



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 22ND DAY OF SEPTEMBER, 2010 AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Fish, Presiding; Commissioners Fritz, and Leonard, 3.

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

<p>DUE TO THE ABSENCE OF TWO COUNCIL MEMBERS EMERGENCY ORDINANCES WERE NOT CONSIDERED AND ITEMS WERE NOT HEARD UNDER A CONSENT AGENDA</p>	<p>Disposition:</p>
<p>TIMES CERTAIN</p> <p>S-1271 TIME CERTAIN: 9:30 AM – Authorize the Office of Cable Communications and Franchise Management, in cooperation with the Portland Development Commission and the Bureau of Technology Services, to develop a citywide Broadband Strategic Plan and report back to Council by June 30, 2011 (Resolution introduced by Commissioner Fritz) 35 minutes requested</p> <p>Motion to accept Substitute Resolution: Moved by Commissioner Fritz and seconded by Commissioner Leonard. (Y-3)</p> <p>(Y-3)</p>	<p>SUBSTITUTE 36816</p>
<p>REGULAR AGENDA</p> <p>Mayor Sam Adams</p> <p>Bureau of Transportation</p> <p>1272 Set a hearing date, 10:15 a.m., Wednesday, October 20, 2010, to vacate a portion of SW Hillsdale Ct and a portion of SW 43rd Ave south of SW Beaverton Hillsdale Hwy (Report; VAC-10011)</p> <p>Motion to accept the report: Moved by Commissioner Fritz and seconded by Commissioner Leonard.</p> <p>(Y-3)</p>	<p>ACCEPTED</p>
<p>1273 Grant revocable permit to TriMet to close NW Overton St between NW 13th Ave and NW 14th Ave from 3:00 p.m. to 9:00 p.m. on October 18, 2010 (Second Reading Agenda 1254)</p> <p>(Y-3)</p>	<p>184122</p>

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1274 Create a local improvement district to construct sidewalk and stormwater improvements in the SE Water Ave and Yamhill St Local Improvement District (Second Reading Agenda 1266; C-10038) (Y-3)	184123
Office of Management and Finance – Internal Business Services 1275 Accept bid of Elcon Corporation for the South Auditorium Lighting, Phase I project for \$4,382,700 (Procurement Report- Bid No. 111296) Motion to accept report: Moved by Commissioner Leonard and seconded by Commissioner Fritz. (Y-3)	ACCEPTED PREPARE CONTRACT
1276 Authorize CityFleet to transfer trailer title from City to Clackamas River Water (Second Reading Agenda 1258) (Y-3)	184124
1277 Authorize CityFleet to purchase replacement dump trucks at \$1,190,000 (Second Reading Agenda 1269) (Y-3)	184125
Commissioner Nick Fish Position No. 2 Portland Parks & Recreation 1278 Approve Intergovernmental Agreement with the East Multnomah Soil & Water Conservation District through their Partners in Conservation Program to develop Neighborhood Forest Management Plans (Second Reading Agenda 1264) (Y-3)	184126

At 10:33 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, SEPTEMBER 22, 2010

**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.

SEPTEMBER 22, 2010 9:30 AM

Fish: Karla, how are you?

Moore-Love: Fine.

Fish: The mayor is traveling and commissioner Saltzman is out today and you're stuck with the three of us. Please do the council --

Moore-Love: Roll call?

Fish: -- roll call. [roll call]

Fish: Quorum is present. Commissioner Leonard has an important proclamation.

Leonard: Thank you. We want to recognize the junior league of Portland. And we have a proclamation that does so. And it's signed by the mayor and in his absence, I'll read it. Whereas, the junior league of Portland has been organized since 1910 and has made significant contributions to the Portland community in the fields of welfare, community, arts, education, community planning, historical preservation and early childhood development and has been very generous in support of many community agencies over the last 100 years and whereas, the junior league of Portland has partnered with numerous agencies in an effort to coordinate its work and avoid duplication of effort and whereas, the junior league of Portland has established unique programs to meet the needs of Portland citizens and trained and empowered its members to become civic leaders in every capacity and the junior league of Portland on the occasion of its 100th year of service has rededicated itself and whereas, October 15th, is the birthday of Gretchen Corbett, founder of the junior league of Portland and grateful for the contributions of the junior league of Portland and, therefore, I, Sam Adams, Mayor of the City of Portland, the City of Roses do proclaim October 10th, 2010, to be Junior League of Portland Day. Do we have anyone who wants to say anything? Come on up and pull up a chair.

Fish: And if you can give us your name.

