



CITY OF  
**PORLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,  
OREGON WAS HELD THIS **5TH DAY OF JANUARY, 2011** AT 10:30 A.M.

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

Commissioner Fish arrived at 10:44 a.m.

**Motion to elect Commissioner Leonard as President of the Council:** Moved by Commissioner Fritz and seconded by Commissioner Saltzman. (Y-5)

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney; and Pat Kelley, Sergeant at Arms.

		<b>Disposition:</b>
	<b>COMMUNICATIONS</b>	
1	Request of Marshall Lewis to address Council regarding tenant rights and housing (Communication)	<b>PLACED ON FILE</b>
2	Request of Charles MacDonald to address Council regarding tenant rights and housing (Communication)	<b>PLACED ON FILE</b>
3	Request of Lew Church to address Council regarding tenant rights and housing (Communication)	<b>PLACED ON FILE</b>
4	Request of Hector Lara Cervantes to address Council regarding illegal experiments in government and medical system (Communication)	<b>PLACED ON FILE</b>
	<b>TIMES CERTAIN</b>	
5	<b>TIME CERTAIN: 10:30 AM</b> – Amend Private For-Hire Transportation Regulations Code to add Regulation of Horse Drawn Carriages (Ordinance introduced by Mayor Adams; amend Code Section 16.40.030; add Code Sections 16.40.620 through 16.40.700) 45 minutes requested	<b>PASSED TO SECOND READING JANUARY 12, 2011 AT 9:30 AM</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>		
<b>Mayor Sam Adams</b>		

**January 5, 2011**

<p><b>6</b> Appoint Samuel Galbreath and Larry Walter to the River Community Advisory Committee for terms to expire October 31, 2014 (Report) (Y-5)</p> <p><b>7</b> Reappoint Guenevere Millius to the Design Commission for a term to expire December 31, 2014 (Report) (Y-5)</p>	<b>CONFIRMED</b>
	<b>CONFIRMED</b>
<b>Bureau of Planning &amp; Sustainability</b>	
<p><b>*8</b> Amend Intergovernmental Agreement with Portland State University to provide funds in the amount of \$15,050 for expansion of Single Family Weight Study to include Food Scrap Pilot Project and provide for payment (Ordinance; amend Contract No. 30000595) (Y-5)</p> <p><b>9</b> Amend contract with Rick Hlavka dba Green Solutions in the amount of \$25,475 to provide additional Food Scrap Curbside Collection Pilot Waste Composition Analysis services (Second Reading Agenda 1592; amend Contract No. 30001299) (Y-5)</p>	<b>184331</b>
	<b>184332</b>
<b>Bureau of Transportation</b>	
<p><b>10</b> Set a hearing date, 9:30 a.m. Wednesday, February 9, 2011 to vacate a portion of SE Bush St and a portion of SE 100th Ave (Report; VAC-10073) (Y-5)</p>	<b>ACCEPTED</b>
<p><b>*11</b> Accept a grant in the amount of \$2,445,563 from the Oregon Department of Transportation and authorize an Intergovernmental Agreement for the design of the NE 102nd Ave: NE Glisan to SE Washington Phase II (Ordinance)</p>	<b>CONTINUED TO JANUARY 12, 2011 AT 9:30 AM</b>
<p><b>12</b> Call for bids and authorize contract for the N Burgard Road over Abandoned Railroad Project (Ordinance)</p>	<b>PASSED TO SECOND READING JANUARY 12, 2011 AT 9:30 AM</b>
<p><b>13</b> Accept a grant in the amount of \$98,000 from Oregon Department of Transportation to develop and implement specific efforts to improve transportation safety on four high crash corridors, and to work with the Metro Traffic Safety Workgroup to support transportation safety efforts in the Portland metropolitan area (Ordinance)</p>	<b>PASSED TO SECOND READING JANUARY 12, 2011 AT 9:30 AM</b>
<b>Office of Management and Finance</b>	
<p><b>*14</b> Authorize a one-time exception to Human Resources Administrative Rule 6.03 to allow carryover of vacation leave in excess of the two year maximum accrual (Ordinance) (Y-5)</p>	<b>18433</b>
<p><b>*15</b> Authorize Price Agreements with Wilkins Trucking Company, Inc. and Knife River to provide aggregate materials and related services for a 5-year contractual total not to exceed \$7,000,000 and \$3,000,000 respectively (Ordinance) (Y-5)</p>	<b>184334</b>

**January 5, 2011**

**Commissioner Nick Fish  
Position No. 2**

**Portland Housing Bureau**

16	Support the application of the Portland Housing Center to become certified as a Nonprofit Instrumentality of Government with the U.S. Department of Housing and Urban Development (Resolution)  (Y-5)	<b>36838</b>
*17	Amend subrecipient contract with American Red Cross, Oregon Trail Chapter for an additional \$50,000 to continue operating severe weather warming centers for people experiencing homelessness (Ordinance; amend Contract No. 32000263)  (Y-5)	<b>184335</b>
*18	Amend subrecipient contract with Housing Authority of Portland to add \$22,600 to administer additional short-term rent assistance for homelessness prevention and rapid rehousing (Ordinance; amend Contract No. 32000138)  (Y-5)	<b>184336</b>
*19	Amend the expenditure authorization for subrecipient contracts for an additional \$10,000 for services to further the goals of the Portland Housing Bureau through the 10-Year Plan to End Homelessness and provide for payment (Ordinance; amend Ordinance No. 184012)  (Y-5)	<b>184337</b>

**Portland Parks & Recreation**

*20	Authorize License Agreement with Portland After-School Tennis & Education for use at St. Johns Racquet Center (Ordinance)  (Y-5)	<b>184338</b>
21	Authorize Lease Agreement with Oregon Yacht Club for property along the Willamette River (Ordinance)	<b>PASSED TO SECOND READING JANUARY 12, 2011 AT 9:30 AM</b>
22	Authorize funding agreement with members of the Washington Park Alliance for the benefit of Washington Park (Ordinance)	<b>PASSED TO SECOND READING JANUARY 12, 2011 AT 9:30 AM</b>
23	Authorize Portland Parks & Recreation to renew its sponsorship of an Oregon Department of Education Child Nutrition Program (Ordinance)	<b>PASSED TO SECOND READING JANUARY 12, 2011 AT 9:30 AM</b>

**Commissioner Dan Saltzman  
Position No. 3**

**Bureau of Environmental Services**

**January 5, 2011**

*24	Authorize application to East Multnomah Soil and Water Conservation District for a grant in the amount of \$50,000 for Eastmoreland Golf Culvert Removal and Habitat Restoration Project (Ordinance)  (Y-5)	<b>184339</b>
*25	Authorize application to East Multnomah Soil and Water Conservation District for a grant in the amount of \$60,000 for Mt Tabor Park Invasive Plant Control and Revegetation Project (Ordinance)  (Y-5)	<b>184340</b>
*26	Amend contract with MEI Group dba Moore Excavation, Inc. to increase compensation for the Annual Pipe Cleaning and Investigative Service (Ordinance; amend Contract No. 41098)  (Y-5)	<b>184341</b>
27	Amend contract with PB Americas, Inc. for additional work and compensation for Portsmouth Force Main Odor Control Project No. E08927 (Second Reading Agenda 1627; amend Contract No. 30000641)  (Y-5)	<b>184342</b>
28	Authorize a contract with PB Americas, Inc. for engineering services for the design of the SW Parallel Interceptor Odorous Air Control and Treatment Project No. E10121 (Second Reading Agenda 1628)  (Y-5)	<b>184343</b>
29	Authorize a contract and provide for payment for the construction of the SW 18th Ave Sewer Replacement Project No. E10010 (Second Reading Agenda 1629)  (Y-5)	<b>184344</b>
<b>Commissioner Randy Leonard Position No. 4</b>		
<b>Bureau of Water</b>		
30	Accept contract with Global Diving & Salvage, Inc. for the construction of the Bull Run Dam 1 Outlet Works Improvements Phase 2 as complete, release retainage and authorize final payment (Report; Contract, No. 30000667)  (Y-5)	<b>ACCEPTED</b>
31	Authorize the Portland Water Bureau to execute grants to fund the Habitat Restoration Project in support of the Bull Run Water Supply Habitat Conservation Plan (Second Reading Agenda 1616)  (Y-5)	<b>184345</b>
<b>REGULAR AGENDA</b>		

**January 5, 2011**

<p>*32 Authorize the Commissioners in Charge of Bureau of Environmental Services or designee and Portland Parks and Recreation or designee to jointly execute agreements for the design and construction of watershed restoration projects in partnership with the U.S. Army Corps of Engineers (Ordinance introduced by Commissioners Fish and Saltzman) 10 minutes requested  (Y-5)</p>	<b>184346</b>
<p><b>Mayor Sam Adams</b></p> <p>33 Change the name of Memorial Coliseum to Veterans Memorial Coliseum (Resolution) 15 minutes requested  (Y-5)</p>	<b>36839</b>
<p><b>Bureau of Transportation</b></p> <p>*34 Ratify agreement with Federal Transit Administration for Transportation Investments Generating Economic Recovery funding of the SW Moody Avenue Reconstruction and Track Relocation Project (Ordinance)  (Y-5)</p>	<b>184347</b>
<p>35 Allow consumption of alcohol in the public Right of Way provided a permit to authorize a Community Event Street Closure is issued under Chapter 17.44 (Second Reading Agenda 1581; amend Code Section 14A.50.010)  (Y-5)</p>	<b>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</b>
<p>36 Vacate a portion of SW Whitaker St west of SW Moody Ave subject to certain conditions and reservations (Second Reading Agenda 1632; VAC-10068)  (Y-5)</p>	<b>184348 AS AMENDED</b>
<p><b>Office of Management and Finance</b></p> <p>37 Authorize water revenue bonds to finance and refinance water system capital improvements (Ordinance)</p>	<b>PASSED TO SECOND READING JANUARY 12, 2011 AT 9:30 AM</b>

At 12:36 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.

