



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 4<sup>TH</sup> DAY OF JANUARY, 2012 AT 9:30 A.M.

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

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

At 9:50 a.m., Council recessed  
At 9:58 a.m., Council reconvened.

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

Item Nos. 8, 9 and 21 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>1</b>	Request of Mary Nichols to address Council regarding invitation to City Officials to discuss particular cooperation points with Occupy Portland at a General Assembly (Communication)	<b>PLACED ON FILE</b>
<b>2</b>	Request of Jeff Stookey to address Council regarding referring to the Portland voters a resolution that corporations are not people, money is not speech and the U.S. Constitution should be amended (Communication)	<b>PLACED ON FILE</b>
<b>3</b>	Request of Donna Noonan to address Council regarding a constitutional amendment that corporations are not people and money is not free speech (Communication)	<b>PLACED ON FILE</b>
<b>4</b>	Request of Michael D. Krupp to address Council regarding ideas for future municipal economic progress (Communication)	<b>PLACED ON FILE</b>
<b>5</b>	Request of Moses Wrosen to address Council regarding the plight of the homeless and illegality of sleep acquisition for those without homes and the urgent need for real solutions (Communication)	<b>PLACED ON FILE</b>

<p><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p><b>Mayor Sam Adams</b></p> <p><b>Bureau of Planning &amp; Sustainability</b></p>		
<p><b>6</b></p>	<p>Authorize an Intergovernmental Agreement with Metro to receive funds in the amount of \$8,000 for the Build it Green! Home Tour and Commercial Salvage Workshop in FY 11-12 (Ordinance)</p>	<p><b>PASSED TO SECOND READING JANUARY 11, 2012 AT 9:30 AM</b></p>
<p><b>Bureau of Transportation</b></p>		
<p><b>*7</b></p>	<p>Amend Ground Lease Agreement with the Portland Development Commission for a construction staging area related to the Portland Streetcar Loop Project (Ordinance; amend Contract No. 30001191)</p> <p>(Y-5)</p>	<p><b>185083</b></p>
<p><b>*8</b></p>	<p>Authorize grant application to the Federal Highway Administration up to \$1,350,000 for I-405 Couch/Burnside interchange improvements (Ordinance)</p> <p>(Y-5)</p>	<p><b>185090</b></p>
<p><b>*9</b></p>	<p>Authorize contract with Good Sport Promotion, Inc. for \$248,500 for volunteer management and recruitment services through the Portland Sunday Parkways program (Ordinance)</p>	<p><b>CONTINUED TO JANUARY 11, 2012 AT 9:30 AM</b></p>
<p><b>10</b></p>	<p>Authorize an Intergovernmental Agreement with the Oregon Department of Transportation to define the roles and responsibilities for real property to be obtained and used as part of right-of-way for road, street or construction of public improvements for the NE/SE 50s Bikeway Project (Ordinance)</p>	<p><b>PASSED TO SECOND READING JANUARY 11, 2012 AT 9:30 AM</b></p>
<p><b>Office of City Attorney</b></p>		
<p><b>11</b></p>	<p>Authorize City Attorney's Office to take action, including initiation of legal proceedings, to recover legal defense costs (Resolution)</p> <p>(Y-5)</p>	<p><b>36893</b></p>
<p><b>*12</b></p>	<p>Authorize legal service agreement with Hawkins Delafield &amp; Wood LLP for bond counsel services (Ordinance)</p> <p>(Y-5)</p>	<p><b>185084</b></p>
<p><b>Office of Management and Finance</b></p>		
<p><b>*13</b></p>	<p>Amend contract with Architectural Resources Group, Inc. to increase contract amount by an additional \$321,231 to provide additional architectural and engineering services for the Union Station Facility improvement project (Ordinance; amend Contract No. 30000091)</p> <p>(Y-5)</p>	<p><b>185085</b></p>

