



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 26<sup>TH</sup> DAY OF OCTOBER, 2011 AT 9:30 A.M.

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

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

On a Y-4 roll call, the Consent Agenda was adopted.

	<b>Disposition:</b>
<b>COMMUNICATIONS</b>	
<b>1118</b> Request of Shedrick Jay Wilkins to address Council regarding homeless issues (Communication)	<b>PLACED ON FILE</b>
<b>1119</b> Request of Mike O'Callaghan to address Council regarding emergency resolution (Communication)	<b>PLACED ON FILE</b>
<b>1120</b> Request of Jaldo G. Abino to address Council regarding City Code 16.40 Private-For-Hire Transportation Regulations (Communication)	<b>PLACED ON FILE</b>
<b>1121</b> Request of Imre Ilyes to address Council regarding concerns and requests from Occupy Portland (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>	
<b>1122 TIME CERTAIN: 9:30 AM</b> – Approve the designation of six trees as City of Portland Heritage Trees (Ordinance introduced by Commissioner Fish) 30 minutes requested	<b>PASSED TO SECOND READING NOVEMBER 2, 2011 AT 9:30 AM</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>	
<b>Mayor Sam Adams</b>	
<b>Bureau of Police</b>	

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<p><b>*1123</b> Accept a grant in the amount of \$310,000 and appropriate \$100,000 for FY 2011-12 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance FY 2011 Gang Resistance Education and Training Region Training Centers program (Ordinance) (Y-4)</p>	<p><b>184948</b></p>
<p><b>*1124</b> Accept a grant in the amount of \$50,000 and appropriate \$40,000 for FY 2011-12 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance FY 2011 Gang Resistance Education and Training Grant Program–Evaluation Sites (Ordinance) (Y-4)</p>	<p><b>184949</b></p>
<b>Bureau of Transportation</b>	
<p><b>*1125</b> Authorize a contract with the lowest responsible bidder for the SE Bush, NE Holman, and N Central Neighborhood Greenway project (Ordinance) (Y-4)</p>	<p><b>184950</b></p>
<b>Office of City Attorney</b>	
<p><b>*1126</b> Authorize the City Attorney Office to amend outside legal service agreement with Littler Mendelson PC (Ordinance; amend Contract No. 30001850) (Y-4)</p>	<p><b>184951</b></p>
<b>Office of Management and Finance</b>	
<p><b>*1127</b> Change the salary range for the Nonrepresented classification of Emergency Communications Training and Development Manager (Ordinance) (Y-4)</p>	<p><b>184952</b></p>
<p><b>*1128</b> Authorize contract with Whelton Architecture, LLC in the amount of \$698,737 to provide architectural and engineering services for Fire Station 21 (Ordinance) (Y-4)</p>	<p><b>184953</b></p>
<b>Commissioner Randy Leonard Position No. 4</b>	
<b>Water Bureau</b>	
<p><b>*1129</b> Amend contract with Columbia Analytical Services, Inc. to increase compensation for laboratory services (Ordinance; amend Contract No. 30000649) (Y-4)</p>	<p><b>184954</b></p>
<b>Commissioner Amanda Fritz Position No. 1</b>	
<p><b>1130</b> Remove the Reversionary Clause from the title to the real property located at 3534 SE Main Street owned and managed by the Southeast Uplift Neighborhood Program (Ordinance)</p>	<p><b>PASSED TO SECOND READING NOVEMBER 2, 2011 AT 9:30 AM</b></p>