**January 5, 2011**

---

**WEDNESDAY, 2:00 PM, JANUARY 5, 2011**

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

---

**January 5, 2011**  
**Closed Caption File of Portland City Council Meeting**

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

Key: \*\*\*\*\* means unidentified speaker.

**JANUARY 5, 2011                  10:30 AM**

**Adams:** Before we gavel in, we have a special presentation. A source of great pride for our city and state. I'm pleased to -- and would invite distinguished guest forward and pleased to recognize the president of the university of Oregon, not only for its academic excellence and accomplishments across the state, including their Portland campus, but also their unprecedented success of their football team. The partnership between the university of Oregon and Portland has a long history dating back to the opening of the u of o law school in 1884. Its new green building located in the former -- on the white stag block has been a catalyst for redevelopment of not only the area around it, but also, the continuing academic success and training success of Portlanders. The university's sustainable city's initiative has helped to drive innovation here locally. So pleased to read the following proclamation. And then we would very much like to hear from you. And I must say, I worked as a part-time concessionaire at autzen stadium, and the team wasn't so good, but the weather was just as bad. The university of Oregon has provided Oregonians with access to the education of the highest distinction and offered programs in Portland for more than 100 years and offers professional courses in journalism, architecture, digital arts and business in old town and chinatown and has more than 160,000 alumni with some 41% living in the Portland metro area and in the last year, the u of o has had a national medal of science winner, two guggenheim fellows and two invited visits to the white house and two marshall scholars and rotc schools nationwide and 46 flag officers among its graduates and whereas, the u of o has a history of student activism and is near the top of the list for peace corps recruits per capita and ranks first among 230 universities as the most gay-friendly colleges in the united states by campus pride and whereas, the u of o four current academic all-americans as well as the first unanimous all-american football symbolizes commitment to academic excellence and represent the state of Oregon at the 2011 bcs national champions. I, sam Adams, mayor of Portland, the city of roses, declare today to be university of Oregon champions day. Congratulations. [applause]

**Richard Lariviere:** Thank you, mayor Adams and commissioners and people of the city of Portland for this remarkable gesture of honor and affection. This is unprecedented for all of us. We are all appropriately excited. This is the first time that any university in Oregon has been at the national championship. But on reflection, i'm advising everybody to get used to it. [laughter] this is not just a great moment for the football team and the athletics program, but really is focusing attention on the state of Oregon and what a remarkable place this is. And we're absolutely thrilled to be the vectors for that focus. We're the university of Oregon, we represent the entire state and this is an honor, an opportunity to celebrate everything that's Oregon. As the mayor said, it goes back 126, 127 years now, the relationship between the university of Oregon and this remarkable city. And we continue to offer programs that are unique not just in the state and the region, but probably in the world. In terms of our design programs, our urban architecture programs and others. And the demand for this, that I have seen since coming here, tells me that we've got a lot more that we need to be doing and we are going to be doing to meet the demands of the people of this terrific city and thank you to all of you who helped facilitate our presence in the white stag block. I know, you agency commissioners have seen this facility, any of you who have not visited. It's spectacular. Wonderful. We feel very, very lucky to be there and to be part of the revitalization

**January 5, 2011**

of a segment of the city that is rich with history and wonderful neighborhoods and it's just a delight. I have a nicer office there than I do in johnson hall back at the -- so thank you again for this honor. Thank you, not just for this proclamation, but for your embracing of what it is we're trying to do to educate our young people here in state. We're deeply grateful. Thank you.

**Adams:** Thank you. Wee we're going to have a quick -- after comments, we're going to have a quick picture handing you the proclamation.

**Fritz:** I didn't know you were going to be here. But I want you to know i've been wearing duck colors before every football game so far --

**Lariviere:** I think that's why we've won. [laughter]

**Fritz:** I don't want to do anything different.

**Lariviere:** Thank you.

**Fritz:** One of the things I love about football, we get to cheer for our young people and academic institutions in a way we don't often get to do in the rest of our lives. I can't yell as loudly for the white stag building and I can for the football team. And it's important to celebrate and few have constructive outlets for our energies and passions. And I sit next to the band at autzen and they're wonderful and as are the cheerleaders and the whole community in eugene is a credit to the state and it's wonderful we have the showcase.

**Fish:** Would the gentle lady yield. You were referring to soccer, when referring to football?

**Fritz:** Not anymore.

**Fish:** We should also note this is above and beyond our normal job duties. Commissioner Fritz has volunteered to lead a delegation to the national championship game. And -- selfishly giving up herself and time.

**Lariviere:** Excellent.

**Saltzman:** I'd like to welcome you, doctor, to the city council chamber. My daughter is a junior at the university of Oregon and I have recognized the burdens of being a fan of a number one team. Not only do I watch the Oregon games closely. But now I have to watch auburn and ohio state games and it's a sacrifice and burden, but also an honor to be a u of o duck fan.

**Lariviere:** And thank you for the tuition money.

**Saltzman:** I just mailed it.

**Adams:** A quick picture with you and the council. [laughter]

**Lariviere:** I have arranged with the people of eugene, there are no sales tax for the people wearing [inaudible]

**Adams:** Thank you very much.

**Lariviere:** Thank you, sir. Good to meet you.

**Adams:** Congratulations.

**Adams:** I want to see you put the pin on. [laughter] big viking here. Thank you all for your patience. Good to celebrate good news. [gavel pounded] city council will come to order. Good morning, Karla.

**Moore-Love:** Good morning.

**Adams:** Happy holidays, happy new year. Please call the roll. [roll call]

**Adams:** A quorum is present. We'll begin with hearing the communications. We have four people signed up. Can you please read the title for item number one.

**Leonard:** I think we have one piece of business that needs to be done first.

**Adams:** Oh, what is that?

**Moore-Love:** President of the council.

**Adams:** Oh, is that on the list? Ok, nominations for president of council.

**Fritz:** Move commissioner Leonard be president for the council for the next six months.

**Saltzman:** second.

**January 5, 2011**

**Adams:** Any nominations at all? Any nominations. [laughter] it's been moved and seconded that randy Leonard become the president of the Portland city council and in the event that the mayor is not available, he'll serve as --

**Fish:** Reserving my objection.

**Adams:** Objection noted. Any discussion of this matter? Karla, please call the vote on the motion. Motion roll.

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

**Adams:** Aye. Congratulations. [gavel pounded]

**Leonard:** So the audience knows, we switch every six months. Thank you, commissioner Saltzman, you did a good job. But there are a few things that are going to change afternoon here. [laughter] today, i'll have you issuing proclamations later this afternoon.

**Adams:** All right. Now can you please read the item number one. Please read title for item number two. All right. Please the title for item number three.

**Item 3.**

**Lew Church:** Some of the tenant rights speakers weren't able to come since -- I think we were scheduled in december, when the meeting got canceled and I think the time got switched today. I'm not sure if that was specifically for the football boosters --

**Adams:** It was for the swearing in.

**Church:** Since we moved here, reed college which boycotts sports altogether -- we appreciate you being in Portland. I especially appreciated the u of o president introducing seymour hersch, who talked of civil rights and the war in afghanistan. I know today is about football and sports but there are other issues like transit and healthcare and housing. Given the three-minute time limit, i'll touch on those. I'm lew with the transit riders union and we were happy to argue when this was debated that the white stag sign be changed to the university of Oregon. There was a settlement, a different sign than that, but we opposed the conservative student body president of Portland state, hannah Fisher who insisted it was part of the territory and u of o north, which has been discussed for decades might even take over psu at some point. Perhaps. In terms of what prepared remarks I had, I basically want to talk about tenant rights and housing in terms of retaliatory evictions, two of the tenants low income in downtown Portland, candy and randy who talked with council in the past, have both been targeted in 2010 for retaliatory eviction. The landlord corporations or entities involved. Housing authority of Portland. Central city unconcerned and a subcontractor of hap. Randy was evicted but is a full-time student at pcc and living in the clark center, some progress for him personally. But we were hoping to keep his housing, which did not happen, with central city unconcerned. Candy successfully fought back and is working with the tenants rights project. Vis-a-vis pinnacle, a subcontracting landlord under the housing authority of Portland. I wanted to thank "willamette week" on transit for naming tri-met as rogue of the year. We think as a long time transit riders union, that's a excellent choice. We disagree with targeting -- "willamette week" seems to becoming a neo-liberal paper.

**Adams:** All right. I think -- oh, can you please read the title for communications item number four.

**Moore-Love:** He had an emergency and had to leave, but left written material.

**Adams:** Ok. In considering the consent agenda, then, i'd like to continue reschedule item number 11 to next week on the consent agenda. Would you please read that title.

**Moore-Love:** Once it's pulled from consent, it remains on the regular agenda.

**Adams:** That's correct.

**Moore-Love:** Item 22 -- read it?

**Adams:** Please.

**Item 22.**

**Adams:** Unless objections, this item will be continued to next week. [gavel pounded] can you also read the title, item number 5, which i'll be referring back to my office.

## January 5, 2011

**Adams:** Sorry, that was on regular agenda. All right. Any other items anyone wishes to pull from the consent agenda? Karla, would you please call the vote on the consent agenda.

**Consent roll.**

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

**Adams:** Aye. [gavel pounded] consent agenda's approved. We have a 10:30 time certain. I don't believe it will take the full 45 minutes. At least i'm hopeful. Can you please read the title for item number five.