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<p><b>*14</b> Amend contract with P. &amp; C. Construction Group to increase contract amount by an additional \$1,135,854 to provide additional construction services for the Union Station Facility Improvement project (Ordinance; amend Contract No. 30001405)  (Y-5)</p>	<p><b>185086</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 Housing Bureau</b></p>	
<p><b>*15</b> Correct clerical errors regarding total amount of Transition projects subrecipient contract for a Winter Warming Center (Ordinance; amend Ordinance No. 184982)  (Y-5)</p>	<p><b>185087</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>*16</b> Authorize grant application to East Multnomah Soil and Water Conservation District for \$100,000 for Crystal Springs Culverts Removal and Habitat Restoration Designs (Ordinance)  (Y-5)</p>	<p><b>185088</b></p>
<p><b>*17</b> Authorize a contract for the construction of the Emergency SW Harrison Street Sewer Repair Project No. E10360 (Ordinance)  (Y-5)</p>	<p><b>185089</b></p>
<p><b>18</b> Authorize the Bureau of Environmental Services to convey a parcel of City property owned in fee title to Tualatin Hills Park and Recreation District (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING JANUARY 11, 2012 AT 9:30 AM</b></p>
<p><b>19</b> Transfer ownership and maintenance of public sanitary sewer facilities to the Port of Portland (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING JANUARY 11, 2012 AT 9:30 AM</b></p>
<p><b>20</b> Amend contract with Skylab Architecture LLC for additional work and compensation for the Columbia Boulevard Wastewater Treatment Plant Support Facility Project No. E09023 (Ordinance; amend Contract No. 30001585)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING JANUARY 11, 2012 AT 9:30 AM</b></p>
<p style="text-align: center;"><b>Commissioner Randy Leonard</b> <b>Position No. 4</b></p> <p style="text-align: center;"><b>Portland Fire &amp; Rescue</b></p>	

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<p><b>S-*21</b> Authorize a contract and provide payment for the purchase of a tractor-drawn aerial apparatus for Portland Fire &amp; Rescue (Ordinance)</p> <p><b>Motion to accept the substitute ordinance:</b> Moved by Commissioner Leonard and seconded by Commissioner Fish. (Y-5)</p> <p>(Y-5)</p>	<p><b>SUBSTITUTE 185091</b></p>
<p><b>Water Bureau</b></p> <p><b>22</b> Accept contract with Nutter Corporation for the construction of the Powell Butte Reservoir No. 2, Site Development, Phase 1 Project as complete, release retainage and authorize final payment (Report; Contract No. 30000677)</p> <p>(Y-5)</p>	<p><b>ACCEPTED</b></p>
<p><b>REGULAR AGENDA</b></p>	
<p><b>Mayor Sam Adams</b></p>	
<p><b>Bureau of Transportation</b></p>	
<p><b>23</b> Vacate a portion of NW Irving St between NW 4th Ave and NW 5th Ave subject to certain conditions and reservations (Hearing; Ordinance; VAC-10077)</p>	<p><b>PASSED TO SECOND READING JANUARY 11, 2012 AT 9:30 AM</b></p>
<p><b>Office of Management and Finance</b></p>	
<p><b>24</b> Authorize the Employee Transition Services Program for the period January 4, 2012 through June 30, 2013 (Resolution) 10 minutes requested</p> <p>(Y-5)</p>	<p><b>36894</b></p>
<p><b>City Auditor LaVonne Griffin-Valade</b></p>	
<p><b>25</b> Approve Council Minutes for July-December 2010 (Report)</p> <p>(Y-5)</p>	<p><b>APPROVED</b></p>

At 10:55 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, JANUARY 4, 2012**

**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.

**JANUARY 4, 2012 9:30 AM**

**Adams:** Good morning everybody, it's so nice to see you all here. How many of you are here in the city council chambers for the first time, raise your hand? Well, we're glad that you're here. There are a few protocols of the chamber and they've been true for many, many years and their purpose is to do everything that we can to make everyone who shows up here, regardless of whether you agree with whatever is being said at the microphone or not, to do everything we can to really make people feel comfortable to put forward their point of view. So we actually - these protocols exist to invite disagreement and debate or agreement. So there's no clapping. There's no hooting, no hollering no burping no noise of any kind. If you like something, then you're welcome to do that in a non-verbal way. You can do jazz fingers. If you like something, you give a thumbs up. We've added more options over the years. [laughter] the occupy movement, also has for the - if you like something, it's a version of jazz fingers, I think. The whole jazz hands is the thumb included. If you don't like something, you're welcome to do this, but it really is a - it's part of what we're trying to do here in terms of really - keep the focus on the substance of what's being said, keep the focus on who is saying it. The other thing is - five of you have signed up for the council --