Valerie Thompson: My name is Valerie Thompson and the current Junior League president. And I have behind me a few of our sustaining members and also active board members and thrilled they could join us this morning. As you read, the Junior League -- the Junior League as a larger organization has two purposes. One which is training women to be civic leaders in their community, and the other which is to impact our community. Each Junior League has its own focus and the Junior League of Portland works to make improvements in the area of early childhood development and we have programs that are -- two programs to focus on lists and family bonding. So we're thrilled to receive the proclamation for our founder's days and in representation of the fact it's our 100th anniversary and we're hosting the American Junior League International Judging Legal Conference and we will have 400 delegates from different countries. And our website is the juniorleagueofportland.org. Thank you.

Leonard: Congratulations.

Fish: Thank you very much, Commissioner Leonard.

Leonard: Thank you.

Fish: And thank you for orange us today with your presence. Because of the absence of two councilmember, we will not be taking up emergency ordinances today. We will not be taking up a consent agenda. And there's apparently, Karla, no public testimony?

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Moore-Love: Correct.

Fish: With that, we'll move to a 9:30 time certain. Would you please read council item 1271.
Item 1271.

Fish: Commissioner Fritz.

Fritz: Thank you, president Fish. Today is a day to celebrate the changes and impacts that the internet has had on our daily lives.

David Olson, Director, Office of Cable and Franchise Management: For the last three years, one web days that tracked partner organizations and individual activists committed to broadening public awareness of internet and web issues while keeping a culture of participation and building a web that works for everybody. It's fitting we're hearing this resolution today. Portland has been a leader in broadband issues for many years. For open access in the 1990 and consistent endorsement of net neutrality and competitive source and efforts to bring broadband to our community and make the services affordable for all. The mount hood cable ascertainment report underlines the need for a broadband plan. The city is including broadband development across multiple bureaus and portfolios and many members of this council have had a hand both directly and working the office of cable communications and franchise management, as well as other bureaus' efforts and I particularly thank commissioner Saltzman's office and skip newberry in his office and skip in mine.

It's fun to be working together. I'm happy to bring this resolution today and hope for council support. We have citizens here to testify so i'll turn it over to the director of the office of cable communications and franchise management, david olson, and deputy director mary beth henry to give us more background on this important resolution, thank you, commissioner Fritz and councilmembers. I'm david olson, director of the office of cable communications and franchise management. And we're not seated in the order which we're going to speak, but i'll say a couple of words and mary beth henry, deputy director of the office and brendan finn on behalf of commissioner Saltzman and skip newberry on behalf of mayor Adams. We appreciate the council taking up this resolution and appreciate your leadership, commissioner Fritz, and I believe every current member the council, except perhaps commissioner Fish has been personally involved in this over the years, in the sense of council informs us we've done the broadband manning and the efforts we have made to make sure this vital infrastructure is launched and up to date in Portland. And we've done that against considerable odds. It's a very difficult market. And yet the need for planning doesn't cease. These are the roads, bridges and's of the 21st century and need to be accessible to all and we appreciate the way the council has been unanimously supportive of these efforts over the years and the way in which all councilmembers have worked tirelessly on those issues. When we've been in the portfolios or not. We truly appreciate it. Recently, both federal and state governments have awakened to what Portland has been talking about for a number of years. And the federal government has launched both funding and planning the national broadband plan. Even the state of Oregon has -- has awakened to this and has launched the Oregon broadband advisory council and my next task rather than going over all of these things is to reintroduce to you our long time deputy director, mary beth henry, who we are honored has been appointed to the Oregon broadband advisory council and helps to connect the federal pieces. With that, i'd like to turn it over to mary beth.

Mary Beth Henry, Office of Cable and Franchise Management: I'm mary beth henry with the cable office. We're here because the future will be built on broadband. We're here because the quality of Portland's information and communications technology will define our economic future. We're here because in order to continue to be a great place to live and work, we must set clear goals and strive for greatness. Broadband is an essential part of any vision for Portland. Earlier this week, the u.n. issued a report declaring that the future actually will be built on broadband. Our job is to make sure that Portland has the kind of broadband that is future-proof and that is available at affordable rates to all Portlanders. The national broadband plan calls for 100 mega bit service in

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order to be competitive with the rest of the world. In Portland, I have 15 mega bit download and 8 mega bit upload speed for which I pay a premium. There's heightened interest in broadband right now because many people recognize its importance in all aspects of our daily life. On behalf of the Oregon broadband council, one economy is conducting 20 broadband town hall meetings across Oregon. Portland's broadband town hall will be next tuesday, september 28th, in the Portland building at 6:30. The purpose of the town halls is to gather information from citizens on their satisfaction with broadband speeds, pricing, and availability. I'm reminded of the words of the great american philosopher we know, yogi berra -- if you don't know where you're going, you are probably not going to get there. Our goal is ubiquitous, ultra high speed, affordable broadband and we need to craft a plan to get us there. Thank you.