<p style="text-align: center;"><b>Commissioner Nick Fish</b> <b>Position No. 2</b></p> <p style="text-align: center;"><b>Portland Parks &amp; Recreation</b></p> <p><b>1131</b> Renew contract with Centennial School District for Afterschool At-Risk Meal and Snack Program sponsorship (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING NOVEMBER 2, 2011 AT 9:30 AM</b></p>
<p style="text-align: center;"><b>Commissioner Dan Saltzman</b> <b>Position No. 3</b></p> <p style="text-align: center;"><b>Bureau of Environmental Services</b></p> <p><b>*1132</b> Authorize Intergovernmental Agreements with Palouse-Clearwater Environmental Institute for the Confluence Environmental Center program to support the goals of the Watershed Management Plan (Ordinance)  (Y-4)</p>	<p style="text-align: center;"><b>184955</b></p>
<p><b>1133</b> Authorize a contract and provide payment for construction of the Ankeny Pump Station Upgrade Project No. E07833 (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING NOVEMBER 2, 2011 AT 9:30 AM</b></p>
<p><b>1134</b> Authorize contracts with four consulting engineering firms for design related services as needed in support of sewer, wastewater pumping and treatment and drainage and stormwater quality projects (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING NOVEMBER 2, 2011 AT 9:30 AM</b></p>
<p style="text-align: center;"><b>Office for Community Technology</b></p> <p><b>1135</b> Grant a franchise to Astound Broadband, LLC for telecommunications services for a period of ten years (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING NOVEMBER 30, 2011 AT 9:30 AM</b></p>
<p style="text-align: center;"><b>City Auditor LaVonne Griffin-Valade</b></p> <p><b>*1136</b> Amend contract with Moss Adams, LLP for Portland Development Commission financial audit of accounting statements for FY 2010-2011 (Ordinance; amend Contract No. 37298)  (Y-4)</p>	<p style="text-align: center;"><b>184956</b></p>
<p style="text-align: center;"><b>REGULAR AGENDA</b></p> <p style="text-align: center;"><b>Mayor Sam Adams</b></p> <p style="text-align: center;"><b>Bureau of Transportation</b></p>	

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<p><b>1137</b> Amend Public Improvement Code to reflect accurate Bureau Director and City Engineer responsibilities; update, clarify and reorganize sections; delete outdated sections; add new regulations for preservation of the 5th and 6th Ave Transit Mall; and codify existing policies regarding hazardous materials in the public right-of-way (Second Reading Agenda 1112; amend Title 17)</p> <p>(Y-4)</p>	<p><b>184957</b></p>
<p style="text-align: center;"><b>Commissioner Nick Fish</b> <b>Position No. 2</b></p> <p style="text-align: center;"><b>Office of Management and Finance</b></p> <p><b>1138</b> Allow a Commissioner-in-Charge to enter into an employment agreement with a bureau director (Second Reading Agenda 1116)</p> <p>(Y-3; N-1 Fritz)</p>	<p><b>184958</b> AS AMENDED</p>

At 10:07 a.m., Council adjourned.

**LAVONNE GRIFFIN-VALADE**  
Auditor of the City of Portland

By Karla Moore-Love  
Clerk of the Council

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

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**WEDNESDAY, 2:00 PM, OCTOBER 26, 2011**

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

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## Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

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

**OCTOBER 26, 2011                      9:30 AM**

**Fritz:** ... The regular session of the Portland city council. Before we call council to order, we have a special guest by an electronic device from asia and the mayor is going to read the proclamation.

**Adams:** Hi. Sorry I can't be there in person but i'm pleased to read the proclamation. Whereas 38% of ninth graders nationwide want to enter college immediately after graduating from high school and whereas six in 10 youth graduate from high school in four years and only two of those six will go on to earn a certificate or degree. Whereas, college is becoming an increasingly important step on the [technical difficulty]