**Fritz:** Communications?

**Adams:** Communications. Thank you, it's a new year. Communications and that is just simply three minutes for five people to say whatever they want. It's not a interaction with the council and it really is your time, if you've signed up for that, to have your say. The other thing, is if you're a lobbyist, ironic if you're here to talk about corporate personhood. [laughter] But if you're a lobbyist - then you need to disclose that under local law. We have a local lobbying disclosure and reporting and it requires you, as you introduce yourself, to report that you're authorized to speak for another group, another business, what have you. And then finally, we call in the order that folks signed up on the calendar and you'll have three minutes. We only want your name. We do not want your address, we do not want your phone number nor email address as well. We're really glad that you're here. You are welcome to stay for the entire meeting. We should be here until 8:00 tonight. [laughter] not really. You're also welcome to go after communications. We will not be -- be offended. We really appreciate you being here. So with that -- [gavel pounded] -- good morning, today is Wednesday, January 4th, 2012. It's 9:30 a.m. The city council will come to order. Karla, happy New Year.

**Moore-Love:** Thank you, you too.

**Adams:** Did you get some time off?

**Moore-Love:** Just a few days.

**Adams:** What did you do?

**Moore-Love:** Mostly hung around.

**Adams:** Yeah, it's a nice place to hang around.

**Moore-Love:** It is.

**Adams:** Can you please call the roll? [roll call]

**Adams:** A quorum is present; we shall precede beginning with communications. Can you please read the title for communications item number one? Oh, but before we do that, we do the president of the council?

**Moore-Love:** Uh-huh.

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**Adams:** Ok. Who is the president of the council?

**Fritz:** I move that commissioner Fish be president of the council for the next six months.

**Adams:** Second. It's been moved and seconded. Can you please call the vote on the motion?

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

**Fish:** In the interest of time, I'll waive my acceptance speech. But thank you for the confidence you've placed in me. And for those of you new to this, this happens by rotation, this is not merit based. Aye.

**Saltzman:** Aye.

**Adams:** Aye. Congratulations, can you please bestow the placard, former president Fritz, to president Fish.

**Fish:** Thank you.

**Adams:** Alright, now, would you please read the title for city council item number one.

**Item 1.**

**Adams:** Mary Nichols, are you here? Alright maybe she'll show up a little later. Please read council calendar item number two.

**Item 2.**

**Adams:** And is Jeff, Jeff please come forward. Mr. Stookey, thanks for being here.

**Jeff Stookey:** Thank you. Good morning. My name is Jeff Stookey, I'm speaking for move to amend Portland. Corporate personhood may seem an abstract and distant issue, the concern of far-away supreme court justices, wall street boardrooms and d.c. political wonks. But I believe this is very much a local issue. Multinational corporations have become so powerful that they affect every aspect of our lives. What we eat and drink, how we care for our health, how we communicate, what information we receive, how we get from place to place, even what laws we are subject to. This vast corporate power is largely based on the concept of corporate personhood. When citizens of Boston threw tea into their harbor in 1773, they were protesting against the British east India company. A corporation chartered by the British crown and given a monopoly on tea. The corporation had overextended itself, involved itself in foreign wars and was badly hurt by the 1770 famine in India. To avoid bankruptcy, it lobbied the British parliament to forgive its duty on tea that was re-exported to the colonies, and to make up for the lost revenue, parliament taxed the American colonists for the tea, to the colonists a very local issue. I hope bells of recognition are going off in heads all over the room. I believe it is no accident that there are many parallels between the British east India company and current affairs. In the recent west coast port shutdowns, the occupy movement was acting very much in the spirit of those Boston patriots who locally disrupted global marine trade. One current local example today, Wal-mart imports many cheap products from the Far East to stock the shelves of its local big box stores. This in turn, undercuts many local businesses, driving them out of business, taking earnings away from the local economy, affecting the local tax base. When local citizens raise an outcry and organize to prevent Wal-mart from moving into their neighborhoods, this corporate giant cries foul and cites the 14th amendment to the u.s. Constitution. On what grounds? Corporate personhood. Because the courts consider it a person, Wal-mart claims that local residents cannot discriminate against it. Just as local residents cannot discriminate against African Americans and prevent them from moving into a neighborhood. The irony is that the legal basis, for corporate personhood, is the 14th amendment, intended to protect freed slaves after the civil war, a law that was used by large railroad corporations in the late 1800s to influence the Supreme Court, to start granting corporations the rights of people. Because we, the American people, need to form a more perfect union, I ask the Portland city council to, one, pass a resolution consistent with suggestions provided by move to amend Portland and two, refer to Portland voters the question of whether we the people of this city believe that our u.s. Constitution should be amended to clearly state that corporations are not persons and money is not speech. Thank you.