**Item 5.**

**Adams:** Thank you, commissioner Leonard.

**Thomas Lannnon, Director, Revenue Bureau:** Good morning, i'm thomas, the revenue bureau director and with me is kathleen butler, our regulatory division manager and mike oswald, the director of animal services for Multnomah county. In august, 2009, across the street from the Multnomah county main branch library, a horse collapsed on a very hot day and the mayor's office convened our bureau to take a look regulating that industry, the horse-drawn industry in general and at that time, mike's office also investigated the cause of death of the horse and, of course, there was no determination as to actual cause of death. The regulatory division convened a series of meetings in the summer of 2010. And we talked to numerous stakeholders, including representatives of the industry itself. Veterinarians and animal services and we also had members of the Portland police bureau mounted patrol and other interested stakeholders to include advocacy groups for animal rights. So the regulation before you today basically are common sense regulation of this industry. We came at this from a least impact perspective in terms of trying not to overly regulate or to cause a great deal of cost in terms of the industry. We reviewed regulations in a number of other cities and, in fact, dozens of other cities around the country and lifted many of the pieces of our regulations from those other municipalities that have been doing this for some time. We also -- you know, the principle direction from the mayor's office at the time was to regulate the maximum temperature at which horse-drawn carriages could operate and the number we agreed on was 90 degrees. That seemed to be the basic consensus and the industry representatives we discussed the requirements with. Those conversations we had with the stakeholders over the summer of 2010 were robust and we didn't always reach agreement but we came up with a better product. A number of changes made to the ordinance, which has been posted for some time for comment. So i'm going to stop there and let kathleen butler walk you through the specifics of the ordinance and mike oswald may have comments as well.

**Kathleen Butler, Regulatory Division Manager, Revenue Bureau:** Good morning, thank you for taking the time to hear our proposal this morning. We've been working on it for a little bit over a year with many stakeholders and representatives of other agencies. And so we're really excited to be bringing it before you this morning. We didn't realize when we began it would take quite this long. As thomas mentioned, the first thing we looked at was temperature, and we looked at many other cities. There were a few cities that had a lower temperature maximum than the 90 and a few that had a higher one. But the majority of them were right around the 90-degree mark. Interestingly enough, when we looked back, we found the history of regulation here in Portland for several years in the late '80s and early '90s that regulated the one company operating in Portland and at that time, the temperature maximum was 90 degrees as well. So there was a lot of consistency in what we saw. One of the reasons for keep can the temperature so low is because of the radiation effect in a city environment, all the concrete tends to magnify that heat, especially in the afternoon and so the actual temperature and effect on the horses is higher than what the ambient temperature is. We looked at the other cities who have horse-drawn carriages and in addition to the temperature, they're pretty consistent in what they regulate. There are time and place restrictions. So there's no operation during rush hour, for example. There are equipment standards for the carriages and there are care standards for the horses. The most important one being a yearly

**January 5, 2011**

veterinarian check certifying that the animal is capable of performing this work without undo stress and compliance with exists state's slow-moving vehicle regulations and important insurance requirements and all of these will be checked via a permitting process. We kept the permit cost as low as we could. On par with pedicabs and all of the regulations from the first draft were reviewed in detail, line-by-line through a series of stakeholders meeting. Including a number of horse-drawn carriage operators, Multnomah county animal service, the humane society and interested citizens so we did tear it apart and put it back together again. We made changes as we were doing that. Some important ones were that we didn't require the inspection of the facility to occur every year, but that would be on a periodic and as-needed basis. That was one of the reasons we kept the cost quite low as well because we understood it could be a -- would be a burden to these businesses who don't operate frequently in Portland if they had a high cost to their permitting. One of the other things we eliminated was the requirement that the routes get approved because the operators thought that would be particularly burdensome and difficult to administer. We have -- we see the benefit of many stakeholders who devoted their time to helping us get this right. I want to mention in particular, ramon corona from pbot. He provided a perk for the horse-drawn operators. A place to park downtown. Jane beckett helped us with research. Scott from the humane society who is going to speak with you and also mike and the mayor's office was extremely helpful. That's the end of my comments and i'm available for questions and we have a few folks who are going to speak to the ordinance. I think, mike.

**Mike Oswald:** Thank you. Good morning, mayor Adams and commissioners. Mike oswald, director of Multnomah county animal services. We've been the service provider for the city for over 35 years when it comes to animal issues. I first wanted to thank mayor Adams and thomas and kathleen for inviting us to be part of the stakeholder group to address this issue. It's critical for the city to establish regulations for the horse-drawn carriage industry here. The proposed code sets clear and enforceable standards and requirements designed to safeguard the health, safety and welfare of carriage horses at the same time the safety of the public. As you know, these are operations in the streets downtown, so safety for our motorists and bicylists and pedestrians are also a concern. Just to highlight a couple of standards I think are really critical. And make this a strong ordinance, it sets standard for the care of carriage horses, including health certification and animal care practices and as kathleen and thomas were saying, sets standards for time, place and safe operation and prohibited locations and times of high temperatures and dangerous conditions. So it addresses all of those concerns that I think everyone in the community shares when it comes to the welfare of animals. The other thing that's important, by establishing an application, inspections and permittings for stables and carriages and equipment and drivers and all of those things are going to lead to the success of this program. So we were glad to be a part of it and look forward to working with the city in the future.

**Adams:** Thank you for your contribution. Questions?

**Saltzman:** Is it an annual permit fee?

**Butler:** Yes, \$125 for the company. They have a \$100 application fee during the initial year that's in addition to that. And the horse permit is \$25, the carriage permit, and the driver permit is \$25.

**Saltzman:** So the startup cost is about \$200? And then it's \$125 fee?

**Butler:** The startup cost -- I think I have a few charts here. For one carriage and one driver, the startup cost would be about -- sorry about that, I thought I had that total here, but we removed one of the fees so -- company application \$225, the vehicle would be \$25, and so that would be \$250 for the initial company fee and each year thereafter, it's \$150.

**Saltzman:** And then who determined the official temperature by which these regulations work?

**Butler:** It's the national weather service temperature. That's the typical temperature that cities use.

**Fritz:** Why did we do away with the previous regulations you mentioned?

**January 5, 2011**

**Butler:** There was one single operator and the ordinance that had previously been passed was directed only to that one operator and when that operator went out of business, I think the ordinance ceased to have relevance.

**Fritz:** Ok. Thank you. Why are there, restrictions on people with felony convictions for 10 years?

**Butler:** We modeled the restrictions, the disqualifying factors for the drivers, on our private for hire code where we regulate taxi drivers etc. And so there is a whole series of disqualifying factors that require additional scrutiny. It's not that someone who had that could not get a permit, but they would have to make special application to us and explain what had happened. And then they might be able to be granted a permit.

**Fritz:** And is that the case in these regulations?

**Butler:** Yes.

**Fritz:** And what was the reason for having ten years regardless of whether the person was in prison for ten years or had a felony conviction that was of a lesser severity than they had in seven years previously then had a blameless record since then?

**Butler:** I believe the 10 years was put in the code as a way of making sure you had a good history for the person -- a good long history -- so that if something had happened before that -- the 10 years is basically for felony convictions only and violent crimes only.

**Fritz:** Do we have any sense of how the training will be provided?

**Butler:** The companies have their own training programs, and we will just ask them to provide us with a description of that, and then we'll approve that. The companies themselves will do the training.

**Fritz:** Do we have any notion of how we'll do enforcement?

**Butler:** Well, we'll accept complaints, and the police will be involved. We spoke with the trainer for the mounted police, and she's already aware of these operators and already giving some scrutiny to their operations and also the parking enforcement folks would be empowered. And basically any city officer that recognizes a problem is empowered and here to take action. To tell them to change what they are doing if there is a problem.

**Fritz:** Essentially it's like what we do in a number of different sections of the code, we specify what we think is the right thing to do, and most people want to do the right thing. So they'll do it and then it is complaint driven. Is that what I'm hearing?

**Butler:** exactly.

**Fritz:** O.k. my last question is do police horses have the same regulations?

**Butler:** No. They operate under very different circumstances. Obviously they're not a commercial operation, and they are operating to protect the public safety. Their horses can operate up to 100 degrees, but they have facilities downtown for resting, and they're monitored in a very different way and obviously not pulling a carriage.

**Fritz:** Thank you.

**Adams:** Additional council discussion? Thank you. Thank you for your work and partnership. How many people have signed up?

**Moore-Love:** We have seven people.

**Adams:** Good morning. Welcome to the city council. Your testimony and everyone else testifying today must adhere to the city codes regarding lobbying, which means that, if you are authorized to speak on behalf of an organization, for profit or nonprofit, you need to tell us that. Otherwise -- before you testify. Otherwise you, just need to give us your name, no address. Just name. No address. And that clock in front of you counts down your three minutes.

**Judith Reese:** Can I hand you these statements first?

**Adams:** And anything to hand out you give them first.

**John Vanderberg:** Thank you Mayor. We hope to have two of us use much less than three minutes so the others can go over, if permissible. I'm an attorney working in downtown Portland

## January 5, 2011

for 21 years, and i'm here in support of the regulations. I submit that, even if one were to view a horse was a mere machine, these regulations still are needed. First they're needed to protect the city. If there should be an accident that injures property or person, the city will be the deep pocket here. These carriage operators are not deep pockets. They won't be the lead defendant in the case. Right now the city doesn't require them to have liability insurance. Most other cities that allow horse carriage operators require regulations and the city is also on notice of dozens of injuries and accidents that have occurred in horse carriage operation where's they spook, et cetera. So therefore, just to protect the city's finances, these regulations make sense. Second and finally I would look to an example in seattle. Seattle has regulations that are similar to these. They have a carriage operator business up there. And if one looks at the website for the carriage operator up there, they tout the fact that this is a regulated business that their horses are treated pursuant to the regulations.

And I finally of course a horse is not a machine. It's a living being. One would hope that, if these regulations are indeed passed, not again will a horse collapse and die on the streets of Oregon, which incident was observed by our next speaker.

**Judy Reese:** My name is judy reese, and I own a wedding cake business, and the evening of the August 1st I was downtown and had just finished delivering a wedding cake at the art museum outside and was stopped at the stoplight at 10th and taylor and the carriage horse had come up to the light at taylor, so they were to my right. I'm a long-time horse owner. Grew up with horses. My sister's children both show horses, so i'm familiar with their behavior. The horse was hot of course. It was over 100 degrees that day. And the horse was throwing its head about and exhibits a fair amount of distress. The driver seemed to have trouble keeping the horse in the lane he was in and she was constantly pulling him back and forth. I noticed that he seemed to be undersized, quite thin, and he looked old to me, so I was concerned. When the light turned for me, I pulled ahead but slowly so that I could watch him make the corner. And I was in front of them, and he made the corner, and he proceeded about halfway down the block and collapsed. He struggled to get up, then fell back down, and then he died. I believe, if we had these regulations, he certainly wouldn't have died that day, and it's a shame.