**Fritz:** Start over.

**Adams:** -- in america, requiring –

**Fritz:** Obviously, he's not joining us from asia. But by tape.

**Adams:** I'm sorry I can't be there in person but I am pleased to read the following proclamation. Whereas only 38% of ninth graders nationwide will go on to enter college immediately after graduating from high school and whereas six in 10 youth will graduate from high school in four years and only two of those six will go on to earn a certificate or degree. Whereas college is becoming an increasingly important step on the path to economic success with 90% of the fastest growing jobs in America requiring a post-secondary credential or training and whereas 63% of jobs created in 2018 will require workers with at least some college education and whereas every student should be able to make an informed decision about college and many students lack crucial information regarding the admission process and their options for post-secondary education and whereas the city of Portland through the future connect initiative is committed to increasing educational opportunities for all students. Now, therefore, I Sam Adams, mayor of the city of Portland, Oregon the city of roses do hereby proclaim October 31st through November 6th, 2011, to be Portland goes to college week in Portland and I encourage all residents to observe this week. Sorry, I can't be there in person. But I'm in Asia helping to promote locally made exports of products and services. Thank you, and randy, would you please sit up straight. [laughter]

**Fritz:** Thank you to the mayor's staff and the reason this was time sensitive is that the Portland national college fair is held on November 6th and 7th at the Oregon convention center with representatives from over 280 colleges and universities and we have someone here to talk about that, I believe.

**Robin Beavers:** I'm robin beavers, for self-enhancement incorporated and sit on the Portland National college fair committee and on behalf of the national association for the admission counseling and affiliate, Pacific Northwest association, thank you, mayor Adams for proclaiming next week as Portland goes to college week. Helping students from the transition from high school to college, we appreciate your commitment to increasing educational opportunities for Portland youth. In conjunction with the week, the national college fair held Sunday November 6th and Monday November 7th, which I helped coordinate, will provide an opportunity for students and their families to begin the college search and selection process by meeting with admission counselors from over 280 colleges and universities from around the nation. Thank you again for partnering with us to help students develop college aspirations and prepare for admissions and the financial process. Thank you.

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**Fritz:** Thank you very much for being here. As the mother of three children who've been in five different colleges and counting, I want to pass on to the citizens of Portland and the students that you don't necessarily need to look at the sticker price because there's a lot of the financial aid for students who need it. So go for your dreams and see what you get. I'll present the proclamation to you. Thank you very much. Council will now come to order. Karla, please call the roll. [roll call]

**Fritz:** Please read the title for communications item 1118.

**Item 1118.**

**Fritz:** Mr. Wilkins. Good morning, welcome to city council.

**Shedrick Jay Wilkins:** I'm one of the few people that are homeless and I also have to work at target, so -- I got to get out of here. But --

**Fritz:** Please state your name for the record.

**Wilkins:** Shedrick jay wilkins. I have to do this in three minutes.

**Fritz:** Thank you.

**Wilkins:** I have sympathy for the occupy Portland protestors and I think they do a service in illustrating that wall street has gone too far. I think one thing they should pick on and I did not know this until august 2011, that intel is exempt from the state corporate tax. Let me say that again.

I didn't know that when I helped measure 6667 and I don't know how they have the power to do that, but again, I have sympathy for the fact that these protestors are trying to tell that you they have the power to do that. Also, these protestors out there, I don't think interfere that much in the block area there and also, being homeless, i've only been homeless for six months. At Christmas time 2010, two people died downtown of hypothermia and maybe these tent people can go down there and do a service for the city and make sure that the people get to some place that's warm. I don't know if they're mentally ill or don't want to cooperate with the police but certainly they have sympathy for others sleeping in a tent. It doesn't take. For people that cold to be warmed up a little bit in one of these tents. And I think, too, that the city of Portland has already announced they're going to close dignity village in july, I think, 2012. Again, the protestors are again, bringing this issue that people who are under-employed and don't have the multiple or sometimes section eight housing is closed. So i'm shedrick jay wilkins, and i'm homeless. The ministry saved my job and it's an act of god that happened. I get off work at target at the same time they open. But the bud clark commons is great. I like the solar panels on the top, the water heaters. I use their 10 computers there. That's about three minutes, so if anyone is listening, i'll come back november 16th and see what happens down here and I like to talk in public. Of course, I don't have the money to run for mayor, but i'm not jefferson smith. But -- he seems like a pretty smart character. Anyway, I like wikipedia and i'll see you november 16th and see what happens. Two people did die at Christmas time last year. It's not funny.