Fish: Thank you. Skip?

Brendan Finn, Commissioner Saltzman's Office: Good morning, commissioners. Thank you for having me, brendan finn. I'd like to thank commissioner Fritz for bringing this forward and your continued leadership on this issue and i'd like to signal my commissioners in their offices enthusiastic support for the adoption of this resolution. I'll be brief as this group has been before you in the past demonstrating the economic development benefits of enhanced broadband technologies. We've also correspond late that had to our citywide initiatives around climate change and public safety and education. Where we've been challenged in in creating a coordinated role as I municipal government and how we take advantage and create a competitive advantage for our city. We also have identified a need in assessing our own broadband assets and how we might use that to be more efficient as I government and provide more services to our citizens. It's a worthy effort and I look forward to working with the talented group you're going to hear from shortly and urge your adoption of this resolution.

Fish: Thank you, brendan. Skip, welcome.

Skip Newberry, Mayor's Office: Skip newberry with the mayor's economic development team and I would also like to thank commissioner Fritz for her work and the cable office as well. And this is an important first step in the creation of a citywide broadband strategy is important with the Portland plan, which includes increased access to online information and to business opportunities and also to educational opportunities as well. The creation of a citywide broadband plan is also consistent with the city's economic development strategy with its focus on business vitality and job creation. In particular, high-speed access can enable Portland's small traded industries to reach new markets in a cost-effective manner and we have tremendous assets in the form of innovative businesses and individuals who think outside of the box and we have a number of technology infrastructure projects underway in various bureaus. In a coordinated way, these assets will enable us to maintain our competitive advantage as a hub for technology and innovation and we enthusiastically support this resolution.

Fish: Commissioner Fritz, do you have a substitute you wish to move.

Fritz: I would like to move the substitute which emphasizes economic development and job creation that's mentioned and the education and equity and access that brendan was talking about.

Fish: Is there a second.

Leonard: Second.

Fish: It's moved and seconded. This is the substitute. Karla, call the roll.

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

Fish: Aye. I have a question, and I don't know who this appropriately goes to. But there's been some reporting recently about the experience of other cities negotiating deals and included in some cities, they've been able to get pretty significant public benefits like free wi-fi and other amenities. Is part of the strategy looking forward to those kinds of enhancements we can negotiate as part of a deal?

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Olson: Let me take a stab at that. Yes, I have think you'll see the city attempt in every way to leverage the assets we have both direct and indirect in order to enhance or to develop where we need to government we're in negotiations with our incumbent cable television provider, comcast that provides service throughout the city and regionally and we're in discussion in -- ways in which that franchise renewal can help to facilitate the changes we need to make. You'll have in front of you in coming weeks, the transfer of ownership from qwest and a higher level of resources and considerable interest in that company in getting into broadband which they know is the future of the telephone industry in addition to their traditional service lines and we have assets in our dealings -- franchise dealings with a number of telecommunications companies in the city and as this council know, we've not been shy about attempting to utilize those to maximize the efforts to roll out community networks. And we also think that Portland is a great place to make a investment in a broadband system as we have told google and we'll tell them again and we'll keep telling them.

Fish: We may have some property down by the train station if they wanted to develop a global headquarters.

Olson: Indeed. Although we don't have a municipal electric companies utility. A lot of cities have developed from those, such as tacoma, nevertheless, the interest the of the citizens and unanimous support of the council has gotten a tremendous amount of things done and look forward to knitting this together as skip and brendan have emphasized across portfolios and to synergize these through the year.

Fish: Thank you. Other questions. Do we have another panel or do we go right to citizens?

Fritz: We have panels of citizens.

Fish: I'll follow your lead.

Fritz: I think they're organized. Please come forward and be before us, that will be helpful. Thank you. Good morning, thank you for being here.

Joe Zehnder, Bureau of Planning and Sustainability: Good morning. I'm joe zehnder with the bureau of planning and sustainability and here to express the bureau's support for the resolution. The importance of high-speed internet has come up repeatedly and call for the work that the broadband strategy would pursue. The interests are in terms of equity, of access to households and the importance of that for economic opportunity for both households and businesses and the potential for improvement of government services through having broadband access and also the continued opportunity for telecommuting and taking the load off our transportation system through a strong internet access system so we express support for the resolution.

Fritz: Thank you.

John Nohr, Portland Fire and Rescue: John nohr, operations chief for Portland fire and rescue. We appreciate the opportunity to be involved in the broadband planning process and we recognize the need to develop a broadband strategy for the city. And the ability to coordinate that with the public safety broadband strategy. And so they can dovetail together. We appreciate the opportunity to be involved.

Fritz: Thank you for being here.

Gerald Baugh, Portland Development Commission: Good morning, commissioners.