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**Adams:** Thank you very much, Mr. Stookey, appreciate it. It's good exercise, too, isn't it? [laughter] Can you please read the title for city council item number three.

**Item 3.**

**Adams:** Hi, welcome: Glad you're here.

**Donna Noonan:** Thank you. I'm Donna Noonan. I'm very happy to be here. Thank you for allowing me to address your meeting about corporate personhood this morning. I ask you to vote for a resolution and to send a referral to the voters in support of amendment -- an amendment to the u.s. Constitution -- I'm sorry I'm really nervous.

**Adams:** You're doing great. If you want to move that microphone a little closer to you so we can -- there you go.

**Noonan:** Ok. To the u.s. Constitution that states that corporations are not people and money is not free speech. We've been building a movement in Portland since before the citizen's court -- since before the Supreme Court decided citizens united almost two years ago. When they decided once again that corporations have the rights of people and this time allowed unlimited corporate spending on so-called independent political campaigns. Since then we have gathered over 1600 signatures on petitions that support an amendment to the constitution. And just in the past two weeks, just two weeks, we have gathered 999 online signatures and 504 signatures on these cards in support of this petition of our position. We also have endorsements from the Multnomah county Democratic Party and other political parties from unions such as laborers local 483, afscme and others, from jobs with justice, neighborhood associations and other groups and organizations. This demonstrates the tremendous support that exists in Portland for amending the constitution. Thank you, Mayor Adams, for bringing this issue to the city council. I appreciate also senator Merkley's interest in passing an amendment. However, the Merkley-Udal proposal does not solve the problem. It doesn't even address the issue of corporate personhood that has so corrupted our democracy. It focuses only on the issue of money as speech. Senator Merkley has stated he's not wedded to his proposal and we believe that he will back a stronger amendment if shown the support to do so. We have your back, Mayor Adams, we have your back city councilors, as you can see we will support a stronger resolution than you have proposed. We won't support a weaker one and want to be on your side. The cities of Los Angeles and Duluth, Minnesota, have passed resolutions that are much closer to what we would like to see Portland's city council approve. I've got copies for you. Also, we the citizens of Portland want to vote. Only through --

**Adams:** I'll give you a little more time. And Boulder did that right? Boulder Colorado voted?

**Noonan:** Yes they did. Only through a referral to the voters can we educate Portland voters and get them involved in the political process to reclaim our democracy. People want to be involved in this issue. In Madison, Wisconsin, Boulder, Colorado, and Missoula, Montana, they've sent referrals to the voters and they have passed by 75% to 84% in every case. We know we can do this in Portland and we want the opportunity to do so. The language for referral I also have for you. I ask you to pass a strong resolution and refer to the people a measure to amend the constitution stating that corporations are not people. And that money is not free speech. Thank you very much.

**Adams:** Well thank you for your testimony. And thank you all for your work. I really have appreciated the feedback. I took two weeks off so I'm coming back to your feedback and looked at it yesterday. And will look at it again. And please, if you would, here, I'll take those. I'm going to have to write everybody back now. [laughter] [inaudible]

**Adams:** And keep getting the cards signed and the petitions signed, it really does help.

\*\*\*\*\*: [inaudible]

**Adams:** Thank you, I appreciate it. All right. Can you please read the title for city council item number four.

**Item 4.**

**Adams:** Mr. Michael Krupp. Michael Krupp, please come forward. Welcome back.



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**Michael D. Krupp:** Thank you. Happy new year.

