue. The overwhelming support that we have here in terms of asking you not to proceed today is impressive on an 107-degree day out there. I have no question that the intent of everyone here is good in terms of making sure that we don't have something that hurts our water system. The problem is we're dealing with an administrative morass. The suggestion that my group, Oregon wildlife federation -- and i'm the director projects coordinantor, a long time bull run advocate -- requires some leadership

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in being strong, staying strong and standing up, saying no where appropriate, but not shooting ourselves in foot at the same time. My suggestion is that we vote against this proposal today, let it rest. Have a coordinated approach with the leadership in this room in terms of the citizenry leadership to try to put as much additional pressure in conjunction with you and our legislative leaders to change the temperature on the ground. We may be successful or not, but in the same time we won't be wasting our money and setting a momentum in place that which times these things are hard to stop once you start them. So that's my suggestion and it would be great to work with you and figure out the best way to proceed. Over the years as activists we receive the word no many many many times. And a lot of those times we've been very successful in turning them over.

Thanks.

Jeff Boly: I'm president of the Arlington heights neighborhood association. The testimony that I and my son planned on giving is not necessary because of the amendment that we thank you for. What I did want to say is since the issue here is how can we most effectively persuade the federal government not to do what they seem to be determined to do—impose on us, it is important that we at least have the legislative option that is something that is still available. From what I know about how congress works, it seems to me that the real issue is senator boxer. Whether or not we make progress there is probably the relationship between senator wyden and senator boxer, so I would hope that is pursued. But the other thing that strikes me is I found most people don't understand that the water that they have is, is something that, that they could lose. I think if the people of Portland had a much better appreciation of this, that we could get what we really need, which is enough of a public outcry about what the federal government is trying to do to us. So that we could get the notoriety that could give our case a lot more strength. So, and I think 75,000 people rallying here for president barack obama, this is Portland. We should be able to figure out a way to make enough noise so that we can get a 60-minute article about, about the fact that we have in fabulous system and here the federal government is trying to, to, you know, make us abandon it. So, that's a piece that, that seems to me, is well worth pursuing. We do have great story and we need to get it --

Adams: We welcome that kind of partnership and advocacy, thank you.

*****: Thank you.

Tom Lewis: Good afternoon. I, too, would, would like to see nothing done, nothing being best and had let nature have its way. But, I do understand progress. I'm, i'm, with the centennial neighborhood association, and, and also, a rockwood water p.u.d. Board member. So, I have a little, a little wider perspective, perhaps, than thinking that, that the city council rules over just the city of Portland when it comes to influence on the bull run and water supply. How, how it, it affects us, the water system, even further is that, that in our neighborhood, we're getting a second mega-reservoir, and I assume in years to come, because centennial neighborhood will be impacted by, by higher population, with our land resources, that we'll be even pinched further with, with supporting infrastructure for the water bureau on powell butte. Our neighborhood, I wanted to speak to the fact of the economics of it, and our neighbors are of the lower economic rung. We don't have any jobs in our neighborhood. Everything goes outside beyond burgerville, mcdonalds, so, when water rates go up, and, and sewer rates to follow, we're more impacted being of lower economics than other, other progressive neighbors. So, I think that that should, taken into account way heavily just the pure fact that dollars affect our neighborhood, our end of town more than most. Thank you.

Adams: Well said, thank you all for your testimony this afternoon. Karla, the next three. Hi.

Moore-Love: That's all who signed up but we have had requests from other people that want to speak.

Adams: And miss thomason and miss reed so mr. reinemer was first, could you raise your hand if you want to testify. All right, could you give your name to Karla, please, while we're taking this, so we have got your name for the record.

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Steve Reinemer: Thanks. Thanks for having me. Hanging out here during this hot day. I'm with the south tabor neighborhood and, and friends of the reservoirs, on occasion, and i'm, basically, submitting a south tabor neighborhood association letter that we submitted previously on, for another hearing, and I am going to reiterate what we said. I may read a little from that, but I wanted to underscore what a previous speaker said, mr. Steve ager, something like that, and when he said that we need to see a more impassioned voice in defense of our water and our reservoirs, and I am often thinking that a lot of people, who have called out, the, crawled out of the woodwork the last few months wonder why this issue is not out there, they don't, are not up with it and they don't know what's going on, and I think, you know, it can only be addressed via legislative action or changing the rule in some way, I believe, and not just with the variance and the testing. To clarify what mr. Geiger when he talked about being dismayed by senator boxer's statement that a variance was dead in the water, but that it needed to be pursued, of course, he said, he was referring to the legislative or administrative action, or the non testing action, total legislative remedy. He was not referring to various testing, and I just say that because randy's response included a reference to his efforts to obtain the testing variance, but I talked to mr. Giger after he spoke, and he did, in fact, mean the legislative route or something like that. And, and as far as this impassioned defense goes, I think, have any of you ever heard of montana governor swizer, who gave an arousing rebuttal to the federal mandates that, that added hoops through the process of obtaining driver's licenses, it was quite a while ago but I heard it on n.p.r., maybe you can google it up but that's the kind of, of response that I would like to hear from our leaders on this issue. I could picture him there with his cowboy hat when he was talking to the interviewer and waving it, and he was pretty worked up about not needing to comply with that. I also just want to say that I support the resolution language that would include the legislative route. I don't see it there, either, and seems like there is no harm in having it in there. That's the thrust of what I was going to say. Do I have a minute left or not?

Adams: Yes, 30 -- well, actually, you are out of time. You are over 30 seconds.

Reinemer: I won't read from the south tabor letter but it's in there and I want to emphasize it underscores the importance of maintaining the open reservoirs, as well, which gets lost in this discussion somewhat and only be remedied with some other resolution besides testing.

Adams: Thank you.

Dr. Catherine Thomason: I am dr. Catherine thomason, and I am with Oregon physicians for social responsibility.

Adams: Good to see you again.

Thomason: And I know that i'm, on the record, sent a statement on behalf of Oregon physicians for social responsibility regarding our concerns about, on this topic, so I am delighted that the resolution was, was altered to include u.v. Rather than direct filtration, primarily based on cost, and I would like to, to underscore the concern still, of course, about u.v., which are mercury, lights, and that clear wels should be very closely looked at as an alternative with, with location citing at, not the head works but at lusted hill. And getting adequate information from other cities that have done u.v. Treatments, which is only technology in the last 10 to 20 years to find out what they do then with the water, and because, if you are, your clearwell system is so large from head works to lusted hill, what you do with that water and how you remove the mercury before you dump it is something that we really need to consider, so building smaller but still building clear wells or places we're if a bulb breaks, the water is isolatable and then removed from the system, is still a very significant issue that should be looked at carefully, and again, the other statement in there, that's not considered in this resolution but you may want to consider taking up separately, is that there still are loopholes, federal loopholes to encourage when we do visit our legislators, to close those loopholes for, for further safeguards for, for the watershed, itself, would be very useful. Thank you.

Adams: Thank you, doctor.

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Caitlin Reid: I am Caitlin Reed and I am speaking on behalf of Food and Water Watch. Food and Water Watch is a national consumer organization working to ensure clean water and safe food. We are a membership organization and have an office here in Portland, and we are presenting on opposition to the plan to build a new costly both water filtration and u.v. System. We believe it is unnecessary and would decrease the quality of the water and, and, um, believe that our system is fine as is. And we are happy to see an amendment that does not break the bank for Portland citizens, yet the u.v. Treatment is still expensive, and our water is pristine, thus, seemingly unnecessary. We, like many others, urge you to primarily continue to pursue an exemption on the national level whether it's through the e.p.a. or through congress. And additionally, we are requesting a delay by one month in moving forward, either in the implementation of whatever decision you make today, and in order to continue to educate the public and, and multiply the amount of public comment that can be put in on this topic to act quickly to adopt a way to purify our pristine water without public notice or, or input is imprudent and full consideration must be given and the public must be involved in any decision that will affect the quality of our water so thank you very much.

Adams: Thank you very much for your testimony. We really appreciate it. Do we have more?

Moore-Love: We have four more people.

Adams: Good afternoon and welcome to the city council. Thanks for waiting. I appreciate you being here. Why don't we have the fourth person come up. All of you, welcome to city council. I am glad you are here. Go ahead.

Eileen Brady: Thank you for having me. I am, Mayor Adams and commissioners, I know all of you have never had the privilege of meeting Commissioner Fritz. Many know me from New Seasons Market or Celilo Group Media, and I am Eileen Brady, or the Health Fund Board but I've been involved in many health related and environmental issues throughout for a while. I had the pleasure of serving on the independent review panel, Commissioner Saltzman put me on that many years ago, and seems like, and spent many hard months looking at this issue. And they said, the experts were correct, and we were going to cover those reservoirs one way or another. It was a very difficult decision, eight out of 13 people, the majority did, obviously, voted to recommend to the council that we don't cover them and that we do fight the, the ruling that we knew was coming, and here we are in the middle of it. And I will have to say just at a philosophical level, I'm a Tom Friedman fan, and he says, pessimists are often right but optimists change the world. And I would like to see, I think what we're missing is just a little bit more leadership from the council, itself, on the, the will of the public, not to proceed ideally with this, when I look at the whereases, I don't see the intent here, kind of the big picture level there, the intent, our intent is that this ultimately is not going to be built. Our intent is to respect the will of the people and the health of Oregon and the citizens and this is a, a, this is an option, this is a precaution, this is something we're doing in case this occurs. There is some language but I don't think it's strong enough and I really urge you to come out with a little bit stronger leadership either by, as an individual or as a council on this matter. I would be happy to be part after delegation that works on the legislative side of the equation if, if that makes sense to you. So, thank you is for your time and efforts.

Adams: Thank you.

Jennifer Claire Darling: Mayor Adams and members of the council, I am Jennifer Claire Darling. I was born here and raised here, and I went away and I came back partly because of our incredible standard of living. I'm currently a West Slope Water District Bull Run happy consumer of our water. And very briefly, I am a fairly newcomer to some of this information, but what I understand so far is that we science on our side the most recent levels of crypto have been 000 for any human health concern, and this study just mentioned in testimony a few minutes ago, it's old and, and Dr. Oztman of Multnomah County Public Health has stated that, that it does not apply to -- it would have no bearing on human health effects, so it's really not relevant. And in terms of the resolution on the

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table, since we're all of a similar mind to protect our pristine water, I see no reason why we cannot, um, put back in the legislative option. I'm not saying that you have to personally make any calls to barbara boxer or that anyone has to do anything, but there is no reason not to include that language as, as evidence that, that we are doing everything in our power and that we're all of a strong mind and united. Also, can we please codify the language in there that there will never be, outside entities entitled to ownership on the bull run water. This is definitely a commons and we need to preserve it as such with the legislative language here in Portland.

Leonard: That language being drafted as we speak. It will be an amendment.

Darling: Thank you very much, commissioner Leonard. Ok, I think that's all I have to say. If it ain't broke, let's not break it.

Leonard: Let's not fix it. [laughter]

Adams: You are the last speaker. Two more and then we're closing speaking.

Anadi Gefroh: I am anonde, and I am a citizen and I am concerned about trying to fix something that's, that ain't broke, and I implore you to try to pursue the waiver and spend whatever you need to in order to do that. I am, basically, I feel progress, schmogress. Let's not try to build something that we have no intention of really building or so we're being told. Thank you.

Adams: Thank you very much. Appreciate it. Last two.

Adams: Good afternoon and welcome to the city council. We're glad that you are here, thanks for, for waiting or, if you just arrived, you each have two minutes and we only need your first and last name.

Jesse Kaminash: My name is jesse, and I am regna meritt's daughter, I grew up watching her fight to protect bull run, and I had an opportunity to visit bull run myself last friday on the water bureau tour, and I strongly encourage any of you who haven't made it there to go and see if for yourselves. I want to thank you for taking the chemical treatment plant off the table. It's a great relief to me, and I hope that our water won't be treated with u.v., either, as it clearly isn't necessary at this time. And my question is, can you commit to close the loopholes in federal law regarding human entry, and loopholes that could be exploited if we built any additional treatment plan. And can you commit to this in a modified resolution? We need the protection of the bull run trespass acted of 1904 brought back to federal legislation. And will you amend this resolution to include the city council's commitment to that. I also hope that the public is given more opportunity for education and discourse on this important issue before future decisions are made. And as you have seen this morning, even with very little notice given to the public, we care about our water and we want it protected from human interference at the source and protected from unnecessary treatment. Thank you.

Adams: Thank you very much.