Baugh: Gerald baugh with the Portland international airport, as mentioned, with the economic development strategy and the work we're doing implementing that strategy and job creation being a very critical part. I'm working with the software industry and taking a look at how we can be of further assistance to it. One of the things coming up time and again is the fiber infrastructure that's available for small emerging business, particularly software companies to grow their business and take the innovations that very much Portland and make it something we can compete on a worldwide basis. We had the opportunity recently to watch a company called shop igniter, who back in early april got \$3 million of venture capital from a company out of seattle. They were housed on the central east side. They had a need to go find different space. The need for space

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meant they were also hiring new company. A wonderful situation for us to deal with. They ended up being in the north park blocks and when they got there, one of their requirements for moving in was the access to high-speed fiber. At the time, high-speed fiber was not available to that particular building. We were able to make a call and get in touch with comcast who the company wanted as a provider. And they wired the building and made it happen and shop igniter moved in. Since then, three other software companies have located in the facility and as of last week, another one. We're starting to get critical mass around software in the Portland area. Within about the last eight or nine months, we've seen some \$50 million of venture capital funding couldn't to the city of Portland through software companies located in the city of Portland. Prior to that, that amount of money showed up, companies would have moved to where the money came from. Be it seattle and/or the bay area. All of these companies are remaining in Portland and growing jobs in Portland and fiber infrastructure is critical for all of this. We're in the mid of right now, developing a strategy for two of our url areas. The river district and central east side and we're looking at trying to have fiber as one of the back loans to that strategy and looking at the ability to have very high-speed fiber available for companies and we want to be in a position where shortly we can go back and say to people, if you're a software company and growing in this area and you want to locate either in the central east side or the river district, we've got broadband access. That's the goal. To you I would say, develop the plan, once developed, implement the plan. Thank you.

Fritz: Thank you very much.

Fish: Thank you, sir. We have another panel?

Fritz: Yes, we do. We're going to citizen testimony at this point, thank you.

Fish: Karla.

Moore-Love: We have six people signed up. The first three please come on up.

Fish: Good morning.

Matt Nees: Good morning.

Fish: If -- why don't we start with you, sir. You'll each have up to three minutes and all you have do is give us your name for the record. Welcome.

Nees: Thank you. Matt Nees, president of the software association of Oregon. I'm here to testify on behalf of this it proposal. I believe that gerald made it clear, the example he put with the general auto building and the technology companies housed there came up against a wall in terms of their reliance on connectivity and the very first question I have had posed to the council members, as well as to the audience is: How many of you have broadband at home today? How many of you would like to go back to dial-up at home today? So that's a real easy question to say no way, I would never want do that. But in the case of innovation and technology development, this is core to the ability to develop something of worthwhile and get it out to the masses. Having access to the web is one thing, having access to rich media integrated websites and products and services that are delivered via the web is critical to any business development today and in order for a business to locate and grow, they've got to have the access and got to have space do it in. So obviously, backing this fiber plan is critical to our entire industry here, not just in Portland, but within the state as well but I fully recommend we back this and support it. Thank you.

Fish: Thank you, sir.

Ward Cunningham: I'm ward cunningham and i'm a long-time resident and local innovator. I'd like to talk about -- I spoke to you recently by video about the -- my experience creating wiki and ultimately wikipedia and that was 15 years ago I started that work and it was a different world. What the message I had then was that I did it because I could. A door was opened for me as the internet was just starting and I went through it and found myself in a space where it was easy to work. That was a case of technology enabling creativity. Right now, I want to talk to you about speed reading. I've become a speed reader, by that, I mean, I can read the product of 15 years of wikipedia and read it at -- well, one number excess of 100 mega bits per second. That's the speeds

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we're talking about and I can read it with comprehension and do I that by writing software to do the reading, it's like a prosthetic, just like these glasses. The software helps me read. I'm in complete control while it's reading, I read wikipedia or any other data source cover to cover, not that it has covers. But all the time, i'm guiding how it reads and this is stuff I can build out of components I pulled down over the internet. I believe that the data to be able to consume that is going to be the future of innovation in software. I -- I can't -- I can't say how much my attitude about information has changed by this past 15 years and watching wikipedia grow and seeing what's going object required. I also want to mention, I do all of this with off-the-shelf components and a laptop and the limiting factor is actually bringing the data here, so with that, I support the plan.

Fritz: Wikipedia started in Portland?

Cunningham: That's right.

Fish: Glad you're here.