**Fritz:** Thank you very much, mr. Wilkins.

**Fish:** For our benefit, to clarify, the city has not announced any action with respect to dignity village, in case someone heard that comment, and second, the city will be announcing shortly the schedule for our winter warming centers and emergency shelters which we're trying to open a little earlier this year because of the need so we'll be making an announcement shortly on that and we appreciate your testimony.

**Fritz:** Thank you, commissioner Fish. Please read the title for 1119.

**Item 1119.**

**Fritz:** Welcome back, Mr. O'Callaghan, you have three minutes.

**Mike O'Callaghan:** Hello. Thank you. My name is Michael O'Callaghan, and as stated, Seattle passed an ordinance allowing campgrounds of up to 100 people. Caveat, caveat. We would appreciate it. We know that the city council can't create an ordinance in that time frame and we would appreciate if the council would pass a resolution unanimously, supporting the creation of this ordinance. And we can deal with the sausage and government works in that interim period to come

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up, hopefully with an ordinance we both agree to. I'm presently on fourth and burnside and we would like to invite you to come down and see what we're doing. We have 70 people on-site. And we've had -- our purpose is for our members to have a safe uninterrupted sleep. At present, we have 10,000 hours since we started on the tenth, of members having safe uninterrupted sleep. We have a safe secure campsite. None of our members are going to die from freezing. Ok? Zero cost to the city. And I took this issue before them unanimously approved, took this issue before occupy Portland, unanimously approved. We have a huge amount of support for this. We would look for your support for this and to date, I have not seen any support for anything like this from city council, so we would appreciate it if you would get on board, if you can't get on board, it's our job -- and I apologize that we have just a few people here representing those groups. But next week we can have a lot more and the week after that, we can have a lot more until you see the wisdom of setting this up. We're ready to duplicate, ok? If you pass a ordinance like this today, allowing anyone, really, private or public to do this, we can start duplicating. We've got 7,000 people, 5,000 to 7,000 people sleeping on the -- not on the streets, because they'd get run over, but sleeping outside every night. We need 50 of these campsites. Ok? This is a big order, but we're ready to fill it. No cost. Zero, nothing to the city. So we would appreciate your support in this matter and I would appreciate it if one of you would take the lead on this and in generating a resolution that we can put before council next week so that we don't have to rally the troops and show you how much support we have. We'd appreciate it if you would join us. I look forward to you getting a hold of me so we can work together. Thank you.

**Fritz:** Thank you. Please read the title for 1120.

**Item 1120.**

**Fritz:** Mr. Abino? Please read the title for 1121.

**Item 1121.**

**Fritz:** Good morning, welcome to city council. Please state your name for the record and then you have three minutes.

**Imre Ilyes:** Hi, my name is imre, a member of occupy Portland. I do not have an official message, so i'm here speaking on my own behalf. I would like to address the goals of the movement as I see them. Some concerns voiced by council members and present you with a challenge. I graduated from Portland state, I have a job and family and in the process of applying for graduate school. I have been disillusioned by institutions for a long time but never demonstrated or voiced my discontent publicly. I got involved in the movement a few days before the march and work with the media and outreach. The goals and demands of the movement -- if you've walked through our camp, you probably noticed there's a multitude of ideas and policies that people feel passionate about. Campaign finance reform, the bailouts and ending the wars, well represented. Solving these problems will not make a difference in the lives of 99% of the population. We realize we live in systems of government and finance that do not represent the interests of people and institutionalized greed is endangering our communities and health and future and earth. This is the issue of at the core of the movement. We're here to create systematic change so that our institutions work for the betterment of the majority of the population and not the select few. Some of you have questioned the -- questioning the movement. As long as campaign -- corporate campaign contributions are part of doing business in the city, we have reason to occupy these blocks. As long as we use prison populations to maintain our public spaces, we have a reason to occupy these blocks. Besides, change, even global change, starts locally. And at this time, let me challenge you. I want you to reexamine the way you think about managing our city and challenge you to think outside of the old paradigm, because they've not been effective. And not saved us from the toxins in our air. Your constituents are realizing that the times we live in and rising to the challenge. You need to do the same. We're self-governing and we're not here to stop the things we don't want, but rather, to get the things we do want. I look forward to working with you in the future.