**Adams:** Thank you very much for sharing the witness of that.

**Robin Cook:** Good morning. I'm robin cook. Thank you very much for the opportunity. I am a horse owner, and i'm also chairman of the board for forward stride, which is the largest nonprofit therapeutic riding facility in the Portland metropolitan area. I'm very much in favor of the regulations and would like to thank city transportation for all their hard work on this.

**Adams:** Thank you all very much. I'm sorry, the invited testimony was scott beckstead from the Oregon humane society, mike oswald, Multnomah county, and then dan anderson, from the bureau of transportation. Then we'll go back to the list. Hi. Welcome.

**Scott Beckstead:** Thank you very much. Mayor Adams, commissioners, my name is scott beckstead. I'm senior Oregon director for the humane society of the united states. I also have the title in that organization as an equine protection specialist. I'm a life-long horse person, born and raised with horses in southern idaho and the first thing that I was hired to do by the humane society was establish the duchess sanctuary, which is an 1120-acre horse sanctuary in douglas county. Over half the horses that live there are heavy draft type horses that are commonly used in the carriage industry. I also served for five years as the mayor of waldport down in lincoln county, so I would not extend my appreciate for the good work I know you're doing. So the humane society of the united states is the largest animal welfare organization. We have just over 150,000 members here in Oregon, most of whom live in the greater metropolitan and Portland area. I received a number of call-ins august, 2009 about a horse that died here in Portland. The conditions described was that it was extremely hot that day, that the horse was a smaller horse pulling a very large carriage, that the horse was elderly, in his 20\_s\_, which would put him basically on par to a 60 to 70-year-old man, and that he was in a state of extreme distress prior to his collapse and death. Most

**January 5, 2011**

of the calls that I received from our constituents and members were calling for a ban on horse-drawn carriages in Portland. Nevertheless, I'm here to show support for the regulations that are being imposed. When we received, mayor, your written desire for regulations that balanced the needs of the animals as well as public safety and the needs of the businesses, I think that all of the stakeholders sat down, resolved to try and achieve exactly that. Widespread regulations served as the model for what is before you today, and we believe that, had these regulations been in effect in August of 2009, that horse might still be alive today. The regulations are a result of a series of meetings with a wide variety of different viewpoints were brought to bear. The dialogue was respectful, but it was at times vigorous, and I think that what we came up with is absolutely the best approach making sure the horses are well cared for and the carriage owners can continue to operate.

There were multiple changes to address the concerns of the businesses, and we wanted to make sure that we addressed not just the carriage owners that were in operation now but prospective business owners who may want to establish this sort of business here in Portland, and I was widely agreed that most of the owners of carriages and horses in Portland do a good job, understand their animals and their businesses. Nevertheless, again at least one animal's life might have been spared had these regulations been in effect. I'd like to close by commending your city staff. They did a great job. They sat in a room where they had to balance a lot of competing viewpoints, and they did a really great job of communicating clearly and effectively with everyone about the meetings, about what was going to be discussed, and about the regulations themselves. So the position of the Humane Society of the United States is that the city should adopt these proposed regulations, this ordinance, and thereby protect public safety and of course the horses that are put to work in this industry.

**Fritz:** Thank you very much, and thank you for your service as mayor of Waldport.

**Beckstead:** You bet.

**Fritz:** What would you advise us to say to people who write in or testify that we should ban it altogether? Why not do that?

**Beckstead:** Well, I think that the welfare of the animals can be protected while maintaining the economic viability of the industry. Portland is a little bit unique in that, in a lot of other cities, you have businesses that are owned and operated in the downtown area and the horses live downtown. In Portland, it's a situation where these businesses come from out of town, sometimes from out of the county, so they're not subjecting their animals to the sort of intensive day in, day out hours, long regimens of labor that horses in other cities have been doing. The Humane Society of the United States is not opposed to horses pulling carriages, but we believe that the welfare of the horses must be paramount obviously, because they're not really asked whether they want to do this work or not. They're made to. Since they're made to, we at least owe it to them to mind their welfare and their well-being. We believe a balance is possible, and I guess that is the response I would recommend.

**Fritz:** Thank you so much.

**Beckstead:** Sure.

**Adams:** Mr Anderson, thank you for your testimony.

**Dan Anderson, Sr. Community Outreach & Public Info Assistant, Bureau of Transportation:**

Good morning. My name is Dan Anderson, and I was Mayor Adams' public advocate in transportation on August 1st, 2009, when the horse named Balatore died on a public street in front of the library. It was pulling newlyweds in the carriage, and it was a hot day. News of the death traveled fast. Hundreds of people across the country contacted me. It was a handful of Portlanders who saw Balatore that day that affected me most. The witnesses not only reported that the experience was disturbing but asked whether it was in any way preventable. Attempting to answer the question, it became clear that there were not existing city rules that would have kept the horse from working that day, so the mayor and his staff met with representatives from animal rights

**January 5, 2011**

groups, horse carriage operators and owners, and various government agencies charged with protecting animals and regulating businesses to find a reasonable solution. The conclusion that came from these discussions was that, in order for private horses to be protected in the city of Portland, their operation should be regulated by common sense rules that do not put horses at undue risk or horse operators out of business. I believe that the proposal today meets these criteria and places a fair amount of responsibility on horse owners who choose to put their animals to work on the city of Portland streets.

**Adams:** Thank you very much. Good morning. Welcome to the city council.

**James Rumgay:** My name apparently ended up on the wrong list.

**Adams:** Ok. Your name was?

**James Rumgay:** James Rumgay.

**Adams:** What was your name?

**Ronald Carr:** Ron Carr.

**Adams:** We'll put you on the right list.

**Teresa Ritchey:** Good morning, mayor and commissioners. My name is teresa ritchey, and I own and operate specialty carriage company, which is a carriage business that works downtown Portland and has for coming up on 12 years. Successfully, I might add. No mishaps. And i've been in business as well for 22 years. Most of the animals that I own and operate are born into my arms. I've known them all their life and pretty much know, more than anybody else would, about them. It was quite a sorry passing when balatore died. Although he was doing something he loved to do very much. Our horses all do love their jobs. If I invited anybody at anytime to come and meet the horses that work down here, we have quite a following when we are down here. There's a fan club, I might say, for at especially one horse that I work down here the most, and we would not put these horses in harm's way ever. They take care of us as well as we take care of them. I know that there's been a lot of mixed emotion, controversy as far as opinion and I would just like to say that, if some of the people that are really against this, would come out and really open their eyes to what goes into these animals and the amount of time and care and training, that it may change their opinion. I've changed quite a few opinions downtown Portland of people coming up and asking me. We're always open to questions or suggestions, and we love for people to know what really goes on so they don't think that this is a mean thing to do. These animals need a purpose, and it does allow them to have quite an existence because they provide for themselves as well as us. So, yeah, we're going to take real good care of them. As far as the regulations go, I am not opposed to the regulations. In the beginning, I did have a problem with the fact that the fees were not so much on paper of what the start-up fee would be but, when you add into that the vet check and the extra things you had to do to your care and, there was a whole lot of extra things that came into play. All of the carriage owners that I know, which is most of them, have always carried liability insurance. That has never been a problem, and you can check us at anytime. Unfortunately all of them couldn't be here for this today, because some of them were not notified that this was going on. I think that part of the confusion with the amount of work these horses do down here is that in the other cities contacted or checked, they do allow a taxi service, and so they also therefore allow a place for these horses to be stabled, a place for them to get water, rest, shelter, and so on. We don't do taxi services here. None of us do. We are by reservation only. We come in for, say, a wedding. We wait for the people to come out in the safest place we can find. We take them for a ride. Usually we stop and have pictures. The horse isn't just flying through town for a solid hour. There is really no reason to require a 10-minute rest at the end of each hour that they work. They don't work that hard down here. Nobody's running them through town.

**Adams:** I gave you a little extra time, but your time is up. Would you like one last summary statement?

**Ritchey:** I would like to finish this. Hopefully that we can all make this happen and continue to

**January 5, 2011**

work down here. As I said, this would not be a very opportune time for anyone to put a small business out of town.

**Adams:** And I don't want to do that either, but it looks like you've got a couple of page there's.

**Ritchey:** Well, i've got a lot of pages. [laughter]

**Adams:** We really appreciate your testimony. Is there any final point you'd like to leave us with? You're almost a minute and a half over.

**Ritchey:** I would like to leave you with this. I do know my horses better than anybody, including any vet that could come out and see them for 15 minutes to give them a health certificate. I realize you guys have to cover yourselves as well, but balatore had a health certificate the very week that he died, and it was apparently of a healthy horse. So I have a little bit of a problem and the vets do as well with giving you a health certificate that lasts for a year. That really isn't something that is feasible. You can get a health certificate, yes, but it's only good for usually 30 days to cross the state lines.

**Adams:** My understanding was, from staff, that that was a compromise to recognize the economics of having to get more frequent health certificates, so that was my understanding that it was a step in the right direction even if it wasn't entirely conclusive or valid for an entire year. So thank you very much for your participation in this. You've helped make it a better piece of legislation. Hi.

**James Rumgay:** James rumgay, owner of engelside farm, established in 1911, owner and breeder of clydesdale horses.

**Adams:** Could you get closer to the mike please.

**Rumgay:** Pardon me.

**Adams:** That's O.K.

**Rumgay:** I've driven single horses through a 40-horse hitch in wisconsin. Driving has been my life. I've been in it 42 years. I am here to voice my opinion on the regulations that I have read on the 13 pages of documents. I find that things are very redundant. There's many overlapping rules. Things in my opinion could be a lot safer. I have been involved in the city of Portland. I was the one that brought a team into Portland for the starlight parade to prove that horses could be safely in the starlight parade. I've hauled movie stars to the theaters. I quit in 1982. I got tired of going away from home. I have not taken my horses away from home since then. I'm actually appalled by the amount of regulations and the stringency of what they are. Yes, we need regulations, but I think they should be put into a little better english and more correct for the situation. Thank you.