Dan Westlight: Dan westlight. Ohsu and the director of the northwest access exchange. Ohsu supports the city of Portland in the desire for a useful broadband strategic plan and this is important for several reasons, telecommunications and services are increasingly essential to creating and retaining jobs. City government will be better able to carry out its missions and this will enable various governmental organizations to work together more effectively, cutting costs and improving capability. Economic development efforts can be improved with broader partnership and participation, magnifying the effectiveness and usefulness of the initial effort and can build on previous infrastructure improving the reach and reducing the cost. And lastly, the challenges will be the same. Planning means we'll be more likely to succeed. When we consider sources of funding, large infrastructure efforts take multiple years each with a decade needed to make progress on any strategy. This time scale is longer than the tenure of many elected officials and employees. Portland residents and Oregonian as a whole deserve the best platform for economic viability we can arrange. A sound plan will provide the city government with good quality service and development efforts will have the resources that a long-term planning effort will provide. We'll get more for our money. Thank you.

Fritz: Thank you.

Fish: Go ahead.

Moore-Love: Next three --

Fish: Good morning, gentlemen. Same routine. Let's start with you, sir. We need your name and you have up to three minutes. Welcome.

Sheldon Renan: My name is sheldon, with the gigabit grow project in Portland. Commissioner Fish, commissioner Fritz, and commissioner Leonard, thank you for this opportunity to contribute to this discussion about finding the best way to provision the city of Portland and the people of Portland with the kind of network that is critical to keeping our businesses institutions competitive. Healthcare, public safety, economic opportunity, jobs, those are going -- those are the big problems here. Every sing you will one of them is a problem. Each of you commissioners is responsible for a section of that. And all depend on getting the kind of connectivity infrastructure that this city needs. That's -- and that means a rich connectivity that's available to all of Portland. Every day, more things are getting connected in more ways. That is an indisputable fact. You observe it. We know it. We need to see, we need to assure that the way things are connected is the way Portland needs them connected. And I think that means open and community networks, research networks that are combined with community networks. But most important of all, networks that build social capital. Those four things, healthcare, education, public safety and economic opportunity, cannot be solved by tax dollars solely. Can't be solved by government solely. The new way you solve these things and the only way we're going to get it done is with social capital, and this city is a center, is probably the most important place for innovating social capital. Ward created the wiki and it enabled social capital in a way we'd never seen and the result is wikipedia, is one example,

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but there's thousands more around the world. A friend of mine runs the p-to-p foundation and said the pacific northwest is where most of the key thinkers are. At least 30 in the northwest. In Portland, of course, is prime among that because of the wiki. I just would like to finish by quote interesting that report that was delivered at u.n. This week. Affordable, ubiquitous broadband networks are essential to social and -- networks like water and power and need to be designed to address public, critical infrastructure first, before things like entertainment. Thank you.

Fish: Thank you, sir. Welcome.

Rich Bader: Good morning, rich bader, president and ceo of easy street online services and we're the internet service provider to for the city of Portland. Hope you're pleased with our service and a member of the broadband council of the state of Oregon. You've heard so much about the impact that broadband has on our lives. One slice I can provide for you as well from easy street's perspective, we serve primarily business customers and large institutions. You have heard about cloud computing that is one of the latest technology trends that is causing more and more of your computing services to be provided by data centers, many of which are being constructed in the metropolitan area. All of our business customers are looking at cloud computing to make themselves more efficient, increase capacity and take advantage of the latest trends and technology with smaller reduced investments. In order to use this infrastructure requires the ubiquitous availability of high-speed connectivity. It's one the biggest impediments to the growth of my business. While many software companies have the support -- of the pdc, many established companies don't have the ability to do that. It's difficult and oft times expense and impedes progress. While the public sector, alone is not able to, I think, take care of the public's interest and that's where I depend upon this resolution, the office of cable management, in order to put together a more cohesive public policy to make sure that all interests are adequately represented and I support this resolution and encourage you do so as well.

Fish: Thank you.

Vince Porter: My name is vince porter, the executive director of the governor's office of film and television. Thank you for giving me the time to speak before you. Traditionally, infrastructure investment has involved building big giant buildings and sound stages and television facilities as well. The availability of those big open spaces have been key in the motion picture industry in many states and provinces and canada, while it's still the case that it's important to bring large budget projects to your city and state, we're seeing a new trend and the trend is -- the trend within the industry may cause everyone to think how best to invest in the infrastructure. As the motion picture industry is more and more into a software industry, one thing is clear. Investment the in high speed broadband will be lead the growth in the industry. The capacity to move data in a secure and efficient manner will be crucial for bringing film and television projects to our state. One example recently that most are familiar well, bringing leverage to the city of Portland and we've had a great partnership with dean -- and in final negotiations with a project that we hope to announce soon and what's exciting, with a second project, we're beginning to have a conversation of a permanent place for their company here in the city. And I think in order to secure permanency in companies like electric entertainment and others, we'll be able to provide a data network they can use for their business practices. I also believe in advanced data network will allow us to be integral players in developing digital media industry. We don't know what forms of content we'll be watching or our ipads or mobile devices but we know that everyone is trying to figure out this task and capture that market. With Portland's rich software industry and creative community, I believe we can lead the way and produce innovative and compelling stories and bringing jobs to Portland and all of Oregon. I'm here to applaud the efforts and enthusiasm and I urge your vote in pursuing this essential investment for our economic future. Thank you.