Mary Saunders: Hi, i'm mary saunder and I am speaking as a citizen and as a cancer survivor, and I oppose both the treatment plan, centralized treatment plant and u.v. Treatment. And I guess my statement of being a survivor sort of gives you a bit of a hint why that is. I am not a cradle Oregonian, I was born back east, and I grew up near Washington dc, so i'm familiar with some of the practices back there, including building things that, that fix something that wasn't broken but that doesn't work so needs more money the next year and the next year after that forever. I don't want to see that sort of a mentality get here at all. The water is good, by reputable testimony, and there is no reason to, to risk impurifying the water, and there is no reason to impoverish or people beyond the cost that we now pay, which is high for our water and our sewer so, these are, those are really my, my central reasons. The other is, that's unique about Oregon, that I didn't grow up with, so we have earthquake risk here. So, a central processing place is going to have pipes in and out, and if they break, then what? We would be better off having testing facilities around the city making sure the water is, the same for everyone, and if the water is, breaks in the neighborhood and in an earthquake, then we can divert resources to fixing is the breaks while we are reassuring

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ourselves that the earthquake did not affect the, the purity of the water where it is still being delivered. I'm not an engineer. I'm just a person.

Adams: Well, we appreciate your testimony. I have never heard of the phrase "cradle Oregonian."

Leonard: Neither have i.

Adams: That's a great phrase. I hope to be, what a graveyard Oregonian or something like that? Thank you.

Saunders: I wish that I were a cradle Oregonian. I wouldn't be so, so messed up, maybe.

[laughter]

Adams: Thank you both for your patience and your testimony. All right. Commissioner Leonard, thank you, both. You just passed out a, another amendment?

Leonard: Yes. I will read the following language, and then move it. I would move to add an amendment, which would be a further resolve to item 1071 that, that reads as follows -- be it further resolved that it is the policy into Portland city council that the land and the infrastructure owned by the Portland water bureau integral to the delivery of water should not be transferred to, or operated by any private entity or any public entity other than the city of Portland.

Adams: Moved and seconded. Any discussion on council of this amendment?

Leonard: I want to explain this specific language.

Adams: Sure.

Leonard: After I got the water bureau I asked for an inventory of water bureau assets which they had never done, including an inventory of all the property they own. It turns out that there is property in places that you could not believe owned by the water bureau not used for water bureau related issues, so, for an example, one of those pieces of property is on northeast david, is it 136th and san rafael we're we are building the house? 142nd. It's directly across the street from bonnie mcknight. And we have a parcel of land that has sat vacant, surplus for years. It's a large lot, instead of selling it to a developer, who would have applied it to three narrow lots with three skinny houses, I took the opportunity to have the water bureau build what I can only characterize as a house of future, that takes advantage of every environmental achievement known to humans at this point so that we can demonstrate to builders and citizens that you can build a sustainable house that will sell and bring back, bring, and actually make, make money, we did that design in cooperation with the neighborhood, including bonnie mcknight, the literal language of saying we can nor sell any water bureau assets, would prohibit us from selling that surplus property so I want to be clear as to, as to the reason for that language.

*****: And --

Linly Rees, Deputy City Attorney: Mayor Adams and commissioner Leonard, may I offer a suggestion? When we want something, when we want something to be binding under the code, to be bind city policy we need language in there that says this is binding city policy that's under our Portland policy document section, would, just, I don't make friendly amendments but that's a suggestion.

Leonard: What would it have to be?

Rees: This is binding city policy.

Leonard: So moved to add that to that, as a friendly amendment.

Fritz: I'm really very impressed that you and your staff, in looking at the language of this amendment, are thinking big picture, all of the things that the water bureau does, and I am wondering whether bringing this back as a separate resolution next week to get, to make sure that, that all the i's are dotted and t's are crossed.

Leonard: I would be comfortable with that and I know that there are people who are skeptical about everything that I do so I was trying to do it as quickly as I could.

Fritz: If you would be more comfortable.

Leonard: I would be happy to.

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Fritz: We try not to do things on the fly so we make sure --

Leonard: Ok.

Saltzman: If I could add in that vein, you know, I think that I supported it until you said that this would prohibit ever transferring surplus property to anybody. I don't think that that's something that --

Leonard: No, no, I am saying that I wrote it this way, so we could transfer it, and that's why I wrote it so that, so that, it says integral to the delivery water because surplus water, property, is not integral. That's why I had that added.

Adams: As one person on the city council I would prefer to put this into, as an amendment into this resolution and we can polish it in future council actions if we need to.

Leonard: We can work it for the next week and amend it again, that's fine, too. That's up to everybody here.

Adams: Some of the people left that testified who heard we were going to.

Leonard: We think that this covers it, and i'll have eddie and david get together and, and look at it again and if it needs to be polished, we'll bring back something to amend this.

Adams: So we'll have a chance to vote on whether now or later on the amendment moved and seconded. Karla, would you please call the roll.

Fish: The amended amendment.

Fish: Yes, the suggested language by our esteemed council

Adams: which includes this is binding policy.

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

Fritz: I don't usually turn to commissioner Leonard and say do you want me to vote yes on this but I did and the answer is yes. [laughter]

Fish: Aye.

Adams: I can only hope one day, commissioner Fritz will do that to her left [inaudible] [laughter]

Adams: We're voting on the twice amended council calendar item, and karla, would you please call the roll.

Saltzman: I want to start out by thanking commissioner Leonard and the water bureau for their diligent work on this technical and controversial issue. The work session held with council last month, I believe, it was last month, was excellent, and gave the most thorough overview of the issue and understandable that I have had, you and I appreciate that, and I appreciate the very thorough follow-up to all the questions that council members had, and, in that work session, with the notebook put together by the water bureau. And about a week ago. And this is a difficult decision, and one that I know that, that all members of council and citizens take seriously. Our bull run water is some of the cleanest and most pure drinking water in the world. And we all know this and are rightfully proud of that legacy. Left by our predecessors. And I believe that this entire council understands that the It-2 rule is an unfair rule that does not take into account the incredibly, unique aspects of the bull run system. So, if we all agree that in Portland's case, this is a regulation in search of a problem, then I believe that we should continue to pursue all alternative options beyond a large capital project. Pursuing the variance. Legislative options. And again, I want to thank commissioner Leonard and the water bureau for working so hard on these matters over the last two years. But if we must begin planning for a large capital project to comply with this rule, and I do believe that we must begin that planning, then we should plan for the lowest cost method. As the prudent step, and that's why i'm pleased to see the substitute to select ultraviolet treatment as the preferred option. This is, by no means, an easy call and I do recognize that there are secondary and tertiary benefits to direct fill ration that it provides. I just don't believe that they outweigh the substantial cost difference of approximately \$300 million. And I would like to explain why. We have heard a lot about the benefit of having additional drawdown capacity that would give us an, in essence, a billion gallons of extra capacity. And that assumes that we need this water. Now or any

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time in the foreseeable future. And, and I don't believe that really is the case. I think that, that the present value of a billion gallons of water at this point is practically zero. There may come a day when that supply is necessary, but it's not here now, and I think that, that we have the wellfield, which is a secondary source of water for our citizens. So, it's somewhat of a luxury to consider an extra billion gallons when we know the Portland businesses and rate payers in general are under intense economic pressures. We have also heard about climate change, catastrophic wildfires, and how direct filtration can respond best to these risks. Again, the wellfield can provide the water we need in a catastrophic event in the watershed, and I believe that the vigilance of our great staff, as well as that of the u.s. forest service, provides us the confidence that the fires can be detected and promptly put out. And with respect to future regulations and direct filtration perhaps, being able to deal with the future substances or items that may be regulated, what we do know that e.p.a. Rules such as this, they don't happen fast. It's taken over a decade for this long-term treatment rule to actually be finalized and implemented. And nothing assures us the direct filtration will be the technology needed for the speculative regulations in the future. Pharmaceuticals and things like that, probably are not going to be dealt by direct filtration, better than ultraviolet. So again, we should not spend 400 million on something that, that may be needed when we could spend \$100 million on something that gets us in compliance with the current rules and does not limit our use of future technologies. I also would like to touch on sustainability. I believe ultraviolet is the most sustainable option available to us. No water is generated that must be, or no sludge is generated that must be disposed of, and it will also utilize a fraction of the energy that the direct filtration plant would require, and as I said, the waste products, while not presently considered to be hazardous waste, I know from, from environmental services, that what's not presently a hazardous waste can, indeed, be designated a hazardous waste in the future and entails substantial cost for the disposal. Again, I think that this makes most sense at this time in this economy. And I believe that we are exercising due diligence in trying to continue to seek the variance which we all support but also recognizing that, that we need to also make the prudent planning to comply with this It2 rule, I want to thank the water bureau for their leadership and I am pleased to vote aye.

Leonard: This has been a challenging task balancing my, my instinctive kind of reaction to get in and fight unfair things, but also knowing that I have to have a high degree of technical knowledge to be able to have the tools necessary to challenge those from the federal government that have much more knowledge on this subject, than I have, and it's only because of the, of the three gentlemen sitting here, eddie campbell, david shaff, and Michael stewart, who, um, have been the, the brains behind everything I know and articulated on this subject. These are consummate professionals, and they continue a century plus old tradition of fighting to make sure that not just this generation, but future generations have the best drinking water in the world. And my hat is off to each of you. I greatly appreciate your, your dedication, your professionalism and certainly, the time that you spent with me allowing me to have the information that I need to have intelligent conversations with a variety of different people who, who I need to be able to instantly react to about why we think that our water system doesn't need what it is that the feds say that we need. I appreciate that discussion. The debate of the council, and look forward to moving on from here having this, this subject behind us as far as the debate. It has been very time consuming and I know emotionally draining for a lot of the folks here in the audience, and I hope that we can now get to the place that we are all working together for the same thing. Aye.

Fritz: Well, I agree that we need to work even harder to get the variance from the e.p.a. And I keep a sign in my car, so i'm ready to -- a few hours' notice because I take transit now that i'm working downtown, but count me in when we are marching in on the e.p.a. And I believe that we should, we should ask the federal delegation for closing the federal protection loophole if any exists, and I thank regna and jesse for coming down and delaying your family vacation to make sure that we got that point. A lot of people gave up a lot of time for this, and I appreciate it very, very much s we

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need to continue that, to seek the variance process, and it was mentioned while there is no reason if we are going to move forward with u.v. To do that, there is 180 million reasons to do that. That's \$180 million is what the u.v. Treatment plant would cost with the debt service, that's still a lot of money. So we certainly have that incentive to make sure that we work as hard as possible to get the variance in the e.p.a. And I will do that. And thank you Commissioner Leonard, for his continuous hard work on this and for being such a leader and being willing to alter direction with citizen and council concerns and thank you to the water bureau director, david for his work and responsiveness to my office on these issues and thanks to patty howard and tim and tom in my office who helped me figure out many of these issues, and thank you to the citizens of Portland who continue to amaze me and make me proud to be a city commissioner. With your diligence and your passion and your intelligence, what an amazing discussion that we just had with people who are counted as amateurs and yesterday are very versed on the studies and the counter studies and the issues related to this important matter, that matters to Portland, it matters to Portlanders. We do care about our bull run water. It's part of who we are, whether we were cradled here or came here as soon as we could. The bull run watershed is very special to us. It's special to our wholesale customers, and I appreciate the hundreds of people who sent me personal emails, not just copied, copy and paste, the talking points but their own personal emails, including several of our water wholesale water customers from the east and west of the city. So we're making this decision together, and that's really exciting to me. It's exciting how this council works together and listens to each other and considers different things than the way that we were originally thinking that we might go. I would certainly like not to treat the water at all. If there is a treatment, I the least cost alternative which I believe is ultra violate. Ultraviolet treats for cryptosporidium and other microorganisms that we will be in compliance with the lt2 rule, if we are not granted a variance and u.v. Won't change the taste and protects the forest to faucet branding that Portlanders are so proud of, and I am very pleased with the way that this conversation has gone. Aye.

Fish: Well, first, I would like to thank commissioner Leonard, as well as water bureau director david shaff and his team for leading what I consider to be an exhaustive, thoughtful, and transparency process. And I want to thank the hundreds of citizens who wrote to my office or testified today. One thing we all agree on, whether we are environmentalists, craft brewers, businesses or citizens, let me make sure that I get this right, david, from forest to faucet, the Portland water bureau delivers the best drinking water in the world. And we want to keep it that way. The scientific issues in this debate over the long-term to enhance surface water treatment rule, are murky and complex. Cryptosporidium siano bacteria and turbidity. Did I get that right, david? [laughter] but the political issues are crystal clear, the federal government insists that we solve a problem that doesn't exist and further insist that we pay for this folly. This is regulation run amok, a one-size fits all approach to the clean water acted that treats Portland like it is the milwaukee, wisconsin of the willamette. Portland already has one of the highest combined water and sewer rates in the country, and ordinary citizens are struggling to meet their basic needs during the worst recession of our lifetime. We need to fight this misguided mandate in every venue. Including in congress and before the e.p.a. And I am extremely grateful for the leadership, and I underscore that word, leadership, of commissioner Leonard and senator merkley in this fight. The resolution before us as amended proposes a dual track approach to lt2. Aggressively seek a variance from the e.p.a. And simultaneously plan for the possibility that we are legally required to treat our water. In my judgment the case has been clearly made that we need to pursue a dual track. Commissioner Leonard are is exactly right, we cannot bet the farm seeking a waiver and get caught paying millions of dollars in fines if we are not successful. Now, a number of people who contacted me urged this council to engage in what amounts to the civil disobedience, and that is not an option. We each took an oath to obey the law even laws which we disagree with. On the question of treatment options, my general inclination is to follow the hippocratic oath. Do no harm. If we

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absolutely have to correct a problem that doesn't exist, choose the most cost effective, least intrusive solution to the problem. New York City, San Francisco, and Seattle have all chosen u.v. It costs around \$100 million, one quarter of the cost of filtration. And it does not require the use of any chemicals, and it specifically cures the alleged problem identified by the E.P.A. In reaching my decision today, I have evaluated cost, impact on rate payers and benefits of each proposed treatment option, and I have carefully considered the concerns raised by citizens who contacted my office, and I have listened carefully to all the testimony and I have made unreasonable demands on David Shaff's time. And I would be remiss if I did not say, as proud as I am to serve with Commissioner Leonard, I take great pride in serving with civil servants like David and his senior team. In my view, Commissioner Leonard's amendment strikes the right balance. Fight for a variance, but support u.v. Treatment if absolutely necessary. Thanks, Randy, for the countless hours you put in working all sides of this issue to get to consensus. I am proud of your leadership. And that leadership assures that we are all working together to protect Portland's greatest natural treasure. I vote aye.