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**Fritz:** Thank you for taking the time. We do this (waved hands) for indicating approval of what folks say so that everybody feels comfortable in city council. You're welcome to wave your hands if you don't agree, but we want everyone to express their feel information a fair manner. We will do the consent agenda. Does anyone wish to pull any item from the consent agenda? Anybody in the audience? Seeing none, please call the roll on consent.

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

**Fritz:** Aye. Thank you. We have a 9:30 time certain, please read the title for 1122.

**Item 1122.**

**Fritz:** Commissioner Fish.

**Fish:** Thank you very much. Would David Oden and Michael McCloskey please come forward? And I'm reminded, as I do the introduction here, that commissioner Saltzman says this is his favorite presentation every year when we do heritage trees. So thank you for joining us. And Michael is the heritage tree committee chair. Here's a little background. The Portland urban forestry commission created Portland's heritage tree program in 1993 to celebrate significant trees in Portland. It was the first of its kind in the country. At that time, we adopted city code to create and expand a list of heritage trees. Within the city, which because of their age, size, type, historical association or horticultural value, are of special significance to our city. The heritage trees committee accepts tree nominations from owners and community members and then conducts reviews and field inspections of the trees. The nominations are reviewed for health, safety and site conditions and if all of these conditions are met, the chair of the heritage tree committee submits the nominations to the urban forestry commission for approval. Today, we have six trees that the urban forestry commission will present to us for approval for the adoption of this annual ordinance. The ordinance further states that it is unlawful for any person without a prior written permission to remove, destroy, cut, prune, break or injure any of these cherished heritage trees. The city provides and offers a tree care providers workshop which trains arborists who wish to perform arbor cultural -- yeah?

**David Oden:** Arboricultural.

**Fish:** I'm glad you said that. Yes, that's exactly what I meant. - - work on our heritage trees. These certified companies offer discounts for work on heritage trees helping citizens to maintain them. I also want to note that we now have a free pdx trees iphone and ipod app. These kid friendly and free apps recently won the most appealing app in the civics app challenge and they are targeted for tree lovers, both folks who live here and who are visiting. The apps allow access to all kinds of information about Portland's heritage trees from the closest ones to where you may live or work, to where you can see a coast redwood. App users can also upload their own photos of the trees to build a set of images that show how Portland's heritage trees change through the seasons and over the years. Now I'm pleased to recognize our two distinguished guests who will present the six new trees that are recommended in this year's ordinance. Michael why don't you take it away?

**Michael McCloskey:** Good morning, it's nice to be with you again. Our heritage tree program in this city continues to be one of the more robust and sizeable programs in the country and today, we're proposing that you add to it. We're looking at six trees here that we're suggesting that you designate. All of them are notable in some respect. Two of them will add new species to our system. Four of them are on private property, let me correct that, half of them of the six are on private property and half are on public property. They're scattered in different parts of the city. One is in southeast, one is in southwest. One of them is in northwest, and three of the six are in northeast. And they were all nominated by members of the public and we've looked at them closely and these nominations have been approved by the entire urban forestry commission, and the city forestry staff join in recommending that you make these designations. Now let me walk through them one by one. We're beginning with, the common name is dawn redwoods. These – here we have a shot of them on the screen. In this case, we're recommending a set of 12 of them. They are