Fish: I just have one question. Since you mentioned leverage, we're proud that leverage films here, although to the rest of the country, they're told we're boston and not Portland. We're glad they're

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here and it's a huge boost to our local economy. A second show would be great and we continue to build the brand and I understand to continue to have that success, the next governor has to be supportive of programs that allow us to be competitive. The key is the tax credit?

Porter: Our incentive programs are key in overall development of the industry. Currently, there are 40 states with an incentive -- some form of incentive program. Luckily, we've not been required to be as aggressive in terms of the amount of money we offer and still land key projects, but all of those programs will be up for review in the state legislature next session and we'll be strongly advocating for renewal.

Fish: What we've heard from the production teams is they're getting strong pitches from other states aggressively trying to bring the film industry to their shores and we have to be competitive to make sure we keep the business.

Porter: We have to be in the conversation for sure. We try do our best at -- I quoted this -- I was quoted as saying, the goal is to give as little incentive as possible to get the most amount of work but there still has to be something there. There's only one place in the united states, and I don't mean to hijack the hearing. But there's only one place that doesn't have a place like that that still gets work and that's las vegas, nevada. And we could build the las vegas strip somewhere in Oregon and bring that type of television and film production to our state, but it's unlikely.

Leonard: I'd like to remind commissioner Fish, but for the flip of a coin, we would have been called boston.

Fish: I thought he was going to mention that he alone among the council members has been offered a leading role in leverage.

Leonard: If leading is the most accurate term, a thug driver of a get-away car was what I was offered.

Porter: I'm happy to say that the next project, they've rewritten -- originally scripted for Washington d.c. And it will be in Portland, Oregon.

Fish: Fantastic. Thank you. Commissioner Fritz, do we have another panel?

Fritz: No.

Fish: Anymore citizens, Karla?

Moore-Love: That's all who signed up.

Fish: Thank you, gentlemen. Council discussion. Karla, let's call the roll.

Leonard: It's clear from the discussion that there's an intersection in 2010 that we're working hard to improve on, public safety, planning and economic development with the -- with the infrastructure needed to instantly communicate faster throughout the world. So the goal, of course, is to improve the protection we provide citizens to attract and retain the kind of business businesses here that reflect the values of Portlanders and last but not least, provide excellent family-wage jobs, so I appreciate the work of commissioner Fritz and all those who have helped her bring this resolution to this point. Aye.

Fritz: Thank you, commissioner Leonard, and commissioner Fish, for this discussion and thank you very much everybody who took time out of their schedules to come here this morning. Much appreciated. Mary beth henry and david olson from the cable office have been doing this work for us for years and we greatly appreciate all of the city bureaus coming together and working together to get this done. And that's essentially what this resolution here does. And again, thanks for brendan finn and tim crail, the lead staffers in the offices. And it will help us address equity issues as well as business vitality and job creation. There are some Portland residents would continue to face difficulty in getting access to communication technology and this plan will help address that. And, of course, we need to develop the strategic plan to support our economy and that's when I discussed this with the mayor, it was his main concern and we had good examples of that today. So it's very helpful. As the commissioner in charge of neighborhood involvement as well as cable communications i'm aware of the challenges within our neighborhoods of providing wireless access

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and the concerns of some citizens regarding antennas being placed in neighborhoods and, of course, that will be part of the discussion, as we move forward about the wireless and how to grapple that and I'll remind folks who are concerned about wireless potential health impacts please contact your congresspersons and in support of the resolution that the council passed last year, the federal government has taken another look at that. This strategic plan, I think, will go a long way to making sure we have a strategy for the whole city and all kinds of services and put us in a very good position when we get the plan done for going for grants to implement it. The point was well made by the gentleman from pdc that we need the plan and then implement it. This is another step on the journey and I'm proud to be leading it. Aye.