**Adams:** Happy new year to you.

**Krupp:** You know, sometimes I think I'm talking to myself around here.

**Adams:** Could you move the mic a little closer?

**Krupp:** Oh, sorry, yeah. I didn't want to get on it -- ok. You know, sometimes I think I'm talking to myself around here. It's still fun since I'm easily amused by the opportunity to speak my mind. Commissioner Fritz rightly posed this is what democracy sounds like. Today it sounds like it has a cold. The rest of [inaudible], commissioner Leonard, sir, I address you as a huge ear that you may then put this sound track into the right ear of your dark lord. We are an ancient people, this knowledge of our oneness and with one another and world has been disrupted continuously and for so many generations that we had forgotten that which we need not know in the first place. We feel this it is certainty herself. You're a bully not only in the simple sense but you greatly exceed the formerly acceptable gentleman bully boy behavior. Like Godzilla, you wreak a wide swath of devastation, [inaudible] flailing tale, fire breath and all the while, beating your chest ever so deserved and deserving. You are now a gigantic Macy's thanksgiving parade balloon Godzilla of yourself. Led by a tiny tether and praying to your plutonic progenitor, that some little wise guy like me doesn't have a bb gun. The last stampede of you red eyed cowboys is done. Fathers gone from fissile to futile to fossil and a fatter bit of fodder than ye is few and far between. I exceed to your pyroclastic tar fathers' philosophy, that there is corporate personhood. They can keep this abolition as it means a mask. They huddle behind walls as the 1%, we are the people, we are individual loving people. Humanists spelled human 99. So many others like you who find themselves singing in the flame might well learn from the strongest and loudest local looter. Crime doesn't pay. But it voluntarily pays back. If Al Capone had led a local loser and all of them likened to turn themselves in, even the mean queen of FBI would cut him a plea. He could get out and die of syphilis at home, with his loved ones. Sorry.

**Adams:** Thank you for spending time here to give us your thoughts.

**Krupp:** Thank you. Thanks for the opportunity.

**Adams:** Can you please read the title for council calendar item number five?

**Item 5.**

**Adams:** Moses Wrosen. All right. And did Mary Nichols show up? All right. So I'm going to -- we're going to take a five-minute break. For those of you that want to stay, you just remain seated. For those of you that need to get on with their day, we're about to get into the rest of the agenda so we're going to take just a five-minute break, so those that do need to leave and are in the middle of the aisles, we'll give you an opportunity to do so. We really appreciate you being here today and look forward to - we'll be having conversations and we'll get back to you with changes to the draft by the end of the week. Thanks. [recess]

At 9:50 a.m., council recessed.

At 9:58 a.m., Council reconvened.

**Adams:** Okay, alright city council will come back from recess. We're going to consider the consent agenda and we have two items. Commissioner Fritz would like to pull number eight for discussion today. So if you could please read item number eight title.

**Item 8.**

**Adams:** Okay so that will go to the regular agenda. End of the regular agenda.

**Moore-Love:** We have some more consent items to be pulled.

**Adams:** Yeah I'm getting to them. I think I am. And then I'd like to pull, or Commissioner Saltzman wants to pull item number nine. If you could read that and we're going to continue that, unless there's objections to next week.

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**Item 9.**

**Adams:** That continues to next week. And then what's the third one?

**Moore-Love:** 21.

**Adams:** 21.

**Adams:** And is that to be read -

**Moore-Love:** It's substituted.

**Adams:** It's going to be substituted on the regular agenda? Okay so that will be heard at the end of the regular agenda. So with what remains of the consent agenda, Karla, can you please call the roll on the consent agenda -- the vote on the consent agenda.

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

**Adams:** Aye. Consent agenda's approved. [gavel pounded] move to the regular meeting agenda. Can you please read the title -- the street vacation item number 23.

**Item 23.**

**Adams:** Hi, welcome.

**Lance Lindahl, Bureau of Transportation:** Hello, good morning. Happy New Year.

**Adams:** And to you.

**Lindahl:** My name is Lance Lindahl I'm with the bureau of transportation, before you today is a city-initiated street vacation to vacate the parts of NW Irving street between n.w. 4th and 5th avenues. This portion of irving street was created in 1994 to help improve access in the area around Portland's union station but for the past several years the areas been used by tri-met for operation of the green and yellow line light rail system. And unlike a lot of areas where right-of-way operates or excuse me, where light rail transit operates within the public right-of-way, there's a number of rail storage lines and switching operations in this area that require the public to be excluded in terms of vehicle access and pedestrian use.