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in upper Macleay park. They're in a row in the parking lot near the access road. Now there are already three of these distinctive species in the cities system. But the average dimension of this set exceeds or matches those of the ones we have. They match them in height and exceed them in terms of their circumference and the spread of their crowns. Their heights average 75 feet, their circumference, 11 feet, and their crown spread 35 feet. Our hoyt arboretum was one of the limited number that receives seeds when they were brought to the u.s. in 1948 having been discovered in central china in 1941. Before they were discovered, this species was thought to be extinct. And in 1952, Hoyt was the first American institution to grow seeds from their cones. When the seeds were planted, these trees and this row were the result. This was the first time that seeds of this species had been produced in this continent in six million years, so there's really something historically significant about this set of -- these trees. Because of this background, they can be viewed as having historic importance as well as being large and of horticultural value. The status will help more citizens to appreciate their value. Next slide. Now, we're looking at a giant sequoia. This one is located on private property at 5910 S.E. Taylor Street. It was nominated by the owner, there are now already six of these species in our system. But this specimen compares well with them in terms of its measurements. It exceeds all of them in terms of its height and its circumference exceeds that of half of them. It's 120 feet high, 12.7 feet in circumference and has a crown spread of 77 feet. And we've only seen the beginning of it, over time it should continue to gain size and distinction. It's in the front yards, easily observable by the public. We feel it deserves designation because of its size. It should also be noted that it's well formed and well cared for and quite beautiful. Next slide, please. Now, our next tree is a sycamore maple. It's on the right-of-way, at 2607 northeast Wasco Street. It, as a result of being on the right-of-way, is publicly owned. If designated, this would be the third tree of this species in our system. It would also be the specimen with the largest girth, having a circumference of 12.7 feet. However, it is not as high as the other two. Nor does it have as great a crown spread. I should add that this species is not common in Portland and this is a very fine specimen. It's called a sycamore maple because it has a leaf that resembles that of a sycamore as well as having similar flakey bark. This specimen is being proposed because of its size and type, it also has good form and is beautiful. Next species -- next specimen. This next one we're recommending is a blue atlas cedar. I'm sorry our shot is not clear, but it was a cloudy day. [laughter] this specimen is located on private property at 7000 southwest 63rd street and it also was nominated by the owner. The affected neighbor has been notified. And various respects, the dimensions of this tree exceed those of the two trees of this type that are now in our system. Its circumference exceeds that of one of them and the spread of its crown exceeds that of the other. Its dimensions are 75 feet in height, 12.9 feet in circumference and has a crown spread of 72 feet. I should add that it's similar to the cedar of Lebanon but there are differences. The needles are a bit shorter and its cones are more compact. It originated in the atlas range of North Africa where it was discovered in 1827. The blue form was discovered a few years later and various cultivars of this sort are used in horticulture it tolerates poor soils, which are the ones we have in this area. We believe it deserves to be designated because of its size and type. I should add that it also has an unusual form and -- with its lower branches assuming an octopus-like shape. Next slide. This is an American persimmon. It's located as you can see, on the right-of-way. At 6440 N.E. 36th avenue. It also was nominated by the abutting property owner. This type of tree is found naturally in the east. It's not common in Portland. This specimen is healthy, well formed and free of defects. It was planted 65 years ago and still also has a lot of growing to do. Currently, we do not have the species at all in our system. It would be the first for us, it's 45 feet high, has a circumference of 4.6 feet and a crown spread of 30 feet. Our arborist felt it is a good size here in Portland for this species. We feel it merits being designated because of its type and size. It also is quite beautiful. And -- next slide. This is a Japanese larch, it's our final recommendation. It's in the front yard of the home at 4626 N.E. 37th avenue. It also was nominated by the owner. We have -- ownership has changed recently but we have consent forms from both the prior owner and the

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new owner. It also affects the neighbor and the neighbor has been fully consulted. It's a healthy specimen and it's about 40 years old now. We proposed designating it as a heritage tree because of its horticultural significance and its type. If designated it also would be the first of its type in our system. It also has very attractive foliage in the fall which you can see at this time. That concludes my presentation. We'd be glad to answer any questions you may have.

**Fish:** Michael, thank you for your usual superb presentation on the heritage trees. David, before we go to council, questions or comments, would you care to say - - add anything?