Adams: Well, I want to join with my colleagues and thank you, Commissioner Leonard, for the amazing leadership in taking on this incredibly difficult task. Difficult politically, and technical issue and from a federal and state regulatory point of view, I don't know of a more challenging public issue right now. We will keep our eyes open for any legislative fixes but this approach does focus us on the variance. The regulatory variance, and that is what we need to focus our energy. That will involve our delegation. E.P.A., can and will be responsive to our federal delegation and we will need them as partners as we seek that variance. As has been said, we'll continue to fight like heck to have the federal government recognize the purity of our Bull Run water source. And we're going to, to prepare a contingency in case we lose. It is a contingency only. I want to thank the staff of the water bureau, the citizens that have testified today and everyone who is waiting on this issue. It's good to be moving in a direction of both fight and planning. Aye.
[gavel pounded]

Adams: We are recessed until 2:00.

At 1:14 p.m. Council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

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[roll call]

Adams: I would like to, unless there are council objections or unless I have to have a council vote - do I need a council vote on the continuation unless there are council objection, like to continue 1060, which is adopt and implement the hayden island plan, and amend comprehensive plan map, continue that to august 12th, 2009, at 3:00 p.m. Without objection, so continued. [gavel pounded] if it pleases the council i'd like to -- the 2:00 p.m. Time certain, I think we'll end on time or just a little early for that. We've got a quick housing issue and that should put us on time for the 2:30 -- 2:30 p.m. Time certain, or we could wait until the 2:30 a.m. Time certain. Hey, it's cool in here. Cooler than my house. Can you please read the title for the time certain, council calendar item 1075.

Item 1075.

Adams: When I took office as mayor, I set as one of my goals for first hundred days in office is to fund 15-mile bicycle boulevard. New bicycle boulevards. These are low-traffic streets that are specifically designed to prioritize bikes and pedestrians for safe bicycling and walking. And clearly they are also great for neighborhoods. But equally important they are a great community building opportunity if the planning of them is done in the Portland spirit of community-based grass-roots planning. I'm pleased to move forward for the council consideration the proposal to establish a bicycle boulevard on southeast spokane. It's a prime example of how bicycle boulevard has been embraced by a neighborhood, for both its cycling and community benefits. So i'm pleased to bring forward paul and -- mark, will you come forward? They're going to tell us a little bit more about this. Who wants to begin?

Mark Lear, Bureau of Transportation: I'll start, mayor Adams. Mark lear, city of Portland, bureau of transportation. I've got a quick 10-slide power point presentation. This is the presentation that we used in neighborhoods when we're talking about bike boulevards. And i'll go over it pretty quickly because I know the council has quite a bit of background. We start our presentation at each of these group meetings, and we have eight projects currently active. Why bicycle boulevards? First thing we talk about is this great Portland pride around what a great city we have for walking, biking, and taking transit. We've won lots of awards for that. The thick we highlight, Portland is unique in another way, and that's around our traffic safety Accomplishments. Since 1986 as you can see in the Portland traffic fatals, we've reduced the number of fatals from 60, 70, 80 a year to down last year the lowest number of traffic fatals for all modes put together, pedestrian, bicycle, and motor vehicle, that year was the lowest on record. Not the lowest rate, but the lowest number of fatal. What's really significant about this, if you look at the graph below this, the national trend has been something that's been very different. Even with all the improvements with air bags in-car safety devices, the number of fatals have stayed flat. But in Portland we've broken that trend. That said, we still have a lot of hope. Even though we've improved safety, if you look at the chart, what I think a lot of you have probably seen before, a survey of who rides, and who's interested in riding, we still have the majority of Portlanders, 60% that are interested but concerned. The bike lane on a busy street isn't enough to make them comfortable riding their bike or riding with their family. What we've heard is the bike boulevard is

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something that will attract those types of users. So the main thing we're looking at with our bicycle boulevard is keeping speed low, trying to keep volumes at an acceptable level, and the crossing of the busy street ends up being one of the challenges. We're designing this system for the most vulnerable users. The families, seniors. It's interesting that both children and seniors have similar sort of challenges. Determining the speed of an oncoming vehicle is a challenge. But if you look at the map -- what they were calling for is a bicycle boulevard on Spokane. With bicycle boulevards we focus on five goals. Safety, comfort, attractiveness, direct route, and connected system. The connected system is the connection of bike lanes to bicycle boulevards, but also the connection to transit route and to businesses, parks, and schools. Our bicycle boulevard goals are very specific. Three things. We want to keep speeds under 25 miles an hour. We want to keep volumes less than a thousand wherever possible. And we want to make those crossing improvements safe and frequent. So on this map you can see that piece of Spokane makes its nice connection from our trail network up through the neighborhood, paralleling Tacoma. Another major goal is to be very near or paralleling the busy streets that have our shops and businesses. For speed and traffic management, two of those goals, the main tool is that we work on for reducing speed are speed bumps, islands, a series of speed bumps that would slow drivers as they turn down a street. And then other green street treatments. You can see this example at 17th and Shaver, a semi diverter. It's an example of the kind of treatment we'd use to manage volume. This slide shows the crossing improvements. For the most part on these projects we're talking about, it's things like the curb extension that you can see at southeast 12th and Clay where we bring the bicyclists out farther into the street, improving visibility and the pedestrian, and increasing the visibility. And then the slide that's hard to read in the left corner, that southeast Sandy and Ankeny is an example of a pedestrian island. Pedestrian islands are very effective, reduce crashes by over 40%, they allow pedestrians and bicyclists to make their own safe way across by taking a two-phase crossing of a street. And something we'd like to do more of, but don't have the funding for, is do more of hock signals like at Burnside and 41st. A lot of our boulevards would benefit from this improvement, but without additional funding, we don't -- those aren't included.

Adams: A hock signal is where the user presses the button to get the lights change.

Lear: Exactly. It's sort of like a railroad crossing. When the bicyclist pushes that button or there's a detector that picks up the bicyclist, the lights flash, and so it stops traffic and it allows that infrequent red light to still be very effective and not have high levels of noncompliance that can be very dangerous. We value planning as part of our boulevard projects, our bike planning generally. We are -- this is the process that we've been using in our meet cans and we're proposing to do for the rest of the projects. We identify all the residents on the project street, generally 100 feet off the project street. We notify district coalitions and neighborhood associations and any other interest groups that we're aware of that are interested in the project, in that project area. And then we have open houses where we review existing conditions. That means speeds, volumes, crash histories, and then we start to look at specific improvements and begin that discussion with neighborhoods. Then we come back for a second open house where we bring out some proposals or solutions with a goal of reaching a level of consensus that we're comfortable and bringing that back to the transportation director. In general this has worked pretty well. This is the design which highlights just briefly of what we're proposing for Spokane boulevard. There's three -- the three major goals, crossing safety for pedestrian and cyclists, 13th and 17th, those two busiest streets. In one location at 13th we're proposing a swale treatment along with a pedestrian island that allows pass-throughs for bicycles and pedestrians, and we're also working with fire to make sure it's a design that works well for emergency response. At 17th -- this is a good example of how we listened to businesses -- we decided based on performance goals and push-backs from neighboring businesses to take away the hard median that was between those two pedestrian islands and extend near the community center, near 15th, we did a speed bump very close to a crosswalk, similar to a raised crosswalk, and

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then we did a pinch point type treatment that has medians that protect the cyclist from being squeezed by cars coming through the pinch point. We also reviewed that same treatment at 6th where we used a pinch point partially we wanted to be responsive in the neighborhood really wanted us to be responsive to those peak flows that come out of Sellwood especially in the summertime. In addition to that we're flipping -- there were five stop signs in this corridor before the project, I think we've taken that down to two stop signs, so where we have stop signs where we have the busy street, but again, the cyclists using this corridor, we want it to be as convenient and fast as possible. So we've taken out the stop signs where they're not necessary and done that by using speed bumps. With that overview, I will turn it over to Paul.

Paul Notti: Mayor Adams and members of city council, my name is Paul, President of Sellwood Improvement League. For the last year and a half our neighborhood organization has worked together with PDOT and Southeast Spokane Street Bicycle Boulevard project, listening to neighborhood safety issues, crafting a proposed bike boulevard design, holding public meetings, several, considering neighborhoods community center, parks, schools, and business interests and fine-tuning a bicycle boulevard design for Southeast Spokane Street, which meets the following goals for our neighborhood. Create a safe route for bikes and pedestrians traveling throughout Sellwood. Promote neighborhood livability by reducing cut-through traffic to the Sellwood Bridge. Foster a more business friendly neighborhood with increased ped and bike access to our business district. The support for this project has been substantial. Initially the Sellwood-Moreland Improvement League membership voted to endorse the Safe Sounds and Green Streets initiatives for Southeast Spokane Street. We met with several businesses, including those on 13th Avenue and 17th Avenue. The response was very positive. On May 3rd at our general meeting a standing room only crowd listened to PDOT's proposal and moved to endorse the plan by a 59-5 margin providing a ringing endorsement for the neighborhood. These next generation bicycle boulevards offer a tremendous opportunity to improve Livability in Portland and the cost justified. We expect more bike traffic and more families and more kids biking to school, to West Moreland or Sellwood Park, more couples biking to breakfast or going to coffee. This project helps glue the community together and it increases its attractiveness as a destination for visitors. Safety is essential to livability. The city of Portland is a national leader in pushing for neighborhoods that are self-sustaining, reducing the need to drive for basic amenities. It's difficult to have a livable amenity neighborhood where crossing streets to buy bread results in injuries. This project will make it safer to cross 13th and 17th Avenues. Another key element of this proposal is the special business district speed reduction to 20 miles per hour. On 13th and 17th Avenue. Our neighborhood is met with businesses up and down these corridors as well as the Sellwood West Moreland Business Alliance. We are collecting petitions in support of the 20 mile-an-hour sign, reducing the speed will help business and the community. Transportation committee recommends modification in the speed limit, starting at Southeast -- Nehalem on 17th and could extend all the way up 13th through West Moreland into Bybee. The 13th Avenue Business District connects to Bybee Boulevard, hosts dozens of businesses and the Farmers' Market. Lower speeds will help the businesses and neighborhoods alike already SWBA is pushing for traffic reduction in certain areas as well as a crosswalk. The project also considers the traffic issues in our neighborhood and for our businesses. It will still allow a solid path in and out of Oaks Bottom Amusement Park, the pool and the parks. It will integrate nicely with alternative need for the new Sellwood Bridge and allow efficient access to the community center, our churches, our schools, and our businesses on 13th and 17th Avenue. PDOT and the neighborhood took great care not to shift traffic problem. Instead of hard division, for example, most of the treatments are soft, meaning they don't push traffic onto neighborhood streets. They also maintain convenient access in and out of the neighborhood. I'd like to thank the residents and the business of Sellwood West Moreland for their support. A few are here today as well as the city of Portland's Bureau of Transportation for their tireless effort to create this exciting

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project. And to you, our city leaders, in your commitment to developing safe bicycle access throughout our wonderful city. I urge you to vote support for the southeast spokane bicycle boulevard.

Adams: I want to underscore, paul, because of your leadership of this neighborhood, this is the first implementation of the 15 miles of bicycle boulevards, it's not an easy neighborhood, a lot of mixed use, a lot of visitors on a regular basis. We could have chosen an easier neighborhood for the first implementation, but we chose this neighborhood because of in part your leadership, and I want to thank you for that.

*****: Thank you.

Adams: We have a few people signed up to testify. Motorcycle we have six people. Good afternoon. We're glad you're here. Why don't you begin, sir.

Stan Scotton: Stan scottin, I live at 635 southeast spokane street on the northwest corner of that intersection. That is in location to one of the pinch points we're going to have. I think mark was off by a street, when he said sixth. I think it's still going in on seventh. And then there's the -- we're getting a new speed bump on spokane between 6th and seventh. I'm here in support of both the bicycle and the pedestrian improvements, and particularly i'm here in support of the process that we went through. I thought that was very well planned. I was really pleased with the transportation folks, mark and his groups and the engineers. Environmental services, and I also want to commend the smile board. I think he may testify, and he got me involved, and they're to be commended.