**Adams:** Thank you very much. We all respectively have to work with our lawyers.

**Robin Corrigan:** My name is robin corrigan, and i'm speaking for the nonprofit group friends of ladd's edition gardens. I have been on the board for over 18 years. Flag is a neighborhood nonprofit whose mission is to strengthen community ties, and we also work with the city to maintain and enhance the rose gardens for the city. In support of its mission, flag has hosted an annual holiday event first weekend in december for the last 15 years, and the highlight of this event is a horse-drawn wagon ride through the neighborhood. Neighbors sing carols and look at all the christmas lights as we circle the neighborhood in a horse-drawn wagon. We routinely book our carriage vendor as soon as possible, generally almost a year in advance, because there are so many competing holiday events. I believe we use the same vendor that peacock lane has used in the past, and there's also some other events in other Portland neighborhoods that use the same vendor. The number of vendors providing the service is very, very small. The one we use is the only one in the area. They're based down towards salem, I think, who has a big enough wagon to do this kind of hay ride. This isn't one of those little like hauling people for a wedding. It's a big wagon, and they use draft horses. We've used three vendors in the past 15 years. The first two are no longer in business, and the third informed us less than a month ago that this is the last year she would work with flag or work in the city of Portland. She cited these regulations as the single reason why she would no longer be able to work with us. She did not say, however, she was going out of business.

**January 5, 2011**

She has plenty of other commitments, but she would stop doing business in the city of Portland. So in light of this discussion of regulations, our board and our neighborhood wants to let you know that there will be fall-out, and the fall-out for flag could spell the end after cherished and much-loved neighborhood event. As a city that encourages strong neighborhoods and neighborhood involve the, we wanted you to know that.

**Adams:** Great. Thank you for your testimony. Thank you all.

**Fritz:** Question. How many horses pull the hay ride?

**Corrigan:** Two. And they're big, huge, massive. These guys would know what they are. They are Clydesdales or percherons or something.

**Fritz:** It actually wouldn't be very much money to pay the permit fees.

**Corrigan:** I don't know how much money is relevant. They don't make a lot of money doing this.

**Fritz:** All right. Thank you.

**Adams:** Thanks for waiting.

**Jane Bicquette:** Good morning. Thank you for squeezing me in here. I'm Jane Bicquette, an interested citizen. I live in Laurelhurst, and I have full board care for my horse in Sherwood, and I'm out there commuting to be with him at least four times a week. I adopted him 13 years ago, and he's going on 16 now. I love horses. I added my voice to the call for a ban on horse carriages when Ballator died, and I would like to quote a veterinarian that was consulted to say unequivocally that I don't believe that horse-drawn carriages and motorcycle vehicles should share the same roadways. There is no way that cities and their exhaust fumes, hard road surfaces, and busy traffic patterns can provide humane environment for horses. Balatore's death was caused in part because of the absence of regulations. I do appreciate that Nick Fish mentioned standing up for the most vulnerable. Certainly this would include animals in our city and especially the carriage horses. I was invited to attend the meetings. The customer in a business is always right, and the customer in the horse carriage business is the bride or the person, not the horse, therefore the city needs to step in to protect the horses from the overdriving interest of the business mind-set. Although incidents and accidents also may be few, the mind-set and the attitudes that are the root of the accidents is very present and prevails. On October 7th of 2009, I presented to this city council, to each of you, input on why horse carriages in our city is a public safety concern, and I stand by my comments. These regulations are not intended to drive out responsible horse operators. Thank you very much.

**Adams:** Thank you very much. Additional questions or discussions from council, this is a nonemergency, and we move to a second reading.

**Saltzman:** One question. I guess the veterinarian certificate and its duration, there was some testimony that -- I'm reading the regulations, and I don't see that it says the certificate needs to be a year. Am I missing that? I mean, there was testimony that no vet would issue a certification for more than 30 days.

**Butler:** What we've required is somewhat less stringent than other cities who do require more frequent examinations, but again it was that trying to keep the cost down, so the certification is required yearly within 30 days of when they apply for their permit.

**Saltzman:** So the certification can be only for 30, 60 days and that's ok?

**Butler:** I'm not sure what the standards are. I think there are probably different standards for certifications depending on how long they last.

**Saltzman:** What is our -

**Adams:** The way I understand it, the way I'd describe it is, we want the horses to have a health check once a year.

**Butler:** That's correct.

**Adams:** It's not -- so if we're using the wrong words, that's the legislative intent.

**Lannon:** This was one of the compromises that we came up with when we talked with the owners

**January 5, 2011**

that said that that would be an onerous requirement.

**Butler:** The other thing to keep in mind is that, if there ever was a complaint or indication that there was a health issue with a horse, we would have the ability to require another examination at this time.

**Saltzman:** So if it's standard practice for a veterinarian not to issue -- to issue a certification of a horse's health for 30 to 60 days, that's not inconsistent with our regulations. That is correct?

**Butler:** We're just looking for certification at the time of the permit, yeah.

**Lannon:** At the time of the application, the horse was fit for the type of work that we're permitting.

**Saltzman:** O.K.

**Fritz:** Which is the same for kids playing in sports in school for a health examination.

**Lannon:** We considered trying to regulate and compelling the horse to drink on command.

**Adams:** Well, good luck on that.

**Lannon:** I was told it wouldn't work.

**Butler:** We thought it would work, but the horse expert said it wouldn't.

**Leonard:** So everybody knows you can lead a horse to water.

**Adams:** And what? That's all?

**Leonard:** Exactly.

**Adams:** Any other discussion from council? Thank you to everyone who testified. Moves to a second reading next week. Unless there's objections by council, i'd like to hear item number 33 next.

**Item 33.**

**Adams:** If I could please have tony of our rose quarter stakeholder advisory committee, the great harley widell, spokesperson for the subcommittee of the rose quarter, and sfc phillip vince jáquez from the Oregon national guard. Please come forward. I'd like to provide a little bit of introduction to this. Why today? On january 8th will be the 50th anniversary of the dedication of memorial coliseum. On that day, my predecessor, mayor terry schrunk, dedicated the building with the following words. This memorial coliseum is dedicated to the advancement of cultural opportunities of the community and to the memory of our veterans of all wars who made the supreme sacrifice to preserve for us the inalienable neighbor rights of life, liberty, and the pursuit of happiness. As we're working on the redevelopment of the rose quarter over the past 18 months, we are, as part of our discussions with the veterans subcommittee -- the issue was raised that the original agreement with veterans for access to the facility -- free access to the facility -- had withered a way with time and it was the request to add the word "veteran" before the words "memorial coliseum" to make clear to everyone that it remains and will remain a memorial to veterans. So based on the 50th anniversary of its original dedication, we thought this was a fine time to do that. It was the unanimous recommendation of the veterans subcommittee, and I think we'll probably hear a little bit of history, but the short story is voters would not have approved raising their own taxes to pay for this building if it was not a memorial to veterans. So thank you all for being here. Mr. Stacy?

**Tony Stacy:** Good morning. My name is tony stacy. I'm a member of the sac committee as one of the veterans and sports advocates. During the meetings of the stakeholders advisory committee for the rose quarter development process, there have been conversations pertaining to the veterans. The results of the discussions bring us here today. Veterans throughout the city, state, and abroad have voiced their desires regarding the memorial coliseum. A veterans' focus group has met, and I was asked to relay to this once one of their desires, which is the renaming, rededication of the memorial coliseum to veterans memorial coliseum. January 8<sup>th</sup> of this year will mark the 50th anniversary of the original dedication of this building by Portland mayor terry schrunk to be used as an indoor sports recreation arena for the advancement of cultural opportunities and to honor as a memorial to Portland area women and men who sacrificed their lives in times of war in defense of this country. The memorial coliseum has been part of Oregonians and outside state visitors in countless ways.

## January 5, 2011

The city has once again opened the doors to veterans, engaging them in active discussions for ideas of how we, the veterans, can help. This resolution marks the first step in a partnership between the veterans and the city of Portland. The common goal is to continue researching opportunities and sources of revenue necessary for the refitting of the building and the enhancement of the memorial gardens consisting of honor walls and fountain. Today veterans stand proud and ready to meet these challenges. I thank the mayor and the council for this time to speak for veterans and for the fallen heroes whose voices can now be heard. The gold star mothers would be very proud. Thank you.

**Adams:** thank you very much. Mr. Waddell.

**Harley Waddell:** thank you, mayor and council members. A little history perhaps, but the whole proposition of this being a memorial and then being ignored is a little difficult. There have been very few events there that have involved the veterans. There have been very few times the veterans have been allowed to use the building. Unfortunately this is something that has been in the past. We're looking forward to the future when the veterans have some opportunities around there that they have not had to this point. We do thank you for taking the name change under consideration. We appreciate it very much, because this is what it was supposed to be 50 years ago, and it is very pleasing that this particular administration is tackling this and doing something about it. We wish to thank you and look forward to working with you on the use of the building in the future. Thank you.