Fish: Thank everyone for a stimulating and thoughtful testimony. We learned a lot and I was reflecting on the fact when I was a kid and had to do a research project, I went to the library and pulled out my encyclopedia. And today, my daughter goes online and gets information that I only wished I had access to. When I was a kid and my dad ran for office, he put money to buying billboards along the road. And today. It's ads on various websites and it's truly a revolution and you've given the prospect how we can ride the wave and to the benefit of the public. My colleagues highlighted two things which I think are essential. The digital divide and the number of people that don't have access. I think that's something we care deeply about. And commissioner Leonard talked about the enormous potential for jobs and opportunity, and I'm struck in the last year, we've had a record number of people who have taken out business licenses and that's because we've had a record number of people displaced from jobs and trying to charter new paths but what we offer here is that the new entrepreneurs want inexpensive space, high-speed broadband access and a chance to pursue their dreams and it seems we have a chance to build on our strengths and address the issues of the digital divide and prosperity through what you're doing. Thanks to you and the office of cable communications and franchise management, and thanks to commissioner Fritz, we're very fortunate to have your leadership on this issue as in many others and I'm encouraged by this first step. Aye. [gavel pounded] the resolution is adopted. Thank you all. Karla, we're going to move to the regular agenda. Please read council item 1272.

Item 1272.

Fish: Do we need a hearing or just a council vote? We're just setting a date. I assume we can just do this.

Moore-Love: Linda is here.

Fish: Oh, sorry. Welcome.

Linda Birth, Office of Transportation: Linda --

Moore-Love: We should probably wait until commissioner Leonard gets back so we have a quorum?

Fish: Ok, if you could hang on for one second. Commissioner Fritz, you were at a dream act rally yesterday?

Fritz: I was.

Fish: Representing the council. We thank you for that.

Fritz: Do you happen to know what the vote was in the senate?

Fish: I did not hear.

Fritz: I didn't either.

Fish: That was today.

Fritz: They were voting as we had the press conference yesterday and I note there was a young man from milwaukie who was deported two weeks ago to a country he'd never been to. He was born in Mexico but came here when he was a year and a half old and was a standout at Rex Putnam high school and we had him using the cell phone technology, he was able to participate in the press conference from Mexico via someone's cell phone and it was moving.

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Fish: The council and the county did commission unanimously adopted resolutions for the dream act and you're referring to the vote in the united states senate which we think is occurring today to see if that resolution is adopted. Commissioner Leonard is back. Can you tell us what you would like us to do?

Birth: Linda birth, from the transportation department. This is announcing a hearing date, October 20th at 10:15 where a staff presentation and public testimony will be taken.

Fish: Fair enough.

Fritz: I noticed this last night, that I understand there's some controversy about this street vacation.

Birth: There is.

Fritz: Procedurally, i'm wondering if we might want to change the date to an evening date so that more citizens can come. Can we approve this now and then change it.

Birth: Yes, I believe you can. We can announce it now and formalize it and at some point, turn it into an evening session, with an announcement at that time. I will certainly check and see if that is something that is necessary. The controversy is pretty limited in scale, and the surrounding property owners that are opposed, we have had day meetings with them, if you will, so it's not a lot of neighborhood, outside neighborhood opposition.

Fish: We're setting a date and you're going to investigate whether the time can be changed?

Birth: Absolutely, if the participants feel it's necessary.

Fritz: And mayor Adams is in charge of transportation.

Birth: I'll check into it.

Fish: Thank you, it's a report. Karla, please call the roll.

Moore-Love: Do you want a motion to accept?

Fish: Is there a motion to accept the report.

Fritz: So moved.

Fish: Karla, please call the roll.

Leonard: Aye. **Fritz:** Aye. **Fish:** Aye. [gavel pounded] report is adopted. Thank you. Karla, would you please read 1273. And it's a second reading.

Item 1273.

Fish: Go ahead and call the roll.

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

Fish: Aye. [gavel pounded] Karla, would you please read council item 1274.

Item 1274.

Fish: This is a second reading, please call the roll.

Leonard: Aye.

Fritz: Thanks again to Andrew Aebi for his excellent work on this. Aye.

Fish: Aye. [gavel pounded] the matter is approved. Would you please read council item 1275.

Item 1275.

Fish: Welcome.

Christine Moody, Procurement Services: Good morning. Christine Moody, procurement services. In front of you is the chief procurement officer report recommending a contract award, to the low bidder, in the amount of \$4,941,528.90. The bureau of Transportation entered into an intergovernmental agreement with the Oregon department of transportation to provide funding for this project as part of the American Recovery and Reinvestment Act. The city's good faith efforts program does not apply to this project, as ODOT requires contractors to comply with the federal DBE program. The DBE goal for this project was 7% and Elcon Corporation has DBE subcontracting participation at DBE at 7.16%. I'll turn this back over to council, if you have questions.

Fish: I have one question. Does this portion of South Auditorium District include the Halprin fountains and the plazas.

Moody: Lisa is the project manager and I'll have her come up and speak to that.

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Fish: Thank you. Good morning.

Lisa Elbert, Office of Transportation: Good morning.

Fish: State your name.

Elbert: I'm Lisa, the project manager for South Auditorium and, yes, it does include the fountain areas.