Adams: Thank you sir, very much. Good afternoon.

Steve Szigethy: Thank you mayor and members of council. Eye name is steve, I live at 1015 southeast spokane. I'm here to voice my strong support for the project as someone who lives on the street and uses a bicycle for commuting to work and running neighborhood errands, at least when it's below 100 degrees. I'm clearly a beneficiary of this project, but it's not just about me and the other estimated 1800 bicycle trips that occur on my street each day. It's also about pedestrian safety and automobile safety, and neighborhood quality of life. By providing median barriers and pinch points at three kilo indications, the project will greatly reduce the well-documented problem of cut-through traffic to the sellwood bridge and oaks park. These automobile diversion features send a message that spokane street is a neighborhood street for safe walking and bicycling, and that sellwood is a place where people live, work, shop, recreate, and not a pass-through neighborhood where the goal is to find the path of least resistance to the bridge. Turning the stop signs to facilitate bike travel is another very helpful feature. One of many small gestures that add up to making buys catholic an attractive option for getting around the city. And all the while the impact on Residential and business parking is minimal, with most of the homes already having driveways, most of the street having parallel parking, and the availability of several offstreet parking lots. So I could go on about the other merits of the project -- the green features, the lowering of the speed limits that paul was talking about, but i'll just stop here and say that I look forward to the excitement to the construction and completion of the project, and I look forward to seeing more bicyclists pass by my house and to personally using the bicycle boulevard to safely get where I need to go.

Basically when temperatures drop below 100. Thank you.

Margaux Mennesson: Good afternoon. My name is margo, and i'm speaking on behalf of scott, the executive director of the bicycle transportation alliance. B.t.a. Is delighted to the bureau of transportation moving forward with so quickly to build 15 miles of new bicycle boulevards. We fully support the implementation of southeast spokane bicycle boulevard treatment. As we've heard, people are really excited to see real on the ground bike improvements coming to their neighborhood. And to be -- the staff has done a great job of involving the neighbors and the businesses to ensure each design meets the needs unique to that neighborhood. And the b.t.a. Has worked with the city to encourage cyclists and our members to get out there And attend the meetings and speak up and engage with our neighbors, and we're really looking forward to

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continuing to work with the city and build more bicycle boulevards and keep getting people to ask for more. So we also appreciate the council's leadership in passing a budget for this year that included funding for bicycle boulevard projects, and we look forward to supporting the city as it makes good use of it. Thank you.

Adams: Thank you all very much for your testimony. The next three? You only need to give us your first and last name. Who would like to go first?

Philip Krain: I guess I'll go first since I was first on the list. Good afternoon council, mayor Adams, philip crane, I'm a former board member of smile. The transportation committee is a former board member. Been working on this project for a good year dispa, and all I can say is that it is wonderful to see this all come to fruition. I will repeat briefly what everybody has been saying, that pdot has done a fantastic job, they've really done everything they can do to make this really collaborative process. I actually live on seventh and spokane street, I'm going to have basically a direct impact or hit to parking in my -- right by my house as a result of the is pinch point. Having said that, I'm happy to do it. This is just going to be a wonderful project for this street, and like the previous Gentleman, I see bikes and runners and -- of all ages going up and down spokane street constantly, and to really have a safe passageway is really important. And I think having lived a year in copenhagen, I've basically been a bike commuter for 13-plus years all year-round, to have more bikes being able to integrate within the population within the city, it's good for business, it's good for neighborhoods, good for families. And it's a really special thing. One of the things I wanted to say, we do have a social event called green drinks, we have one over in sellwood, and started that -- we meet at the muddy rudder. First wednesdays of the month. I want to formally invite you all. Come down, and we'd be happy --

Adams: What time? Muddy what?

Krain: 6:00, in the -- after work. The muddy rudder. It's actually named after an alaskan chinook salmon as they go upstream. The gentleman that put this place together did a fantastic job, everything is sustainable, he did a tremendous amount of work to this place personally. And again, I'd like to make that invitation out to you. It's where -- I also started the sustainability committee for the neighborhood association. I'm still the current chair. We have a lot of initiatives going on, and this is basically a place where people that are interested in these topics meet and just hang out. Thank you again.

Adams: Thank you very much for your work on this project.

Barry Joe Stull: My name is barry joe stall, barry-joe. I'm going to spell it for a reason that I think is pertinent. Barry, joe, last name stull. If anybody types that into the search engine, the first thing that will come up is when I was a candidate for the pacific green party in the year 2000. Almost 10 years ago. And one of the issues that I focused my campaign on was the need to reduce the deaths - - deaths of cyclists so that people would be able to ride bicycles. However, that didn't stop me from being a victim in a car-on-bike crash where a gentleman ran the stop sign and lucky for me I wasn't in a fatality, because I have a good eye for danger. Danger is my business, and I have to be prepared. I'm glad that the city's finally catching up to these ideas that have been around for a while. I recall having a conversation just this past year with our now dearly departed bud clark in recalling him whoop-whooping as we passed each other on the Broadway bridge about 15 or more years ago when I was going to Portland community college. And the question I had to ask him was, can you imagine when we were doing that there would be the 10,000 or so bicyclists that are coming daily into downtown Portland? A lot of this is ideas that have been out there, and it's take-away accident a while for To it come through. It's basically because there are a lot of moneyed interests that are opposed to these things. Now, I have a spinal cord injury, and I have difficulty here with the city of Portland, particularly the Portland police, because I'm protected under the medical marijuana act. During our recess here, I didn't have a chance to go medicate, but did I have a chance to go on a hard bike ride and made it up to the top of the Broadway bridge, and I came

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back and I rode hard up broadway. Because that generates endorphins. And I hope to appear to be the most healthy-looking 50-year-old person with a disability that you're likely to encounter, and that's because bicycling has a multitude of benefits. And I'm just so heartened that although I signed up to testify on other matters today, that this is on the agenda. Thank you for supporting it.

Erica Jayasuriya: My name is erica, and I live at 1323 southeast spokane. I've been in the sellwood neighborhood for 19 years. I was just telling my neighbor that this is the first july that I have not had to call 9-1-1 for somebody having an accident in front of my house because the corner of 13th and spokane, especially once oaks park opens up, has every single year brought an accident to my front yard. Sometimes literally in my front yard as cars have skidded and ended up in my garden, and more likely that the cars collide at that particular point often because as cars are coming up From oaks park and they suddenly discover that they have to turn right, I sit there and we watch, my children and I watch as -- a little psychology exam -- where we look at the people and you can tell who knows that they're about to do something illegal, so they then really jump the intersection as fast as they can. And where the current speed bump is, it's still far enough down the street that they're able to do this. So while I am more of a pedestrian than I am a bicyclist, I am in full support of this project. I have been really impressed with the way especially in comparison to participating over the years with the tacoma street plan, and the sellwood bridge, that to see this so well organized, so well communicated to the neighbors involved in the process, and to see it actually in a pretty expedient way come to some fruition has been very exciting and very heartening. And no one yet has talked about this, so i'm going to say briefly that more than the bicyclists, because to be honest from my vantage point, most of the bicyclists that use the spokane street tend to be older. And I have a 13-year-old, and i've raise the him in this neighborhood in this house, and i've never allowed him to ride his bicycle on our street. It is so dangerous. Our street for young people. And to be the block with the sellwood community center on it, to have to tell his friends when they're visiting from other parts of the neighborhood, do Not bike on spokane street, if I catch you biking on spokane street, I will not be happy with it. So in gratitude for the safety of our children, which there are so many in our neighborhood, I really encourage you to do everything to get this so that it continues this nice expedient process and we can have a safe neighborhood for everyone concerned.

Adams: Thank you very much. Thank all of you for your testimony.

Barbara Barber: I live at 1202 southeast spokane. My home is located two doors up from 13th street, and I note this because I have a perfect view of the confluence to bicycles and automobiles at that intersection. It can be kind of a busy, complicated intersection. And it's made worse by the use of spokane street as a cut-through by commuter traffic. Bicycles coming off the east side esplanade and the spring water trail move through the sellwood neighborhood and they utilize spokane to action says sellwood, to continue on to the next leg of the spring water corridor or cut north to west moreland, east moreland and reed college. I ask you to approve the spokane street boulevard by -- the spokane street bike boulevard. Over the years it has enjoyed an unofficial status on unofficial level. I actually found this this morning, it's a 1991 metro map, and it has streets for bicycles listed here, and spokane is one of them. And it's sort of made me laugh, because it said it's a low-traffic street that has traffic moving at slow speeds. And maybe in 1991 that was a fact.

Adams: I don't think so.

Barber: Somewhere along the line it became a little more complicated. So what i'm asking is for you to elevate it and give it the basic infrastructure to function as a real bike boulevard. It would not only serve bicycle community in terms of access, it would provide a real component of safety to our neighborhood. Lastly, and then I will be done, i'm presenting -- I know sometimes questions come up regarding businesses and lowering of speed limits, but I ran around like a complete nut in this heat for the last couple days, and in no time at all I managed to get 39 business signatures in support of the lowering of the speed limit on 13th street. A few from 17th street, but that's only

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because I didn't have the time to hit them too. I must tell you that people readily signed on to the idea of turning 13th and 17th into a business district and lowering the speed limit. I only found a couple sort of recall types that considered it a bit off the old freedom block. But for the most part -- [laughter] for the most part people are pretty happy at the notion of traffic slowing down. Thank you for your time. Thank you for your consideration.

Adams: Thanks for being such a great advocate. Karla, please call the roll.

Leonard: I am a user of bike boulevards, and one in close proximity to this fire. I appreciate them, I had the opportunity to go out with one of sam's employees, grek, who invited me to go one morning a few years ago as he actually fought it out, the bicycle boulevard across foster. Did you go with us? That was a very cold morning. But it was a lot of fun, and I enjoyed it, and I appreciate the amenities that they are that one wouldn't necessarily recognize unless you were actually there using them and particularly watching them being designed. So i'm very happy to vote aye.

Fritz: I want to thank the staff for good work. Mark was especially helpful in answering our questions, particularly on funding, and people may be interested to know it's a combination with of funding with affordable transportation fund, environmental services green street fund from the environmental protection agency, Portland development commission, tri-met, Portland bureau of transportation in their missing link funding and federal stimulus funds. So it's a complete package of different entities all recognizing bicycle boulevards are very important for all the reasons that you have stated for the neighborhood livability, for transportation and enjoyment. I want to thank amanda on my staff, who is my liaison, and sherry. Aye.

Fish: Thank you for an excellent presentation. Thanks to the citizen who's came out on a hot day to testify. Same things for your leadership on this issue. And I wrote down muddy waters, but that's not right. Muddy rudder. Thank you.

Leonard: Muddy waters is in the tavern.

Adams: Drinks are based on willamette water.

Fish: Commissioner Leonard and I might have to do a field trip. Anyway, great job. Thank you very much. I vote aye.

Adams: First, thanks to the neighborhood association, leadership of the neighborhood association, at various different levels for working so quickly and just so diligently to get this done. I want to thank mark, kyle, ivy for their great work in getting this done, and katherine on my staff for helping to shepherd this. We get to save lives, we get to improve neighborhoods, and for our local neighborhood businesses, get more money, more customers. Great project. Thank you. Aye. [gavel pounded] so approved. Can you please read the title for time certain 1076, and then we will do commissioner Fish's item after that.

Item 1076.

Fritz: Approximately 40,000 american indians and alaskan natives reside in the Portland Metro area. The ninth largest native american community in the united states. This population is comprised of people's indigenous to the Portland metro area, the pacific northwest, and those from other parts of america. The stories that brought people to this area are as diverse and unique as each of the more than 500 tribal nations -- from -- the native american youth and family spent a dedicate itself to the enrichment of native people's lives with a focus on cultural identity and education. This organization has evolved and broadened its work ever since its inception as the native american youth association in 1974. The promotion of traditional cultural values in conjunction with the healthy and active lifestyle in support -- key values. And of course one of our valued partners in the office of neighborhood involvement for the program, so I invited some of the leadership. Today we have nicole, the executive director, and lois, who is one of the elders, and they'll be followed by ter ease and christine.