**Adams:** Thank you. Sir.

**Master Sergeant Jacques:** For the record, my name is master sergeant jacques. I thought about this a lot. I got a message last night to come down and speak about why the rededication of the name would mean so much to us. It's kind of a simple thing. It's a name. Well, it's much more than that. I think about when I joined personally. I joined because I wanted everybody in this country to have the same opportunities as us. We could walk down the street, and we all had the same opportunity. It didn't matter who our parents were. All that mattered is if you have an education and you work hard you can have everything you want in this country. And that is not the case wherever you go. A lot of the places i've gone, it is the exact opposite. So that kind of goes into why we join. And the people i've served with feel much the same way although, when we go to combat, we all go for those reasons. A lot of times, once you're in it for a while, you're just protecting that person to your left and right, that team to your left and right, that squad to your left and right, and that platoon to your left and right, and you all want to come home and you all want to have those opportunities for your family when you come home. I've been around individuals when they did not make it home, and one of the things that they always wanted was to be home, back here in Oregon or whenever their home was. They wanted to be safe with their family, and they wanted their families to be safe. They wanted their families to be happy no matter what color, race, creed or religion they're from. That's all they wanted. I had -- I went through the same situation myself and I just wanted to be home with my family in a place like the coliseum where I could walk around and insurance a beautiful, meaningful place that was dedicated to something like that. I would ask you to put yourself in the place of the gold star mothers, going down and looking at the wall. How would you feel if you heard children laughing and playing and families being happy? And i've thought about that, and that would mean to me -- and I hope that never happens to my kids -- that my son or daughter was living on. If I was to go tomorrow, that's what I would want for you, and that's what their children wanted for us. As long as we remember, as long as that is remembered by them, we live on. As a person seeing the veterans memorial coliseum, I look at it personally as freedom is never free. We will always fight for it till the end of time. There are people that want to take that from us. It is very important to remember those individuals that have paid the ultimate sacrifice for us. As long as we remember them, they never die. As long as we remember them in a place that's significant, they will never die. I'm a senior enlisted advisor. I make recommendations

**January 5, 2011**

to my commanders often. And I highly recommend that you guys, you individuals, make a proposal to rename -- actually make a renaming to the veterans memorial coliseum. I highly recommend that. And I want to say "thank you" very much for your time. It was a true privilege to be here.

**Adams:** Thank you. And thank you all for your service. We're very grateful.

**Moore-Love:** We have 11 people signed up.

**Adams:** Good morning and welcome. We're very glad you're here.

**Commander George H. Bickford Sr.:** I'm lieutenant commander george h. Bickford sr. I went on active duty in february of '42, and I retired from the navy in '65 and flew for them for 22 years. However, flying is a big part of the city of Portland, and I remember Lindbergh dedicating swan island airport in 1927, and there are several here that are the same age as I am. And the battleship Oregon, which was a grand museum here. And we feel that this being brought up and placed in front of us now so that we can finally develop it into a full veterans' program will be a great asset to the city of Portland.

**Adams:** Thank you.

**Bill Marker:** My name is bill marker. I'm a member of the american merchant marines veterans, world war ii, and I just want to touch on an item of history. The father of our country, george Washington, stated -- and this is a paraphrase. I couldn't find the exact words, so bear with me on it. He said that the manner in which a nation treats its veterans has a great deal to do with the future of that nation. And I think that this recommendation to rename the memorial coliseum in Portland fits into that picture from the father of our country. That's all I have to say.

**Adams:** Thank you, sir, very much. Sir?

**Corbin Willis:** My name is corban willis. I'm a retired major, air force. I was drafted the year before pearl harbor. I was a b-17 copilot over germany on my 22\_nd\_ bombing mission, and I was shot down then, became prisoner of war. I was only in prison camp six months and general patton overran our prison camp and liberated us before the war was over. I have 57 combat missions in korea, and I am now a member of korean war veterans association which meets in clackamas. And I didn't know that I was volunteering for this, but i'm very thankful that you are honoring us with the memorial coliseum. I've been to it will times, and i'm glad that we will be recognized. Thank you very much.

**Adams:** Thank you all very much, and thank you for your service.

**Bickford:** Many Of us don't realize that more of us should be active and, in particular, people of your generation, because they were so badly mistreated when they came home from vietnam, they don't join any of our associations, and we're having a big battle. Now, i'm commanding officer of the association of the naval aviation, which is also shepherds, bringing the ranger into Portland as a museum, and i'm not going to get into that at this point, but the point i'm trying to make is that there are many of our veterans associations here that's doing a great job, and they just need a center to work from, and this is the one thing that we've never had. And we need to make the vietnam people proud of what they were accomplishing at the same time. And i'm in a little peculiar situation, because i'm old enough that high kids were all vietnam veterans, and my oldest boy was a torpedoman on a polaris nuclear sub in '64, which was back when you weren't too big. And it's hard to realize that some of us have gone on. One other factor: So many of us are also -- their minds are getting senior dementia and alzheimers, and making them proud of what they did in the last days is really important. And we're working terribly hard with both of the medical and the retiree associations to bring this together so that they're proud of what they did.

**Adams:** Thank you, commander. Thank you all. Appreciate it very much. Good morning. Thanks for waiting. We're glad you're here.

**Ron Carr:** My name is ronald carr, lieutenant commander of the united states coast guard reserve retired. I spent four and half years in the navy during vietnam. That's where I served on a destroyer off the coast of vietnam. So thank you for the words that I heard earlier. What you're doing is a

**January 5, 2011**

wonderful thing, and I came here today just to express that, because it was 15 years ago a vietnam the first time I was acknowledged that I had been there, and it was at my daughter's middle school class or a band concert when they did a military medley, had us stand up as our service was acknowledged, and I stood up and started crying. So what you've done in the simple thing of adding a word to the memorial coliseum is huge, and you're going to hear a lot of this from us. It's a very good thing. And we need to do this more. We need to have this in the minds of people as they live and think and talk and honor our men and women, our young -- our kids who are coming home now. One organization that does that extremely well is the rose festival through their memorial day commemoration, which is wonderful through the parades where the military is included and involved and through the various events where they're represented there. So that's all I really wanted to say was thank you, 'cause I have this opportunity to say "thank you" and leave you in closing with this final thought. It's the soldier, not the reporter, who gives you the freedom of speech. It's the soldier, not the poet, who gives you the freedom -- i'm sorry. It's the soldier, not the reporter, who gives you the freedom of the press. It's the soldier, not the poet, who gives you the freedom of speech. It's the soldier who salutes the flag, serves the flag whose coffin is draped with the flag that allows the protester to burn the flag. So thank you very much.

**Adams:** And let me be hopefully not the first mayor to thank you for your service in vietnam and thank you for being here today. Sir?

**Lawrence Roberta:** My name is lawrence roberta, and I wanted to thank you, honorable mayor Adams and honorable commissioners, council members. I am a former sergeant of charlie company one of the 162. I'm an iraqi freedom veteran, probably one of the first ones you'll probably see here. And i'd like to thank the city of Portland for all of the support that you folks have given us as we have started a trickle home. I am one of the soldiers that was affected by the sodium dichromate and with kbr. And by your generous -- my throat is really dry. I have to apologize -- effort to rename veterans memorial coliseum to me is to finish it's intended target -- you know -- to really fulfill what it was meant to be. You know, just to call it the memorial coliseum I don't believe was to fulfill what it was meant to be. You know, a lot of people don't really understand what the memorial part was about. So to actually call it veterans memorial coliseum will definitely drive home what the purpose of it is, and I am so grateful for that. I really don't know how to thank you.

**Adams:** You just did a great job. Thank you for your service and your testimony today.

**Roberta:** thank you.

**Adams:** Trudy?

**Trudy Reusser:** Good morning. Thank you for the opportunity to also say "thank you" to the city for at least the attempt to change the name to veterans memorial coliseum. My husband was the most decorated marine pilot in history. He was shot down by enemy fire five times and still survived to do a lot of other good things, as a matter of fact, and he was very much involved in the memorial and that it stayed as it is and that it serves the city as well as veterans and it is important to recognize our veterans and especially those who gave their lives. General john pershing said time will not fade or diminish the glory of their deeds, and it should not. It sometimes looks that way. So I think not only recognizing the service that has been provided by so many in the past but I think it will help the future of the city and the future of the country so that people will be -- will know that they will be recognized. Thank you.

**Adams:** Thank you very much, and thank you all. Appreciate it. Next three. Mr. Frey, welcome back.

**Gil Frey:** May I say thank you to the honorable mayor, sam Adams, commissioners dan Saltzman, randy Leonard, nick Fish, and amanda Fritz. Because i've worked hard for the preservation of the memorial coliseum -- and I want to add I had prepared a four-minute speech here, and I don't think i'm going to have time, and I have my brother here, and I want to introduce him, so i'm going to

## January 5, 2011

read one page and, unless you make an exception and want to hear the rest of it. Otherwise I do want to introduce the veterans that i've invited today, because I think that's more important than what I have to say. Because I worked hard for the preservation of the memorial coliseum, this event for me today is a time to be thankful and to celebrate what has already been accomplished. My name is gil fry, and I am a veteran of the u.s. Army serving in germany in 1955 and '56. Today I represent many citizens, taxpayers, voters, servicemen, and women, veterans from Oregon who are still living. My subject is the veterans memorial coliseum and the gold star mothers. Now i'd like to introduce my brother. Howard, would you stand, please? This is my brother, who's age 85, and he did about seven deliveries of servicemen to the war zone in the south pacific. Is that close to accurate?

\*\*\*\*\*: Eight. [laughter]

**Frey:** I didn't think I was right on. You'd have to ask him about all that. George hayer served on a submarine, and I can't really explain too much about what he did, but I know that he delivered -- he brought a lot of veterans' home after the war.

\*\*\*\*\*: 1800.

**Frey:** 1800. Brought 1800 men home from the war when it was over. I would like to also introduce cal van pelt. Cal was in the battle of the bulls, and I think you were there on d day. And i'd like him to stand. And unless there's anyone over age 86, I think these are senior citizens today.

\*\*\*\*\*: There are several of us here. [laughter]

**Frey:** It's been my honor and my privilege to represent or to encourage the preservation of the memorial coliseum and at times during the last 10 years I have worked at that assignment on behalf of the rose festival, and i'd like marilyn flint to stand and her associates. And it's my honor to have her here. I would also like to introduce delance duncan. Coach duncan is very involved for years and years and years on behalf of the Oregon state athletic association wrestling tournament. And if you wanted to double-check, you check with him, because the memorial coliseum is the best place in Oregon to hold the wrestling tournament. And I understand, mr. Randy Leonard, you're a wrestling champion or something.

**Leonard:** Dan actually reminds me he is much better at it than I.

**Saltzman:** Me too.

**Fish:** Please don't encourage this kind of behavior. You're just going to start opening the door to things that have unintended consequences, sir.