**David Oden:** No, I was just here to run the slide machine and introduce Mr. McCloskey, which you did an excellent job on, so I appreciate that.

**Fish:** Thank you to both. And I'll turn it over to my colleagues.

**Saltzman:** A question. First of all, great work. I really appreciate your continued vigilance in finding heritage trees or citizens bringing heritage trees to the cities attention. On that last tree, you mentioned there was a change of ownership and the new owner consented but I thought under our program, that if a property owner does whatever necessary to become an official heritage tree, that right carries forward beyond subsequent property transactions. That protection of that tree?

**McCloskey:** That is correct. Once it's been designated by your ordinance. But in this case, that had not happened yet. So we thought it would just be on the safe side to have both of them weigh in. It began under the prior owner and midway through it changed ownership and so we thought we would just nail everything down for you.

**Saltzman:** Sure, so once we pass an ordinance then designating these trees, they have a right that transcends property transactions?

**McCloskey:** Exactly right.

**Saltzman:** Thank you.

**Fish:** Michael, I don't want to put you on the spot, but how many trees does this now mean are in our inventory of heritage trees? Ball park?

**McCloskey:** Well, if you designate this set of six, you will have made 291 designations. There is a separate question of how many stems are involved, and actually, we've not counted them up, because in some cases, over the years, you know, sets of trees have been designated just as you would here and we've actually not made a stem count and since you're interested in the future, we'll try to do that for you.

**Fish:** Thank you.

**Oden:** As an example, the dawn redwoods, the very first trees that we were looking at is a group of 12 but it's being counted as "an" heritage tree. The designation is for a heritage tree but it includes 12 stems. And there are groves like that, that exist throughout the city. So it's 291 designations, including these six.

**Fish:** Very good. By the way, we'll go ahead and put on my website today the information about the apps that people can download if they want to track these trees and all the other trees. Thank you gentleman, for an outstanding presentation, and thank you for your work on the commission.

**McCloskey:** Thank you.

**Fritz:** Thank you. Does anyone want to testify on this issue? This is a non-emergency ordinance that moves to second reading. I thank you, since you're here; I want to make sure that I thank you for all of your work on this, both the commission and the staff. And, this is part of what makes Portland special, is our trees. I think that our tree protection ordinance that we passed last year is one of the most satisfying things that I've done on the city council so I really appreciate your partnership and all your good work. Please read the title for 1137 on the regular agenda.

**Item 1137.**

**Fritz:** Thank you, this is a second reading, please call the roll.

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

**Fritz:** Aye. Please read the title and call the roll for second reading, item 1138.

**Item 1138.**

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

**Fritz:** I appreciate commissioner Fish's very good-hearted intent in pursuing this ordinance, unfortunately, I cannot support it. The voters in 2000 approved charter amendments that's made bureau directors at will position. This ordinance means that for three years from the date of hire, all new and retroactive to July 1st, 2011, all new directors will no longer be considered truly at will since payment will be required if a change is deemed necessary by the elected commissioner in charge. Smaller bureaus will be especially hard hit by this action, since the budgets at those bureaus are not able to absorb that kind of a severance payment and it takes away the flexibility that an elected official, the commissioner in charge, should have in running a bureau. There was no public process prior to this hearing and the public involvement statement doesn't have an explanation for why no public involvement was completed, which is not compliant with our adopted policy and I want to make sure that we do comply with at least filling out the statement as to why no public involvement was included. If the public had had more opportunity to weigh in on this ordinance, we could have had a more robust, in-depth discussion on the merits and the problems of the legislation. For these reasons, I must oppose this significant change in the policy for hiring bureau directors. No. And with that, that concludes our agenda for this morning. We have no agenda this afternoon. But I invite everybody to the east Portland community center, tomorrow evening starting at 6:00 p.m., for a reception and 7:00 p.m. the Ceremony, where the city council will convene for the annual spirit of Portland awards. We are adjourned.

At 10:07 a.m., Council adjourned.