Lois Chilcot: Good afternoon, mayor Adams and city commissioners. It's good to be here. Thank you for the invitation to share some of the good work that's happening. First I must properly

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introduce myself. And tell you who I really am. I'm "happy heart woman" in & a member of the men me tribe of Wisconsin. My christian name is Lois. I can't even fudge on my age a little bit, suffice to say I am an elder. I'm one of the 38,000 native american who's call Portland home. This is my home. I've lived here for over 30 years. I retired in 1990 and since then i've been very active in the native american community and also in the Portland community also. I'm on the board of directors and I serve on elders in action commission and I volunteer at quite a few places. I really have a busy life because I do enjoy people and volunteering. Before I talk about n.a.i., I want to talk about the native american citizens that you represent. And take time to talk about making the invisible visible. Commissioner Amanda, did read some of the statistics about the Portland community, but i'm going to read them also. Portland has the ninth largest native american community in the united states. We live here, we thrive here, and we are numerous. The Portland urban community is -- over 350 tribes, and has multitribal and multiethnic backgrounds. We represent various degrees of tribal affiliations. Some of us are tribally enrolled and some of us are not. But all of us have ties to our ancestral homes. Some of us are members of local tribes, like the Umatilla and The Yakima, and the Nevada people who have -- necessary people, who have retained Fishing rights on the Columbia and Willamette rivers. We come to the city for as many reasons as there are clans and people. And we are -- our stories are powerful. The Portland metro area traditional sites of the Multnomah, Cathlamet, Clackamas, Chinook, Tualatin, Molalla and many other tribes who made their homes along the Columbia river and they've lived here and created -- encampments since time in memorial. After European contact, what followed for the indigenous people of the united states was a series of territorial and then federal policy decisions designed to eliminate and later assimilate native people. I think we all know about -- we're all aware of that. The 18th and 19th centuries brought disease that disseminated populations among us, sometimes nine out of 10. The boarding school era which lasted from the 1800s to the 1960s marked the beginning of a long campaign to integrate indigenous people into the western culture. Kill the Indian, save the man. Sum rise the philosophy that underlay most government policies of that era. Federal relocation policies which began in the 1950s -- a third of the native populations to relocate to seven major cities, including Portland. Termination much federal recognition of many tribes began in 1954 under the western Oregon commission act and the Klamath termination act, a large number of Oregon tribes, have their governments abolished, lands taken, and their governments abolished and lands taken and social services -- I lost my spot there. In 1977, the -- the first Oregon tribe to regain its federally recognized status. Later on the Grand Ronde and Klamath have subsequently had their sovereignty restored. There are still tribes in Oregon for whom termination remains a bitter reality, and even for tribes who have been reinstated its effects still are felt. Because in some cases like the Klamath, you can't restore the forest and the trees are gone, their land and assets are gone. They can't come back. In the year 2000, the census in the metropolitan area, which includes Multnomah county -- we were 19,209 native americans of one race, and 38,926 multiracial native americans living in the Portland area. Currently native people count did I proportionately -- I need some water here. It's a big word. Native people count disproportionately among the urban poor. We experience the highest rate of homelessness, poverty, and unemployment of all ethnic groups. Depression, addiction, and diabetes impact us in numbers far exceeding the norm. We constitute 24% of all children in foster homes in the state of Oregon. And only 37% of our children in school graduate from high school. Even with our large population and the strong evidence of need, resources have not been equitably distributed to us. There are false preceptions in the community that we no longer exist. These stereotypes have needed -- made it difficult for us to gain the funding that we need for our program. This commonly believe our education and our health care and our social services support system are fully paid for by the federal government and by casino earnings. That's about -- that's not true at all. Some of us don't even have a casino. Others don't even have a tribe. These misunderstandings lead to policies and

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decisions that limit our access to social service and other community resources in the city. Despite these barriers we continue to foster -- we are successful, contributing members of the city of Portland. We pay taxes, we volunteer, we vote. We share our heritage, and we care about the collective future of our children and this community. We are well over 20 native organizations in the area and they're run and staffed by native people. And our combined resources represent over 50 million dollars in revenue that goes to local taxes, businesses, and services. Our population is young. And 24% of our -- over 40% are populations under the age 25. That's a very staggering statistic. That's why education is so important to us. But our most important work revolves around preparing our youth to become the future leaders of this city and of their tribes, and of our community. We are passing on many strengths and assets. We serve the community and we help each other. It's distinct as urban tribal peoples may be, we have a collective vision for what we want of our children and families. We work to connect with other urban native people to create a common place to meet and to reconnect with each other to our ceremonies and cultures. We want to be recognized and treated with respect. We want our cultures and our religion to be valued. We want safe, affordable housing, access to employment options, and equal opportunities to build community. We have important and diverse indigenous values that -- contribute to the livability and uniqueness of Portland and we see ourselves as part of its future. Before we talk about n.a.y., I want to tell you about native American citizenship. I guess I read that we're going on to the next part. Sorry. We served over 2,000 youths last year and 600 families in 2008 and '09 we helped 40 people buy homes that is really important to us, because a lot of us never made enough money or had -- would have been able to buy a home. The last thing I want to share is some of the outcomes that really make us proud. And give us hope for the future. We had 11 youth graduates from the academy. 45 graduates from other schools. And we have elders in our building. Our best volunteers. One other thing, we helped over 300 people to find jobs in 2008-'09. But you know, this is all words, stuff on paper. It doesn't really mean anything until somebody who lived through it will tell you about it, and for that I'd like to turn the mike over to Serece.

Cerese Peltier: My name is Serece, I'm both Yakama and Coalville, and I am one of my mother's eight children. Six girls, two boys. I am also one of the 38,000 native people living in the city of Portland. In addition to this membership, I'm part of the group of young native people under the age of 25 who make up 50% of that population, and I am a n.a.y.a. Community member. I think it was in the sixth grade when I first became involved with n.a.y.a. It wasn't necessarily by choice. I was skipping school a lot, and it didn't go unnoticed. Almost every day there was somebody from n.a.y.a. chasing me down the street trying to load me into their car and take me back to school. Most often that was not -- it was -- she's made a huge impact on my life, even though most days while she drove me to school, I sat there and I moped around and I looked sullen, and defeated. I just at that time I didn't understand that what she was doing was actually helping me. Then in my transition to high school, my family started moving around a lot. Much like a lot of native American families in Portland. Because of the need to find affordable housing. And that really impacted my high school career, and I think it was my sophomore year when I counted how many times I have switched schools, and this was just that year. And it was 11 times that I switched schools from moving around. And it really made my transcript, my high school there's look a little bit funny to counselors, and so my senior year of school there was a counselor who called me to the front office, the guidance counselor, and she told me that she didn't know what I was doing there because I had nowhere near enough credits to graduate. And really I only had enough credits to be a sophomore. And then she said that my best option would be to drop out of school and to go into trade school. And she gave me some pamphlets. Probably thinking she was being helpful. That's when I asked her for a copy of my transcript, and I went back to n.a.y.a., and I talked to two of my tutors, my mentors, my guides through high school, who had tracked my whole career, and they were entirely confused by it. I showed them my transcripts and they counted up my credits, credit by credit, and I

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you -- it turned out I had more than enough credits to graduate. Just the names for the classes were different than that school had. And they didn't take the time to check. That was -- when I went into the n.a.y.a. Center to give them my transcript, it was about 10:00 in the morning. And they looked it over and we figured out what was going on, and they called that counselor and by 1:00 that afternoon, we were in her office and quite diplomatically and professionally they pounced on her. And by 3:00 that day I was readmitted to school, and I was well on my way to graduation. When I graduated I moved on to the evergreen state college. I just graduated on June 12th, which was actually the same day that n.a.y.a. had their graduation for their high school seniors at the academy. And it was both a beautiful and slightly disappointing day, because my little sister graduated from the n.a.y.a. academy, and we weren't able to be there for each other. But we made a pact, and we took pictures of every little thing, and this weekend we started putting together photo albums for each other of our graduations. And it was beautiful to see in our photo album opposite pages, a picture of her in her graduating cap and gown with her n.a.y.a. Honor cord and a picture of me in my cap and gown with my n.a.y. Honor cord. After graduating I came back to n.a.y.a. I've always come back to n.a.y.a., no matter how many times I switched schools, I always came back to n.a.y.a. And it was for two reasons. For the people, and for the programming. The staff there have always looked out for me, always made sure that I was on the right track and doing the things that I needed to be doing. And they made it fun with the programming. Going on field trips, learning about my culture and traditions, and they just rolled it up into one little ball and handed it to me. Currently I'm working with a program called ninth grade counts, and I'm working with eighth grade students moving to the ninth grade, helping them make that transition smooth. And it means a lot, because that transition was anything but smooth for me. And it means a lot to come back to my community and help those younger than me.

Adams: Well said. [applause]

Nicole Maher: First I want to thank you commissioner for inviting us to come and give this presentation, and thank the rest of the commissioners and mayor Adams for having us here today. Usually when I'm here to visit I'm usually advocating for something, or asking for something, and today we're just here to share and celebrate. It's really been a truly Wonderful year for our community, and I think in my eight years at n.a.y.a. Family center, the skewive director, I just feel so privileged to be part of this community, and to see such a united community with such phenomenal elders and mentors teaching folks like myself how to lead, and such amazing future leaders. I'm really honored by serc's words today. I met her when I first start at n.a.y.a. As well, so it's so wonderful to see her. I just wanted to share quickly a little bit about our organization, and I won't take too much of your time. But n.a.y.a. Family center is so pleased to have grown and expanded to be able to truly serve the community in the way that our elders have always dreamed while we're a 35-year-old organization, we really come into our own recently and so often as nonprofit organizations, I think it's really important that we talk about some of the benefits that we bring to our -- bring to the community, and I think that really talking about some of the benefit and resources that n.a.y.a. brings to this community is as important as well. As you know, we're a nonprofit, we're not a tribe, we're not a sovereign nation, and we don't receive any special or specific resources because of our status as an indian owned and ran organization. Less an quarter of 1% of our budget comes from tribal support. And so we're quite independent in that way. We currently have over 100 employees. Of those 100 employees, 87% are native american. 96% are from underrepresented populations in the community. 96% also have a college degree, and of those, 40% have a masters degree or above. Of the 100 employees that we have, we have an average salary of 47,000 dollars. With full benefits and so I think that's important to talk about that we bring so many good jobs to this community, and we bring so many amazingly qualified native professionals that contribute to the livability of this community. While we have an annual budget of about \$7 million a year, less than 7% of our budget actually comes from the city of Portland. Ji%

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of our budget actually comes from forces -- sources other than the city of Portland, the state of Oregon, and Multnomah county. So we contribute quite a bit to this community in that way. Although I think it's really important to note that the resources and services that we do receive in partnership with the city of Portland are really critical to who we are because it really creates the backbone of our organizational infrastructure, and really allows us to go out and bring in additional partners. Since 2003, we have competed and brought in over \$4 million in department of education competitive grants to this community. So we could provide services in four different school districts and serve hundreds and hundreds of children. Because of those services, we've been able to significantly increase the graduation rate. Now, we're really proud of these numbers, but there's also some challenges. In 2004 only 24% of native students were graduating over four years. Last year we had 37% of our students graduate over four years. So we're very happy about that increase, but it is still way too low and not acceptable to our community. And it shouldn't be acceptable to anyone. In the last four years we brought in an additional \$5 million from foundations outside of the state of Oregon. And an additional \$3.5 million from the department of health and human services from competitive grants. Today we're not here to ask you for anything except for to tell you a little bit about how proud we are of our community, our diversity, and the gifts that we are able to provide this community. But also just to remind you that we need you to be our advocates. While we have a lot of positive things happening for us, we still have the greatest level of poverty and we have so many challenges when it comes to education and housing. You, in your elect the roles v. Such value to our community, and it still happens to this day when native americans are left out of conversations, we're not included or we're considered an insignificant population. So we still need you to be the voice and to remind people that we are here. We want to be part of the discussion and we really believe that we can be part of the solution. We have innovative ideas, we have a different way of looking at the world, and we I think have proven that we are committed to results and change. We also want to help us in our effort to have Portland be very proud of its native heritage. We have a huge native population, we have so much to be proud of, we want our parks to be proud of native heritage, we want our planning bureau to include native voices, and indigenous world views in the way they plan for the city. We want to be part of the sustainability movement. We want to make sure when we're implementing green jobs and employment opportunities, those opportunities reach our population as well. With that said, I want to thank you for your time and the opportunity to come and speak with you, and I also want to say that one of the most important things that we can do as a community is build our future leaders. And we have so many talented leaders in our community. You probably have seen me way too much, but would I love to help any and all of you to make sure there are some fabulous native americans appointed to other boards and commissioners, because one of the strength and assets we have are strong leaders. So i'm happy to help in that effort. Thank you so much for your time.

Fritz: Thank you very much for your presentation. [applause]

Adams: That was fantastic. Thank you. [applause] I do know, nicole and the entire team are indeed very persistent, we've never actually chased me down the sidewalk. But they wouldv if they had to. Thank you commissioner Fritz for bringing forward that presentation and thank all of you for your time here at city council. I was just given a note that on 1069 there are people here who have to catch a plane at 3:30 that have been waiting all day. If I could do that quickly, then we'll move to housing issues and go from there. Karla, could you please read the council calendar title for item 1069.

Item 1069.

Christine Moody, Bureau of Purchases: Radio system planning project consulting services in the amount of \$768,000 and \$740, that's part of the public safety system revitalization project. Earlier this year a request for proposal was issued in -- and 11 response were received. An evaluation committee made up of six evaluators, two city staff, one community member and three

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people representing the regional radio system partnership selected i.k. Rvetion -- i.x.p. As the most qualified respondent. This contract is being administered bite city of Portland on behalf of the regional radio system partnership, and the project is being funded by the public safety in our communications Grant. I will turn this back over to council if there are any questions regarding the selection process.