**Frey:** It was originally named Veteren's memorial coliseum, dedicated to veterans. Veterans mean servicemen and women who died while serving their country and never returned home. I'm sure my time is up. Thank you.

**Adams:** I want to thank you when you've noted that you've been an advocate for its preservation and better use, you undersell the fact that you've been a stalwart, long-time advocate for memorial coliseum's preservation and improvement, and I want to thank you.

**Frey:** Thank you for your kind words.

**Adams:** All right, sir.

**John Adams:** Good morning. My name is john Adams. For the record, I served in the united states marine corps, could have gone to nam, never left u.s. soil. It is my privilege to read a letter addressed to mr. Gil fry, our former governor, victor atiyeh. Dear gil. Sorry I cannot be with you supporting the further definition of our memorial coliseum by adding the word "veterans" at the beginning. Unfortunately too many do not comprehend that is what the memorial coliseum really means and, in our time, we just naturally took that for granted. I will be at the capitol in salem during your scheduled time, so I would appreciate it if you would see that my support goes on the record. Thanks for all you do. Sincerely, vic atiyeh. That's all I have. Thank you very much.

**Adams:** And send our regards back to the governor. Thank you. Is there any discussion from council? All right. Then please call the vote.

**Item 33 roll.**

**Fritz:** I was born and raised in england, and both of the world wars have been fought on european soil, and we have war memorials in every city and village. In fact, when I was back there for my mother's 80\_th\_birthday last february, that's what we did on sunday morning is we took a walk into the village and read the names on the war memorial. There's a great understanding because there's so much physical evidence of the wars in europe that the united states saved the world twice at least. And, in fact, my mother was evacuated from london during the blitz and lived in connecticut. She was in connecticut in bridgeport hospital for a year with shell shock, cared for by the kindness of strangers. And so I thank you very much for all of your service, and I think it's entirely fitting and long overdue that we name the veterans memorial coliseum. I believe it's incumbent upon us to make sure that it's a place not only with your name on it but a place where you are welcomed and honored on a daily basis and where you do have a meeting room and that people who go there will remember. Because if we don't remember, we will repeat the same mistakes. And I also value that the other service in other wars and I was in britain during the '60\_s\_ and didn't experience the vietnam war in the same way that people here did. I share the horror of the folks who served doing their duty to their country and then came back and were not welcome. So I thank you for that, and i'm very thankful to mayor Adams, to the stakeholder advisory committee, gil fry. What an amazing advocate, somebody who comes into our office relatively frequently, and it's always a joy full thing when you come in and we want to find out what new information you have for us. In fact we have the photographs of memorial coliseum in various celebrations that have occurred there that you have given us are proudly displayed on my conference room wall and will remain there, because we need to remember. So thank you very much for all of your service. The gold star mothers, that was a fitting comment about what I as a mother would think if I visited the wall, and I do -- I did, even before I was on the city council, visit that wall to read the names, because it's important that we do that and that we remember, and I share that that we are glad that our children can laugh and play and maybe not remember until they get a little older and they go to the high school graduation at the veterans memorial coliseum and truly understand what a gift they have been given by the generations that have served. Aye.

**Fish:** Well, today we take an important step as a community to honor veterans who have served with honor, and I want to begin by thanking the mayor for taking the lead on this issue both for his willingness to reconsider his position on memorial coliseum and now incorporate within a broader vision the preservation of memorial coliseum but more importantly this name change. So we would not be having this discussion were it not for the mayor and his leadership, so thank you, sam. I was struck by some of the comments of some of the particularly world war ii veterans about how we have historically treated veterans in this country. My grandfather served in world war I and, when he returned, he was given a hero's welcome marching up fifth avenue. He was so humbled by his experience in france that he carried the legislation that created what we now call the tomb of the unknown soldier. That was his way and his generation's way of honoring the people who served and paid the ultimate sacrifice. My father served in world war ii in a not very fancy job in the navy but was -- concluded his service with honor and was able to build up on what my grandfather did in honoring veterans of the vietnam era, and I have to say that I think it's terribly important that we have memorials to honor people who serve, but it's also equally important that we go beyond simply memorials to provide the service and benefits that people have earned that allow them to reintegrate into society and take their place once they have served us abroad. So I want to call out the strong support that this mayor and council have given to another project which I think is also important as we move forward, and that is the creation of the first dedicate the housing for veterans that will be breaking ground shortly in south waterfront, and we'll be reaching out to a number of you to help us come up with an appropriate name for this the first of its kind building. But this is another example of this council making a substantial commitment to both honoring veterans for going one step

**January 5, 2011**

further to provide the services people need to come back home and to reintegrate into society. The fastest-growing group of homeless people in our society are veterans, and I think it is disgraceful that people who were willing to risk their lives abroad are coming home and literally dying on our streets. But we have it within our reach to cure those problems. They require attention and focus and public investment, and i'm proud to serve on a council that believes this is a priority and has puts the funding behind programs like veterans housing. Thank you all. There's one person not here today who I know would have been testifying and passionately supportive of this cause, and that is general fred rosenfeld. He was the tireless advocate that was always knocking on my door and saying we're not doing enough for veterans. He was the champion of camp rosenbaum which took underprivileged children to camp, and we miss fred's energy and vitality and advocacy. Thank you all for your testimony. Mayor, thank you for your leadership on this question. Aye.

**Saltzman:** First I want to vote that, in the resolution, it points out that the voters approved an \$8 million bond issue in 1954 to build memorial coliseum. Amazing how prices have changed in 50 years, but it was a good bargain, and i'm glad the voters approved it. Having grown up here, I certainly always thought of memorial coliseum as a memorial to veterans, but we have new generations here, and it's time to explicitly restate that the memorial coliseum is in fact a memorial to veterans, and i'm pleased to support this. I want to tell you that I am impressed by the records of the valor and service. It's very impressive, and you have my continued indebtedness to the service that you did for our country. My father did serve in world war ii on a coast card destroyer up in the aleutian islands. My mother worked hard in the war doing what was needed shoreside, so it's really a great opportunity for me to do this, because it was my father who usually showed me the memorial wall when we were going to blazers games at the coliseum. So we will cherish that wall.

We will make sure that we do whatever we can to make sure it's always recognized and always remembered by everybody, the service and sacrifice of those names on the wall, the service and sacrifice of the people here today. I'm very pleased to vote aye.

**Leonard:** This is one of those votes I have struggled with for quite some time. I originally thought I would vote no and not make a comment, but because of the eloquent testimony that was given, I think I at least owe you to explain my reasoning. Like we've heard here today and as many of you have testified to, my dad served in world war ii but was sank twice in the war years before I was glimmer in his eye, so I have many reasons to be thankful for the service of veterans, not just the people who made sure my dad was around to come home and see my mom because, without that, I wouldn't be here. I think after memorial in terms of what would honor my dad, now buried with my mom at willamette national cemetery. Frankly the memorial coliseum, as I see it through my eyes, isn't the highest and most fitting memorial to those who have given their all to this country much has been talked about how we're going to come up with the \$50 million just to have it look like it did when it opened back in 1959. I don't know where those resources are going to come from. I went there halloween to take my grandson to the halloween house that's there, and you circle down past memorial. Directly in front of the memorial were two sets of huge speakers blasting music that not only I felt was inappropriate, my wife felt was inappropriate, and my son, who is a veteran of the coast guard, who was with us, felt it was inappropriate as well. I can't divorce those images from my mind, notwithstanding the heart felt testimony i've heard here today. What i've talked to harvey and others about over the years is erecting a true memorial that isn't dependent upon the economic viability of a particular building, that is something built within the rose quarter that is truly a memorial that would be there for all to see and recognize, something that doesn't happen today. People often don't know that the memorial exists on the site because of the location of it below the subterranean level and that is what I would truly like to see happen. That is what I would feel very good about voting for. I have gotten myself to the place where oy can't vote no only because people read that and then would misunderstand why I voted no, but I do want you to know that I have been pretty hard on those that manage the coliseum, those that talk about professing the

## January 5, 2011

economic viability of the coliseum, and that's the reason why. Because if you're going to use it, it needs to be developed in a way that truly honors veterans in a way that it does not now, in my opinion, and in a way that is sustainable beyond just a generation or two but something that is truly a memorial that always exists. I'm not convinced that creating bars and restaurants in the memorial coliseum to make it economically viable is consistent with honoring veterans such as you all are here and especially honoring my dad. So I am going to support this today, but those that are working on the redevelopment of the rose quarter need to know that I do so with my eye towards making sure that this building, if we are going to keep it, is redeveloped appropriately and used appropriately and that it be there for the purpose the voters in the early 50's intended it to be. Aye.

**Adams:** I want to thank everyone who took time out of their day to testify. I really appreciate it very much, and I want to -- whether you testified or not, I want to thank you for your service. This city council, as you heard one he will plus station from commissioner Fish, is seeking to put resources behind those good intentions and even the welcome homes where I try to attend or members of council try to attend each and every one. We know that's important. You've told us. When this requests was proposed, I thought it was very important for the reasons that you spoke to. For me, this is an opportunity to name and therefore honor my grandfather, who is an irish immigrant and who served in world war ii in the philippines. He survived but a lot of his friends did not. So it's important to do this, I think, right now as well as we continue our work on the better future for the rose quarter, which is very difficult, but we are -- we have good momentum, as difficult as it is. I want to thank david logsdon, who's been overseeing the contract. He's done a great job through this process, both he and all of us coming to learn the original promises made to veterans that over the years sort of withered a way. And so the access to the facility for free, as we redevelop the district and this particular facility, other ideas -- he put great ideas on the table so there is heart in them, heart and soul in the memorial and useful resources for veterans in the memorial. We're going to do that. I also want to acknowledge the blazers who have been a good partner in managing memorial coliseums to our specifications. The withering away of access for veterans, the responsibility rests on our shoulders in the city, because we wrote the contract, and they -- a contract that they were required to follow. So that's why, as part of this resolution, we can change those specifications, and jay isaac is here, and they've enthusiastically agreed to work with us on that to do so. I also want to thank jane ames whose no longer works for me but, when she did, with others in the room she put together a great -- about four years ago, five years ago, put together a great meeting of all veterans' advocates and all veterans resources and really made it much easier for veterans to get services and has done outreach for my office. And finally amy ruiz who continues to shepherd out of my office the rose quarter redevelopment and helped make this happen. Thank you. I am very pleased to vote aye. Thank you. And you're welcome. We are not offended if you want to leave while we continue on with the democratic process here.