Fish: And I'm sure this is -- this has already been considered but there's a pending application for historic designation of the area. Does any portion of the work involve changing the existing configuration of the lighting?

Elbert: The city actually worked through a very public process with the neighborhood and that was one of the -- one of the items brought to our attention was the potential to do historic listing on the neighborhood. The neighborhood actually was very specific in their guidance to us that they wanted to opt for fixtures were as true to the original design as reasonably possible and the new fixtures are very, very similar. The original fixtures are no longer manufactured but the new fixtures preserve much of the same look.

Fish: I'm going to support it report but I ask that we do a follow-up meeting. Because there's folks leading the effort for a conservancy there and I want to make what we're doing is consistent on the historic preservation side.

Elbert: They participated with us, I believe there were six or seven stakeholders' advisory committee meetings. We had two representatives from the conservancy that worked closely with that so they're aware of it.

Leonard: To be clear. We're accepting an RFP for a contract to do the work, so --

Fish: Well, the -- and it describes things like tree trimming and light work and in light of a forthcoming meeting you and I are participating in, Commissioner Leonard, I want to make absolutely certain this is aligned with the vision for the historic designation.

Leonard: I'm pointing out that once you vote for this, the work is probably going to go ahead and you're suggesting there might be another opportunity, I thought.

Fish: Is this a time certain bid, Christine?

Elbert: What you're voting on today is a report to accept the contract. And once the contract is accepted by council, we would move forward with executing this contract. If there's a change in the scope of the contract that, would need to be worked on with the Bureau of Transportation.

Fish: And as Commissioner Leonard alluded, to I have no reason to believe that the scope of the work has not been vetted and approved by the folks that are proposing to put a lot of private dollars into a conserve appearance which would help us -- conservancy and maintain the historic designation and the site. But since I don't know, if we set this over a week, does that impede anything that you have planned if we needed the additional week to make sure we're aligned?

Elbert: The only thing I can think of, this is Arra funds so there might be a timeline associated with the funding.

Leonard: And I thought you had incorporated all the concerns that others had. Didn't you say that?

Elbert: We did, there were -- they were an active participant in the selection of the fixtures through the entire project and we did a series of mockups and they weighed in on the fixtures, looking at them in daytime and nighttime. They provided documentation as far as recommendations as a complete group, not just as the Halprin Conservancy, but the Halprin Conservancy definitely did help guide the neighborhood in the historic preservation.

Leonard: I'd hate to do anything to cause a hiccup on that?

Fish: My -- next time I'll also, when we have this on the agenda, I'll affirmatively reach out. I haven't heard from them on this, but you've represented they were at the table and helped shape that, that gives me the comfort to support this. If I find out there's any glitch later, I'm sure we can revisit this. So -- thank you very much. Other council questions? Is there a motion to adopt the report.

Leonard: So moved.

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Fritz: Second.

Fish: Karla, please call the roll.

Leonard: Aye.

Fritz: Thank you, both, for your work on this. The bid came in \$600,000 less than estimate, so that is continuing evidence of companies need to find work. I recently had a conversation on the stimulus dollars and apparently there's a study that said without it, Portland's unemployment rate would be 15% instead of 10%, because we have been able to get so many of the stimulus dollars. For those wondering if that's helped. I believe it has. And I also want to note that I asked why this money, nearly \$5 million, went to an area downtown, rather than say, foster road where the mayor and I recently had a town hall and the lights there are also in bad shape, and the answer that's in the record says that the streetlights are 40 years old and basically un-maintainable because they're failing so often so this has been in the works for several years and one of those ready-to-go projects so when we were ready to apply for the stimulus dollars it was on the table. Thank you for your good work. It's unfortunate we do have a lot of ready-to-go projects waiting for funding, but i'm grateful we're able to fund this one. Aye.

Fish: Thank you both for the presentation and the responsiveness. Aye. [gavel pounded] the report is adopted. Karla, will you please read council item 1276.

Item 1276.

Fish: This is a second reading. Please call the roll.

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

Fish: Aye. [gavel pounded] Karla, please read 1277.

Item 1277.

Fish: This is a second reading. Please call the roll.

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

Fish: Aye. [gavel pounded]

Karla, please read council item 1278.

Item 1278.

Fish: This is a second reading. Please call the roll.

Leonard: Aye.

Fritz: Well, this was on consent last week and obviously, we can't have a consent agenda this week. I'm glad I get the opportunity to commend commissioner Fish for his leadership in developing the neighborhood forest management plans and his team, david mccallister and all of those at the east Multnomah water and conservancy district. Aye.

Fish: Thank you for your kind words and we're proud of the team effort here. Aye. [gavel pounded] for those of you at home, we'll have no further council agendas this week and we're adjourned. Thank you all. [gavel pounded]

At 10:33 a.m., Council adjourned.