Adams: Any questions from counselors regarding the selection process? Anything you want to add?

Lisa Vasquez, Office of Management and Finance: I'm lisa, i'm the public safety system revitalization project, project office manager. For the city of Portland. And I just wanted to point out the i.x.p. Corporation has come today just in case have you any questions of them. Their executive staff is present, one from the east coast, one locally. And if you have any other questions, we have city staff that can answer them. This is 100% grant eligible refundable.

Adams: Questions from council? Does anyone in the room wish to testify on emergency ordinance item 1069? Karla, please call the roll.

Leonard: Aye.

Fritz: I want to thank commissioner Leonard for his leadership on the public safety revitalization project. Aye.

Fish: I want to reassure you the weather we're experiencing is an anomaly, but you may want to come back in september and experience the better side of our weather. Aye.

Adams: Aye. [gavel pounded] 1069 is approved. Can you please read council calendar items 1072 and 1073. Emergency ordinances.

Items 1072 and 1073.

Fish: It's my great pleasure To introduce I think for the first time officially margaret, the new director of the new Portland housing bureau, as you know, she was selected at the conclusion of a competitive process and she accepted our offer, and she was hot very voablightd it yet. We have a couple of milestones -- we have officially launched the new Portland housing bureau as of july 1st. Margaret has been hired and is seizing the reigns. Until mid september we'll be inviting you each to come to a ribbon cutting at our new space, and we are in the process of moving towards consolidation, but we're at a phase where we call colocation now. I won't bore with you margaret's background, but we're just very fortunate to have her. I understand she's had a chance top meet with all of you privately, which is one of her first priorities. I'm delighted to welcome margaret, a new director of the Portland housing bureau.

Adams: Car larks can you please read the title for these two items? And then we'll move forward.

Margaret Van Vliet, Director, Portland Housing Bureau: I'm very happy to be here, and i'm glad to be able to bring you two pretty state forward items, but they're important milestones in our migration toward as fully integrated Portland housing bureau. I also want to take a quick second and thank the folks who provide the inner leadership -- provided interim leadership at p.d.c. Housing in the former bhcd, they've had a long transition period, and Really had things in good shape as I have stepped in just this month to take over. I want to provide aquick update on our migration and merger activities before I speak to a couple of the particulars in the two items. First of all I want to say we're working hard on developing a new charge for the new bureau. Kind of a mission and a refreshed framework for the work we do. I want -- we want that framework to include a continuum of housing that is -- serves people who are unhoused all the way to homeownership. And we want to do that in a way that looks at the larger picture of this totality housing market. So it's one of my hopes that we can set ourselves up to do that well. Another big priority is to clarify our policy and intent. We will operate under multiple policies and sometimes they're in conflict with each other, so that's part of what we're anding right now. Always we want to make wise use of our public funds and have a keen eye on & serve our public accounta expiates responsibilities, and mostly we want to focus on outcomes. We want to focus on outcomes that

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reflect the values of Portlanders and that you said as our leaders, about what it means for folks to be stable in their homes, to find housing that's affordable for their circumstance, and that's connected in ways that help make their lives better. So we're doing this work of Reframing and refreshing our mission by engaging employees and stakeholders and others who aren't our stakeholders yet, and we're getting some help from an excellent national consulting firm to help us think about some new ideas and new ways of doing this. So that's proceeding as planned. And i'm hopeful within a month commissioner Fish and I will have a new design, at least framework to adopt and then we'll move forward with that. Next steps, we're moving into our new space in the fall, that will be our colocation phase. The legal sort of full migration and full integration will happen next july 1st. But i'm very clear that true organizational change and bringing these two pretty different cultures together is going to take a lot of time. So one of the things i'll spending a lot of time on right now is understanding those two cultures and learning from the folks who have been working there a long time in how to bring them along. I can see the true integration and really getting to the outcomes consistently that I think we're going to look for can take one, three, and five years. I think there are windows of time and i'm hoping to be able to come back and talk to you about my hopes for what we can achieve after the first year, what we can achieve after a couple more years. So we'll be back updates. And i'm pleased to be here, and I thank you for your warm welcomes. With that I will quickly mention a couple of things about item 1072. This is our subrecipient contract between the city and the Portland development commission. This is an agreement that has actually been in place in similar form for a number of years. We passed this -- used this agreement to pass through federal and local funds, but mostly federal funds from the city to the p.d.c. And they use those funds to invest in housing projects that meet established city housing goals. We do this because p.d.c. has the expertise and capacity to underwrite and structure and make loans and grants to developers and nonprofits. Very often most often leveraging private capital. P.d.c. Reports back to the city on their use of those funds, and we have a shared process for selecting formally selecting projects and processes that get funded. A few of our priorities this year inside this contract are around preservation of affordable housing, development of the resource access center, engagement in the federal base realignment program, housing for veterans, and a continued focus on homeownership and foreclosure prevention. I should note just finally that the p.d.c.'s commission has looked at this and accepted it and I think it's ready for your approval.

Adams: Council discussion? Anyone in the room wish to Testify on emergency ordinance 1072? Ier? Please give us your name.

Stull: It's barry joe. I attended both commissioner Fish's and Fritz's town hall tuesday. We have a housing crisis in Portland, obviously. I currently am in transition projects incorporated, because of my housing issues and yesterday I had a meeting with my caseworker which is the first opportunity that I had. And I was told that coming into the shelter and testing positive for t.h.c. That I was ok for the first 29 days, but if I test positive for t.h.c. After 30 days, then i'm excluded from the housing program. The problem is --

Leonard: Excuse me. T.h.c. The active ingredient in marijuana?

Stull: Yes, the test for metabolites.

Leonard: It's pot.

Stull: If we can say, here's some ashes, there was a fire and there was wood here before, the ashes are evidence, but they're not the heat, they're not the wood. They're just a way to tell there was a fire there. So the issue is, because these things --

Leonard: I actually understand -- .

*******:** Did you follow, that as a firefighter?

Stull: The problem --

Adams: I want to make sure have you a chance to make your point.

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Stull: The problem is, these metabolites are fat soluble, and So they're in the human body and release slowly, so a test up to a month later you could test positive. So their policy at transition projects, which i'm -- I might also inform you that the city provided about a quarter of a million dollars under the safe access -- whatever the safe program is. -- that's somebody you as the city council and we as the city of Portland are funding. Their policy is, when an individual comes in, anybody, and they test positive for t.h.c., that's evidence that they used marijuana sometime. Day before, maybe a month before. So 30 days later, they figure these processes of eliminating this have completed and then -- and that means at some time as under your client history, you violated their drug and alcohol policy. So their policy is since marijuana is illegal under federal law, you can't positive -- test positive for t.h.c., and if you are under the medical marijuana program, you use marinol, which would probably cost about a thousand dollars a month. That's a housing budget right there for a number of individuals, would I hope. So the concern that I think that you all should be aware of is that under Oregon law we do have the Oregon medical marijuana program, but there doesn't seem to be housing that's available for medical marijuana patients under these programs. I know mayor Adams, you did recognize may as medical Marijuana awareness month, so you know that there is this potential for this medicinal, but what do we do as patients to ensure that we have access to housing?

Fish: The mayor has assigned that question to the housing bureau, and we'll get back to you. Thank you.

Stull: I just wanted that to be on your radar. Thank you.

Adams: Thank you. Anyone else wish to testify on council calendar item emergency ordinance 1072? Karla, please call the roll.

Leonard: Aye.

Fritz: Mr. Stall mentioned about the town hall that commissioner Fish and I heard, a lot of testimony about the urgency of housing needs and I know you're well aware of it. I wanted to point out this contract is for over \$6 million, and included in that is \$1.4 million of general fund, which is council approved and supports and wants to do more. So thank you for your work on that, and I vote aye.

Fish: I'm just building on that point, commissioner Fritz, the -- I think we can all take some pride that in the toughest budget that we'll hopefully have today rodrigues in a long time, the city under the mayor's leadership allocated 30% additional funds above the base budget to cover the social safety net and housing programs for people who -- for whom the market does not serve. So that's quite a milestone. Aye.

Adams: I'll save my comments To the next item. Aye. [gavel pounded] 1072 is approved. Any reason why we should not support 1073?

Vliet: No.

Adams: Any questions from the city council on emergency ordinance council calendar item 1073?

Fish: I will just note, mayor, that a tremendous amount of work went -- this is an i.g.a . The issues are mind-numbing. To say the least. A tremendous amount of work, and it's further complicated by the fact that we are going to go through this period of colocation with some different legal entities operating as we're creating the one team. So I just want to acknowledge the tremendous amount of hard work that went into hammering this out.

Adams: Thank you, commissioner. Anyone wish to testify on 1073? Karla, please call the roll.

Leonard: Aye.

Fritz: Thank you commissioner Fish and kay allen from your office for keeping my staff inform and inviting us to the housing stakeholder group. I look forward in working with you and the new director, and we are all committed to providing more affordable housing. You're doing excellent work. Aye.

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Fish: Welcome again to the city and you had a wonderful start, and we have a lot of work to do. I could not be prouder of your hire and of the work we're going to do together. Aye.

Adams: Commissioner Fish and you your team make this look easy. It is actually incredibly difficult, mind-numbing legal labor practical space issues that, you know, can preschool great amount of frustration. So thank you for your great leadership. Ms. Van vliet, welcome, I look forward to supporting efforts in the future. Aye. [gavel pounded] 1073 is approved. That gets us back to, can you please read the titles for emergency ordinances 1061, 1062, 1063, 1064. All relating to the same issue, Portland streetcar operations.

Items 1061, 1062, 1063, and 1064.

Greg Jones, Bureau of Transportation: I'm greg jones with the Portland bureau of transportation. We have four ordinances here for you. These are one-year amendments to the existing contracts to extend the funding, operating, and management services for the Portland streetcar project. These are three agreements with tri-met that provide for tri-met's share of the funding for the streetcar project, personnel agreement to provide for operators and mechanics through tri-met for the streetcar, and services agreement to provide for maintenance of the overhead system, wheel trueing, and other equipment that tri-met has that we don't have as part of the Portland streetcar system. And finally the Portland streetcar inc. agreement to provide for management services for the remainder of the year for the project. And it is the intention of the office of transportation and tri-met to begin and Portland streetcar to begin negotiating for the future model for Portland streetcar as we grow with these side streetcar project in this interim year. So that's why we're asking for this one-year amendment to the existing agreement that originally began back in '95 was the earliest one, and the tri-met agreements were in 2001.

Adams: The years extension in the meantime, we're looking at sort of a deep review much our relationship of tri-met relating to streetcars.

Jones: Correct.

Adams: Questions from council? Does anyone wish to testify on items 1061 through 1064?

Moore-Love: We have three people who signed up.

Stull: Barry joe stall. I was at the -- I was a spectator as I am today for the most part, for the community involvement engagement committee, involvement I suppose it was, committee for the -- regarding the Portland plan. One of the things that came out was that the streetcar concept plan is out, and reverting back to one of my campaign issues back in 2000 was that I saw electric buses as an alternative to the fixed rails in the street. They have electric buses in the city of seattle, and the idea is, of course, that once you put in rails, you create issues with The actual flow of traffic, the use of traffic, where on the other hand a trolley on the top of the electric bus is just something that connects to an overheadline that can be relocated or moved as experienced -- rather than having as we've seen the massive job to establish the green line max here in town, and the construction disruption and the impact on businesses, I think that a better approach and one that should be considered is the use of electric trolley buses rather than the fixed rails in the street. Which also are a great hazard to bicyclists.

Adams: Thank you.

Gilly Burlingham: Joey burg ham. I will admit I wasn't aware, I was so involved in bull run I didn't know this was coming up. I love streetcars. I work for the city lions during the second "war of the worlds." I too agree that it would be wonderful if instead of having the fixed rail we could have the overhead, because it would mean that it could be transferred to different streets and different routes. I would also like to put a plug in for those of us like my daughter and myself, who do not have a car here. We really need a bus running somewhere north and south between 39th and 12th. I just thought i'd bring that up.

Adams: Thank you all very much. Appreciate it.

Moore-Love: We need commissioner Fish before we can call roll.

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Adams: Ok. Can you read title -- put that on hold. Can you read the title to the nonemergency ordinance council calendar item 1065.

Adams: Don't go anywhere. Please call the roll on council calendar 1061.

Leonard: Aye.

Fritz: Aye 401(k) aye.

Adams: Aye. 1061 is approved. Can you please read the -- call the roll on emergency ordinance 1062.

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

Adams: Aye. [gavel pounded] 1062 is approved. Please call the roll on council calendar item emergency ordinance 1063.

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

Adams: Aye. [gavel pounded] 1063 is approved. Please read -- call the roll on emergency ordinance item 1064.

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

Adams: Really appreciate everyone's good work on those.

Item 1065.

Adams: So this is a grant agreement with -- from odot where we get money to work on a project that will help us in a variety of different ways. What is the most important benefit of this council calendar item?