### Item 32.

**Saltzman:** The bureau of environmental services and Portland parks and recreation have worked together on several restoration programs on both environmental services and on parks property. In 2008, the city's greater green initiative accelerated watershed planned implementation by committing \$15 million over five years to restore habitat, protect natural areas, and improve water quality. Parks has received funding from metro to allow for stream and wetland restoration. The res store race of the duck pond in westmoreland park was approved in the park's 2004 master plan. The 40-acre spring water wetlands restoration project in the johnson creek watershed, this ordinance will enable the city to take advantage of the federal water resources development act to help finance these projects. Commissioner Fish did you have any remarks?

**Fish:** I have some concluding remarks about the wonderful level of cooperation and partnership that exists between bes and the parks bureau, this being another example, but i'd like to defer to our

**January 5, 2011**

honored guests.

**Saltzman:** They're just here for questions.

**Leonard:** Anybody have any questions? Do you have anything you'd like to offer?

**Kaitlin Lovell:** We do have a brief statement. We can skip it.

**Leonard:** Go ahead.

**Lovell:** I want to thank you for the opportunity to construct these three great projects, excellent examples of the partnership between parks and bes. We've combined resources within the city to design projects that will leverage local dollars more than two to one against federal dollars. These three projects could bring in nearly \$10 million of federal funding for construction based on a university of Oregon study. Great institution. That translates into over 217 green jobs created here in Portland in the next three years. This is possibly only because of the strong working relationship between parks and bes and the commitment of those two bureaus to continue designing these projects even when the federal construction dollars seemed unlikely. As a result, these projects were ready to go when the corps of engineers returned the dollars toward us, and we are very grateful to partner with the corps for the benefit of Fish, wild life, the people, and economy of Portland. We will return to council 4 your approval on the contractor approval process. We will be happy to answer any questions you might have about the ordinances or these projects.

**Leonard:** I'm trying to slow us down so the mayor can come back and vote. Did you have comments, commissioner Fish?

**Fish:** Here's the mayor.

**Moore-Love:** We had one person who signed up to testify.

**Adams:** He's been in charge for just a few minutes, and he's already cutting off public involvement. [laughter]

**Moore-Love:** Eric lloyd winters.

**Adams:** Not here. Please proceed with calling the vote.

**Item 32 roll.**

**Fritz:** Thank you, commissioners Saltzman and Fish and the local army corps of engineers for your leadership on this funding, mary senter, kayla and mary for answering my questions ahead of time and for your work on these very important restoration projects. We have to say over and over that the citizens of Portland benefit on so many levels when we work together and maintain focus on our shared goals of restoring and protecting our natural resources. I want to restate what was just said in a slight sly different way p. Every million dollars supports 16.7 jobs in Oregon. Because of these jobs, the economic impact is multiplied in economic activities. This was in the great university of Oregon study in april of 2010. I need to note that our commitment to these projects mustn't end with this funding project, that once ecological function is restored to these and other projects, it's important to continue to find the funding necessary to protect our investment. Aye.

**Fish:** Yesterday I had the honor of attending the swearing in of the new metro president, tom hughes, and i'm in the process of writing him a letter congratulating him obviously on his swearing in but also for the priorities he established in his speech. In addition to jobs, which is the central issue that he ran on, he identified as two of the priorities of his administration natural areas and stewardship of our natural areas and the intertwine, which is the idea of a regional connected set of parks, trails, and natural areas. I was really delighted to hear the new metro president put our stewardship of natural areas at the top of his list, because as we know we have over 30,000 acres of natural areas in our region, 5000 of which is in forest park alone, and the historic challenge has been we're very good at acquiring sensitive natural areas and limiting development on them. We're not so good at maintaining them, and it's simply a resource question. We just have never had a dedicated source of money to do it, and perhaps that will change someday. Today, though, is a day to acknowledge the high functioning collaboration and relationship between the bureau of environmental services and the parks bureau. I want to thank the marriott and jerry santner, kaitlyn

**January 5, 2011**

and emily who do such a marvelous job, emily roth being the natural resource planner at the parks bureau. I want to acknowledge the neighborhoods and businesses that have helped to us leverage funding from other grants to support watershed restoration projects, and I want to thank our partners at the federal and state level who really make this whole enterprise sing. And finally to psu, the watershed, and specific councils who continue to work on these projects. Today this partnership between bes parks and the corps of engineers allows us to move forward with important habitat improvements at westmoreland, oaks bottom wildlife refuge. Thank you both for your great work, and i'm very pleased as the parks commissioner to vote aye.

**Saltzman:** Great work. Looking forward to making these a reality. Thank you, aye.

**Leonard:** Thank you. Aye.

**Adams:** Great work, everyone -- aye. So approved. Please read item 34. Happy new year, mr. Jones.

**Item 34.**

**Greg Jones:** I can answer questions or give you a little introduction.

**Adams:** Give a tiny overview.

**Jones:** Late december, we were notified by the federal transit administration that there was a need to immediately sign our intergovernmental agreement with them to secure the tiger funds. At the same time, an intent was announced to de-obligate all unobligated tiger and stimulus funds. Unfortunately council was not in session at that point in time, and we needed to immediately get the iga signed. We were able to prepare the information for an emergency declaration and have the mayor sign the agreement. Under the city's emergency procedures, the process is to bring it back at the next available council session for ratification, so before you is the ratification for the tiger grant for southwest moody avenue.

**Adams:** Discussions from council? Anyone wish to testify?

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

**Fritz:** What is this money going to be used for?

**Jones:** This money is to pay for the current work that's under way on southwest moody to place streetcar -- to rebuild moody from gibbs near the tram to southwest sheridan along the front edge of the ohsu development and the zydell properties, and it will complete the intent of having streetcar in moody and provide pedestrian and bicycle facilities as well.

**Fritz:** Thank you.

**Adams:** It also meets the requirements to raise the basic elevation up fourteen feet?

**Jones:** Seventeen at the highest point, to assist the light rail connection.

**Adams:** And that in turn is required to meet our obligations for the new State investment of OUS building which will be moving the school of pharmacy from Oregon State University to this city and I believe that is, I forget how many hundreds of millions of dollars that building is, but it comes at a great time. It's a project of city wide benefit. Please call the vote.

**Item 34 roll.**

**Fritz:** Well, thank you for your work on this. I was sick during christmas vacation but for the record, I would call or have my son carry me here in order to be able to approve \$23 million in federal funds, so helpful, not only in constructing the streetcar and light rail project, but also in employing ordinances at this time of continued economic hardship. Thank you to the mayor for continuing to work on this and the city attorney to make sure we were able to secure the money promised previously. Aye.

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

**Adams:** Aye. [gavel pounded] approved. Can you please read the title and call the vote on second reading, item number 36.

**Item 36 roll.**

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

**January 5, 2011**

**Adams:** Aye. [gavel pounded] 30 -- 36 is approved. Can you please read the title for nonemergency ordinance item number 37.

**Item 37.**

**Adams:** Commissioner Leonard. Mr. Shaff.

**Eric Johansen, City Treasurer, Office of Management and Finance:** Thank you, mayor, commissioners. Eric Johansen, city treasurer. This authorizes up to \$100 million of water revenue bonds to fund a portion of the water bureau's capital program over the next 12-15 months and the refinancing of outstanding debt that can be financed for debt savings purposes. The bonds expected to be payable from water revenues and repaid over the next 25 years and competitive bidding in early March, and with that, I can take any questions.

**Adams:** Questions? Comments? Anyone wish to testify on nonemergency item number 37?

**Fritz:** I -- I actually had a question.

**Adams:** I was waiting.

**Fritz:** Well, I'm -- thank you very much, first of all, for providing so much information ahead of time. And my question -- one question I have. We're authorizing \$100 million in bonding but expecting to finance only \$19 million? And projects totaling \$82 million. Can you explain to the citizens why the difference in numbers?

**Johansen:** It took a little bit to settle in on where the final number would be, our best estimate is \$82 million of project costs and then the other amount going up to \$90 million is underwriter's discounts, cost of issuance and debt service. And I don't want to issue the full amount right now. \$90 million seems to be the right number.

**Fritz:** For capacity. And Director Shaff, you note in an email to us, it's the budget process and contracting process to provide comment and the council to provide comments on the projects condemned platted and this bond sale provides revenue necessary to accomplish the projects already approved. Can you tell me the citizens watching how they can engage in the upcoming budget process with the water bureau?

**David Shaff, Director, Water Bureau:** Sure, we're working with our budget advisory committee to complete within the next two weeks, our budget submission and then there will be -- I haven't seen the public hearing schedule, but there will -- I know that the proposed hearing schedule in front of the council has come up and we'll be appearing in front of you on Monday, March 14th and then we'll also be having rate hearings in -- I believe it will be May, where we come forward our annual rate ordinance with BES and then, of course, over the -- rate ordinance. And over the course of the next several months and beyond, we will bring regular contracts in front of you for the approval. For specific projects. The revenue -- the bond sale is just to give us the multiple to do the projects you've already approved or that we anticipate that you will be asked to approve.

**Fritz:** And is the schedule for the budget advisory committee and the rate hearings on the water bureau website?

**Shaff:** Not the rate hearings yet because they're still tentative, but at some point, yes. And otherwise, our budget advisory committee schedule is posted.

**Fritz:** Thank you very much.

**Adams:** All right. Unless there's additional business of the city council, we are adjourned for the week. [gavel pounded]

At 12:36 p.m. Council adjourned.