Richard Johnson, Bureau of Transportation: The most important benefit is that we will reduce travel time across the powell boulevard run from about 82nd to -- not milwaukie -- my name is richard Johnson. I'm representing Portland broaf transportation. This is an advanced traffic management system that will actually modify the signal timing in real time based on travel demand. Currently we have traffic signal plans in place that are based on engineers have gone out and taken a look at it and said, ok this, is the average demand at this time of day, and we implement that plan. This system will actually look at real time detection, see what the real demand is and adjust it literally second by second. So we will get a reduced amount of carbon output, we will get an increased transportation flow through the system. That's what this is to do.

*******:** And we count the traffic at the same time and we report back what is going on. So it's been very helpful for us.

Adams: This is the most advanced traffic signalization one could hope for.

*******:** Yeah, this is state of the art. This is not -- things have changed since 20 years ago. We used to just -- we used to have red, yellow and green, but now we do a lot of features that we can actually count the traffic and adjust the green time. We leave the rest -- red and the yellow alone. We don't mess with those.

Adams: Smart man. I really appreciate you -- your patience in sitting through the day, and is there any discussion from council on this? Thank you for your great work. We really appreciate it. Unless -- does anyone wish to testify on 1065? It's a nonemergency ordinance. It moves to second reading next week. Thank you, gentlemen. [gavel pounded] can you please read the title for emergency ordinance council calendar item 1066.

Item 1066.

Adams: Good afternoon.

Mark Stairiker: Mark Stairiker, risk management services. Before you is an ordinance for approval of \$78,500 to resolve litigation of randall cooley against the City and the Portland police bureau. Last month in lieu of a trial we did a mediation with a federal magistrate, and at that mediation we agreed to resolve the claim for that sum pending city council approval. Discovery in litigation has been extensive. Myself, Mr. bill Manlove, city attorney and we have determined that this is in the city's best interest. Any questions?

Adams: Questions?

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Leonard: I don't have a question. I certainly recognize how busy everybody is. But i'm reluctant to vote on something like this without at least getting a briefing as to the particulars of the case. Maybe my colleagues have had that? It's a substantial sum of money, allegations are -- what's the right word -- concerning. And the implication of this would indicate to one that maybe the council needs to consider some broader kinds of structural approaches in police training. I'm kind of careful how I say this. I personally can't support this at this point without better understanding the facts of the case and I should have probably, and this is not your fault, I'm not, this is not addressed to you. I probably should have said this the last time we had one of these. But I use to ask for and receive a briefing by the police chief on everyone of these. That stopped a year ago, not at my request but unilaterally. And I think there's been enough cooling off time between then and now that I have to insist to have briefings on these kinds of settlements. I'm not talking, I want to be clear, I don't want to know about fender benders and you know somebody ran a red light and hit somebody and that's our fault. But where it involves police action where a citizens been injured and whether allegations of civil rights being violated. I do believe it's the council's responsibility to thoroughly understand the facts of that case I actually would prefer to do it in a public session . I'm not so much comfortable doing it one on one as I use to allow to happen, in a coffee shop across the street with the police chief. Mayor I don't know how you feel about that.

Adams: Is there any--can we set this over for 2 weeks.

Stairiker: Yes we can.

Adams: Unless there's council objection --

Leonard: I'm not so much saying set it over. I guess I'm asking you how you fee about in these kinds of cases as opposed to the policy that existed up to a year ago where we had private one on one briefings. I think the public deserves to know. The council certainly deserves to know. And we should have a public discussion as to the facts of the case. I'm not looking for some sort of an inquest. I'm not looking for any opportunity to embarrass any particular police officer or the bureau or certainly the commissioner in charge. But I've always taken these seriously. If you recall because of circumstances a year ago I've allowed my prior practice of insisting on being briefed on each of these to lapse. That grace period has ended. I'm no longer going to ask for a private briefing. I'd like to know how my colleagues feel about having that happen here. I would also like to request that that happen here and that we vote at the next session. So I'm not actually asked to vote on it that day. But rather hear what the issues are. Allow people to say what they want to say and give me a week to think about it.

Adams: I think it's very useful, and that's why, if we could, how would we do that. I was thinking that we would set it over for two weeks in the intervening week. We actually would need to set it over for a week and then set it over again, I think. Is that how it works?

Leonard: I would also like --

Shane Abma, Sr. Deputy City Attorney: Are you talking about this specific one or commissioner leonard's proposal?

Leonard: Well, I guess I want - -

Adams: This specific one and then it would establish a practice from council - -

Leonard: This would set more of a policy. I want to be real clear, i'm not asking for those kinds of typical fender bender ones that we get rather routinely where it's truly an accident. But, the ones that come fairly consistently, we're there is allegations of either police brutality or unlawful detention or certainly what, we have a man whose wrist was broken, I would like to have a forum in which those folks that we're settling with have an opportunity to explain their side, the police bureau has an opportunity to explain its side, and because I am not comfortable just paying somebody off for something that may have happened that violates city policy, that may indicate a need for additional training. It feels a little bit like we're sweeping it under the rug, and I voted for one like this a week or two ago, and I regretted not saying that then, and again, don't mean to put

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you on the spot. This is not your, your problem, but, for me, I mean, there are two of us here that within here a year ago, and commissioner Fish had just gotten onboard but I had a standing policy from the moment that I became a commissioner, that I insisted on a briefing on each of these, and I got that. And that stopped one year ago. That's no longer good enough for me, and I think that I want the entire council to be hearing what I hear.

Adams: Commissioner Fritz and then commissioner Fish, your thoughts.

Fritz: I appreciate those concerns, and I concur with your quest. I would like both. I think i'm always wanting to get briefings on things ahead of time so that I can start thinking about it before it comes up in council, and thinking there may be more questions. I am also interested in hearing when this comes back, what did we do in response to this? In addition to, um the claim, what training, what was determined, was it determined that the officer needed more training? Are there systemic things? Last week we had a discussion of the use of force report and if there was not an injury we don't count some of the force that we use, what are the bigger policy implications that, a case like this can help illustrate for me and to provide guidance both to the commissioner in charge of police and also to the human rights commission and the community and police relations, how can we use this as a way to make things better?

Stairiker: Yes, ma'am.

Fish: I want to second what randy has proposed, and I would like to, perhaps, randy be part of a discussion that we have between meetings with the city attorney. This has come up, actually, through the back door and a couple other things that we addressed.

Leonard: Right.

Fish: What has struck me is that we walk a fine line. Coming out of a mediation, which is a process which is off the record, with inadmissible information. Coming to us before it's settled with a trial pending. We walk a fine line because some of the things that we could discuss here in a public setting, could constitute admissions or other kinds of things which could be detrimental to the legal case and yet we have an obligation to oversight and ensure accountability, and so finding - - that actually came up, if you recall, a few weeks ago when commissioner Saltzman had an exchange with nelson abeel, which got pretty close to something which was not fair because there had been no negotiations. But, to even ask a party to disclose things that were confidential, assuming that they had occurred, so, whatever background I have on this, it could be helpful to the discussions, I concur completely with what you are suggesting, and I think that part of it is an education process for all of us about, you know, we're the lines are presettlement so that we don't put the city at a disadvantage.

Leonard: One of the advantages I have is I'm not encumbered by the legal knowledge that you have.

Fish: I'm recovering.

Leonard: And I always respect and appreciate when you interject those kinds of concerns, but I am going to give an example here that is rather graphic that was a public settlement that was read here so i'm not revealing anything that didn't happen here. It was in the Oregonian newspaper. It was actually the last briefing that I received by the police chief, and it was about a young woman who had been pulled over on the hawthorne bridge by an officer. The officer, um, approached her, said you were speeding. You need to slow down. He said, i'm not going to give you a ticket this time. He let her go. As she left she reached out the window and gave him the universal middle finger sign. He pursued her, pulled her over in front of the veritable quandary, again, i'm repeating to you what we read and discussed here at council, told her to get out of the car. This was witnessed by people in the veritable quandary. She refused to get out of the car. He reached in grabbed her by the arm and attempting to extract her from the car, broke her arm. We saw pictures of her with a black eye. And we settled for some, close to \$100,000. In my private meeting with the police chief, I said this is an outrageous incident. Don't worry about me voting for this settlement. I will

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trip over myself to vote yes for this. What was the consequence to the officer? Nothing. And that led to a terse exchange with the police chief and myself. I read the facts of this case, and i'm going to read for those watching by tv just a short thing that i'm reading here. Background analysis, the ordinance will settle a federal lawsuit brought by randall cooley alleging excessive force, excess force, and unlawful detention, and violation of his civil rights during an encounter with the Portland police officer on september 23, 2006. The officers and mr. Cooley's accounts of the details surrounding the incident are markedly different. During the incident mr. Cooley suffered a fractured wrist. The city faced potential punitive damages and attorney's fees had plaintiff prevailed at trial. The parties reached a mediated settlement shortly after the june trial, before the june trial date. The settlement is in the amount of \$78,750. It may be unfair of me, but I infer some things of the facts of that case from that settlement. And they are not pleasant inferences with respect to the culpability of the officers and the police bureau. I think that most people that know me know that I defer to the defending of the police bureau and the officers and going to the mat to get them what they need. I also do not believe people who have a lot of authority have the right to abuse that authority. And I am not suggesting that occurred in this case, I don't know if it did or not. But, you came today to make a presentation to performing your job, and it appears at least two of us were not offered a briefing on this. I have drawn the line on that. I find that arrogant on the part of the police bureau, not you, the part of the police bureau. From this point on, I think that it's irrational, and in fact, I would think the public would be watching this shocked to know what I don't know when i'm being asked to make this kind of a vote. Not just about the amount of money, but what happened to this individual. What happened, what processes and procedures in the police bureau as a result of this incident. My experience is from the incident on the hawthorne bridge, nothing happened. That's unacceptable to me. And I get that I was in kind of a politically stand-off position with the police bureau for a while, that grace period is over, and i'm going to return back to my prior position, which was what got me in hot water with the chief asking these questions and demanding and insisting on answers. And I think the mayor, hopefully, agrees with me on that and we can establish a policy so we don't just get briefed privately so the public doesn't hear our dirty laundry or see it. But that's fine to do what commissioner fritz wants, I'd like that as well. but I want it repeated here at council, I want the people that are going to get settlement to have the opportunity to say whatever they want to say, which doesn't at all mean to me that I won't vote for this settlement. I most likely would agree to at least whatever it is that, that has been agreed to. That's not the, not the point. My bigger point is, are we managing our police force properly and if there are problems, what are we, as a council, doing about it? Sorry to take so much time.

Adams: No, I appreciate it. I think it's, it's an important conversation. So, to make sure, i'll say this out loud, and commissioner, correct me and others, individual briefings will be offered between now and next wednesday. Next wednesday we'll have the appropriate, and this is the part we need your help, police personnel present, we'll offer an opportunity for the proposed claim, the proposed --

Leonard: I want whoever is the proper person to fully explain the entire investigation of this incident and what they determined. I also would like to know if there was any culpability on the part of the officer. I understand personnel rules but I want to know if there was any accountability changes in procedures, if, and what happened as a result of this incident. Because, it's clear to me from reading, this I have read is, by seven years on the council, dozens and dozens of these. And when you read ones like this something smells. So, I want to know if something happened.

Adams: You are interested in the investigator of this particular claim but you want to make sure that we go beyond that, that any policy issues that arise from this specific instance, you want the appropriate policy person there-here.

Leonard: And if discipline resulted out of this incident. I don't need to know what it was, but I think that it's fair to know if there was a disciplinary process.

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Adams: ok, anything else?

Leonard: And I would really, I would, I -- and I think, I mean, I don't mean to make this an exhaustive list but I would like to have some assurance from the police commissioner that as these kinds of incidents come up, he follows up personally to see if there is some systemic issue within the police bureau that needs correcting to prevent this kind of thing from happening, if in fact this is one of those instances. Again, i'm going back to the hawthorne bridge incident that there was no such follow-up on, and in fact, almost what I would say was an inexcusable dismissing of, what happened.

Adams: So the investigator, someone that has knowledge and can report the investigation of each particular incident, in this case, the one before us --

Leonard: I would like to be able to have us in advance have the interviews of the suspect, what the suspect alleged. This says here that there were differing views. I want to read those for myself and see what was different.

Adams: But, in addition to the people knowledgeable, that partook in the investigation of the specific incident, you want to know from, policy level, management level people whether there are policy or operational issues that concerns that arise out of this?

Leonard: Yes.

Adams: And what the solutions there are --

Leonard: Yes.

Adams: And that should include direct, that it should include the police commissioner.

Leonard: And the best answer for me because I know the police bureau will get this tape and listen to this, the best answer for me is, we don't need a new policy. We have policies to cover people who overreact. We took corrective action with this officer, and it was severe. That would be the best answer.

Adams: You don't necessarily --

Leonard: That should be the answer.

Adams: Ok. You don't assume that new policy is needed but --

Leonard: When I had the bureau of development services and we found that employees were buying houses improperly on duty, their defense was, there is no rule against it, and I reminded them we also don't have a rule against stealing money from a bank on duty. You should know that that's against the rules.

Adams: On the claimant side, either a representative of the claimant or the claimant itself provided an opportunity if they want?

Leonard: If they want. Solely up to them.

Adams: So you are tasked with making sure that this is conveyed back and that you check in with the council offices that this is unfolding in the way that, meets and exceeds their expectations?

Stairiker: Will do.

Adams: For today, if it's ok with council I'm going to set this over until next wednesday.

Leonard: Thank you, I appreciate that.

Adams: 1066 is set over--

Leonard: Thank you.

Adams: --until next wednesday. [gavel pounded] All right, that gets us to first reading of a non emergency ordinance. Council calendar item 1067.

Item 1067.

Adams: Mr. Jones.

Eric Johansen, Office of Management and Finance: Good afternoon, mr. mayor and commissioners. Erik johansen, city debt manager. At your meeting last thursday, you approved a resolution authorizing the financial terms and conditions under which renovations and improvements would be made to p.g.e. Park. As part of that resolution, the city agreed to provide

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11.2 million in project funding from the spectator fund revenues, and resources. The ordinance before you today authorizes the limited tax revenue bonds that will fund the 11.2 million spectator fund contributions to the project. And the bonds will be repaid from spectator revenues from p.g.e. Park and the rose quarter, and will be additionally secured by the full, faith and credit of the city. Approval of this non emergency ordinance at next week's council meeting will allow the city to stay on track to meet the october 1 date by which project funding is to be secured. We plan to, to sell the bonds in mid september and close prior to october 1. And with that, I would be happy to take any questions.

Adams: Discussion from mr. Johansen?

Fish: I have two quick questions. First do we have an updated snapshot of what we think those bonds will look like?

Johansen: Right now, we're still working under the structure that we've been talking about for the last several months, which looks like a zero coupon structure is. Is that sort of the question? Yeah. We're continuing to, to consider that, we're we are right now, however, working with our bankers and advisors on, on other structures that we hope will reduce the cost of that financing, reduce the need for zero coupon indebtedness. But, at this point, we're not at the point of being able to say that particular structure will work so, we're continuing to look at the various options.

Fish: And my second question is, in the ordinance, it talks about the source of repayment of the bonds, is expected to be the revenues and resources of the city spectator facility fund. And we have had a thorough discussion of that. But, correct me if I am wrong, but typically, when the city issues debt of any kind, ultimately, it's backed up by the full faith and credit so it is not infrequently -- there is the theoretical chance if all the, all the safety valves broke there would be some risk of exposure to the city. Correct?

Johansen: That's correct. Although not all debt is backed. Water, sewer revenue. This financing, yes.

Fish: And the reason we often do that is that we have a pretty, we have an excellent credit rating, so having that full, faith and credit gives us a little, gives us an extra margin of safety on our debt.

Johansen: Correct. It certainly improves the borrowing costs and in some case itself makes a financing with otherwise would not be marketable, marketable.

Fish: So my question to you, then is, for anyone who may be concerned that the spectator facility fund under some of the remotest contingencies that have been aired cannot cover these, what do you see is the likelihood ever of the general fund being required to contribute to the bond repayment refinance?

Johansen: We're taking great care in how we structure this issue to minimize that possibility. One of the things that we do is we don't bond against all of the projected revenues of the fund. We apply a coverage factor, which allows us to, to, you know, if revenues come in less in a particular year than we anticipate we have got some cushion there, so the bonds will be structured not to use all of the projected revenues in the given year. That gives us one level of cushion. We have reserves in the fund in the worst case could also be used to pay debt service. Hopefully on a temporary basis until activities recover so, we have got a number of places that we could go before we would have to tap into general fund resources, but the intent is to structure a deal so we don't push that particular issue. And I think ken russ made clear recently that, that in 2000, it was 16, is the rose quarter bonds are retired, in which case, there are substantial funds available within a spectator facility fund that we don't currently enjoy, correct.

*******:** Correct.

Fish: And the, the structuring of the, of this upcoming issue takes that into account, so that doesn't provide an additional cushion after 2017, we'll be bonding against those revenues available following the repayment of the rose quarter debt.

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Fish: Is it fair to say a worst case scenario if you want to start thinking about it, parade of horrors, would be in 2025, if the trail blazers were now the seattle blazers, we would have potentially some shortfall if we were not able to find a replacement 10ant for the rose garden and we didn't have other sources to fill the gap?

Johansen: Correct, that's the scenario that would be most concerning. At that point, we would also own the facility, potentially could sell the facility. Potentially.

Fish: We have a hell after collateral at that point.

Johansen: We would, yeah. I hope we never get to that point but that would be one.

Fish: But at least we're acknowledging that, that in is 16 years, under that scenario, the worst case scenario, trail blazers leave and we have other, other -- there can be, theoretically, an issue, otherwise, we're using prudent assumptions to back up our financing here.

Johansen: I think so yes.

Fish: Thank you.

Fritz: A quick question. I remember in the 1995 green spaces bond measure, citizens were encouraged to buy the bonds, not only for investment but because we believed in that measure so I have heard from soccer fans. Are these going to be on sale for the general public and will citizens be able to buy soccer, p.g.e. Park bonds?

Johansen: They should be, yeah. The bonds will be underwritten by both citigroup and bank of america as people are interested purchasing those bonds and happen to have a relationship with those funds. They should talk to their broker. And those bonds will then become available sometime in the middle of september. They don't have a relationship with them, typically, a firm can get access to those bonds. Through the underwriters that we'll be hiring, citigroup and bank of america.

Adams: Does the united states government own citibank right now?

*****: Yes, we all do.

*****: Do we have also a relationship with them?

*****: Yes.

Fish: Did we get some notice if commissioner Fritz or some entity that she controls becomes, requires a response?

*****: I'll have to look at that.

Fritz: So I have a serious follow-up question, commissioner Fish, and that is, are they going to be sold in any particular denominations is do you have to have a huge chunk of change to buy any?

Johansen: Yes. Zero coupon bonds have a maturity value but you purchaser those at a discount from their face value. So, in theory, they should be available for costs of legislation than 5,000.

And then the increments thereof. Current bonds, bonds that pay interest every six months are in \$5,000 denominations beginning at 5,000.

*****: Thank you.

Adams: All right. This moves to, to -- is there anyone in the room that wishes to testify on council calendar item non emergency ordinance 1067? Is.

Moore-Love: We had a barry stoll signed up.

Adams: Mr. Stoll, we normally don't have someone repeatedly testify during the course of the afternoon on a variety of different topics. So, is this your main, is this the issue, selling bonds?

Stull: It has to do with welfare for the rich.

Adams: Ok. Go ahead and make your comments, but again, go ahead.

Stull: All right. In my own defense, mr. , I was at other, the other place that you showed up at 8:30 so i'm a social justice activist, and one of my comments that I made then was there is quite an effort to silence me, and, and that's what I want to talk about. I was, I was --

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Adams: There is no efforts to silence you, but repeated signing up on a variety of different topics, I need you to, to hone your testimony to the issue before you right this moment, which is the sale of bonds for the renovation of p.g.e. Park.

Stull: Right. Now, commissioner Fritz has done some volunteer work at sisters of the road cafe, and at one point it used to cost \$1, if you bought your meal with food stamps, and it cost \$1.25 if you bought it with cash. That's because at the time the food stamp program reimbursed the people, \$1.25 for participating in the program. Meaning if you went to fred meyer and you bought \$100 worth of groceries, with food starches, not only did they make the profit, \$100 groceries would make to anybody, but in addition to that, they got an additional \$25 for participating in the program.

So on one what level might appear to be a benefit to poor people, that need food stamp assistance it's a substantial benefit to the moneyed interest that, that own the store. Now, i, myself, was an employee of p.g.e. Park housekeeping a year ago, and starting, starting july 31, and, and I had some incidents there with an employee that repeatedly threatened me at the workplace. He threatened me on the max and attempted to, to -- said he was going to kill me. I don't believe that that would have happened had, had p.g.e. Park is remained as, as Portland's city owned civic stadium and I am really concerned as was mentioned with one of the other top, topics, by somebody else, about the privatization of, of public, public proper, and public, public spaces. And so, I want you to consider when you go through these processes, that there are really thousands of people that are homeless in Portland, and, and we did have an opportunity on an earlier mattered to, to address that there is a housing crisis and there is efforts to, to address that. I just want this council to be, to be aware of and, and concerned that, that, that we don't engage in welfare for the rich.

Adams: Thank you, mr. Stoll. This moves to a second reading next week. [gavel pounded] Can you read the title for non emergency ordinance 1070.

Item 1070.

*****: I have 1068 still on the calendars.

Adams: We're going to do that last.

*****: Ok, sorry. 1070.

Adams: Thank you for your patience.

Scott Gibson, Bureau of Environmental Services: Mr. mayor and the council I am scott gibson. And i'm in the engineering group at the bureau of environmental services. And i'm here to talk to you about this ordinance to authorize the design services for, for rehabilitation of the triangle lagoons at the columbia boulevard wastewater treatment plant. This ordinance with enter contracts with brown and caldwell. They won the process through a competitive process in 2000, and they, we completed the first phase of the project. They carried the design on falling phases through 90%, and, and at that time, we were able to put the improvements off for a number of years to save money. And we're reinitiating that process now in order to, to, to get the rehabilitation necessary on the lagoons prior to the renewal of our permit for, for the solid lagoons.

Adams: Mwesb --

Gibson: Mw [inaudible] was at 30% on a whole. That included the earlier work. The following work, most of this money is for support of construction. The design elements are at 90% so that work has, has reduced opportunity for mwsb. Participation but there is 10% of the total fee going to the minority firms.

Adams: Discussions from council commissioner Fritz.

Fritz: When will you know what the final cost the project will be?

Gibson: For construction, including construction? I think we would know relatively soon when they start freshening the documents and redoing the estimates.

Fritz: So we could expect to see a series of contracts as things get refined? The total cost is supposed to be \$17 million, is that right?

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Gibson: Right, I think what, what we anticipate is, this project to complete the design, this includes the engineer support during construction, and then we will come to you with, with authorization for the construction contract packages.

Fritz: Do you have funding for the ongoing construction at this point?

Gibson: We do. We're working on that right now internally but the resources are available. We're making budgeting decisions as far as timing right now.

Fritz: Thank you.

Adams: Any other discussion on 1070? Anyone wishes to testify on 1070. All right. 1070 moves to second reading next week. [gavel pounded] Can you please read, call the roll, read the title and call the roll for second reading which shows up as council calendar item 1074.

Item 1074.

Adams: Please call the roll.

Leonard: Aye.

Fritz: Thank you, commissioner Fish for bringing this forward last week, and it strikes me that we have had a long line of great parks commissioners from commissioner Hail, who was in charge when we started the metro greenspaces program through today, commissioner Fish, and I am very happy to see that we're forgetting this, this agreement so that future properties are brought into management by parks. Aye.

Fish: Thank you, commissioner Fritz, and I want to acknowledge Saltzman's leadership on this metro president Bragdon, who joined us last time and this covers over 600 acres of land managed by Portland parks and adds 136 new acres to our local responsibility, and builds on, on a really terrific working relationship between the city and metro. And I am pleased to support it and vote aye.

Adams: Thank you, commissioner Fish, for your great work on this, aye. [gavel pounded] Approved. That gets us to council calendar item 1068, and as this particular project, which is a north denver avenue street-scaping permitting project, I notified council along that I live nearby, and so, just to, to, and I have, I have sought the opinion of the city attorney, and I don't have a, a, an, under statutes, I don't have a conflict, but I want to be extra careful, and so I'm going to turn the gavel over to, to president of council Fritz so that she can chair this particular part of the meeting, and I will move to the last item and I will see you later. So I'm recusing myself.

Fritz: Thank you, please read the title for 1068.

Item 1068.

Fritz: I'll come back, thank you for waiting.

Moody: Before is you the purchasing agent report recommending the contract award on bid number 110668 for the north denver avenue improvements project for the bureau of transportation to a local Oregon state certified minority owned business, r and r general contractors, in the amount of \$1,195,629.10. Transportation along with the bureau identified segment divisions of work for potential minority women and emerging small business participation. The result on this contract is 82.2% participation, including the work retained by the prime contractor. And I will turn this back over to council for additional questions. And I have the project manager here for, for technical answers on the project.

Fritz: Do you want to add anything else?

Kathryn Levine, Bureau of Transportation: I would note that north denver avenue, the streetscape project is one of seven stimulus projects identified by the city in february that have been brought forward to advertising and are going out to construction is. We have another seven projects coming over the next year, and, and those largely have federal stimulus dollars.

Fritz: Could you state your name for the record.

Levine: Kathryn Lavigne, Portland bureau of transportation.

Fritz: Questions. Does anybody want to testify on this? It's a non emergency ordinance so it moves to second reading.

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*******:** It's a report.

Fritz: It's not -- ok. [laughter]

Leonard: Move to accept the report.

Fish: Second.

Fritz: Please call the roll.

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

Fritz: With that, we are adjourned. [gavel pounded]

At 4:06 p.m., Council adjourned.