**Adams:** Ok, and Ben -- I can't remember, are vacations treated just -- so this will be treated as a non-emergency?

\*\*\*\*\*: [inaudible]

**Adams:** Ok. Any council discussion? Alright, does anyone wish to testify on item number 23? Alright then it moves to a second reading, consideration, next week. Thank you. Can you please read resolution item number 24?

**Item 24.**

**Adams:** Hi, welcome.

**Andrew Scott, Office of Management and Finance:** Good morning. I'm Andrew Scott, financial planning manager. This resolution this morning asks council to acknowledge significant resource constraints from now through fiscal year 2012-13 in order to authorize and initiate the employee transition services program. And before I go into the details on the resource constraint I just want to note the resolution that was filed did contain a drafting error. As the date in the resolution doesn't match the date in the title so I just want to make it clear that the intent is to acknowledge these resource constraints and authorize the employee transitions services program through June 30th, 2013, so the title date is correct and my understanding is that can be treated as a drafting error, in terms of the resolution.

**Adams:** So no amendment is needed? Okay.

**Scott:** In terms of resource constraints, just briefly, omf presented the preliminary five-year forecast to council on December 7th. As we discussed at that time, property taxes are expected to be about \$8.5 million lower in fiscal year 12-13, than were previously forecasted last April of 2011.

That's mainly due to falling real market values that have been increasing compression. Growth in general fund property tax collections is likely to be subdued at least through fiscal year 2013-2014. In the long term property tax collections are likely to be more volatile as a result of the declining real market values and compression issues. Should the real market values rise rapidly, property

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taxes would also rise as compression we're currently experiencing unwinds, however, it's not clear at this point whether the real estate market will drop further or whether it's already bottomed out. In addition to the property tax issues, near term inflation is running higher than expected due to some sustained high commodity prices over the last year and just as a reminder to council, for every one percentage point of consumer price index that we experience, it increases the cities personnel costs by about \$2.1 million in general fund discretionary and again those costs are built into 2013. So given the revenue issues and also the higher inflation, we do expect to experience resource constraints again as we discussed during the forecast and for these reasons we're asking council to acknowledge those resource constraints officially and then authorize the employee transition services program, again through June 30th, 2013. And we're happy to answer any questions you have about the resolution.

**Saltzman:** Can you explain the employee transition services program?

**Anna Kanwit, Bureau of Human Resources:** Yes, commissioner, Anna Kanwit, assistant director of bureau of human resources, the employee transition services program consists of a number of components that council has authorized in the past, the h.r. director to at least consider and perhaps implement. Examples are; the program contains a provision of encouragement of a reduced work week, a 72 hour reduced schedule, 72 hours per pay period rather than 80 hours, which results in 10% salary savings, there is a provision for expanded transfer, which is also covered in the – in h.r. - human resources administrative rule but under resolution if this is adopted, allows the h.r. director to weigh the competitive process for that transfer so that an employee could transfer to a position of a salary of 20% above or below. Last year, we negotiated with dcu to allow red circling of an employee's salary rate for a year if they chose to take that route. The benefit of that reduces some of the impact caused by -- the disruption caused by bumping as employees kind of move through the organization.

**Fritz:** What's red circling?

**Kanwit:** Excuse me?

**Fritz:** What is red circling?

**Kanwit:** Oh, the employee's salary is not reduced if they take a job at a lower level their salary is not reduced for a period of time. The -- a hiring freeze that we had implemented last year as part of the employee transition program as well, we had at times implemented a layoff with a safety net severance. In other words, the city picked up the entire coverage of a laid off employee's health benefits coverage up to nine months. This is fairly expensive. But if you recall, the federal government passed era, which I don't know what the acronym stands for now. [laughter] the federal government picked up 65% of that cost and that program is no longer in effect. So these are the various components, what has to be weighed is some of them have a cost implication, others don't and obviously in times of fiscal restraint, the ones with cost implication may be more difficult or less advisable to implement than others that really don't, such as a hiring freeze.

**Fish:** Anna I have just a technical question. The resolution authorizes a transition services program but it goes on to say that it authorizes the -- bureau of human resources to bargain as necessary, these issues. So are we being asked to implement a program or is this program subject to a duty to bargain?

**Kanwit:** Components of it are subject to duty to bargain. A safety net severance would be subject to bargaining with our represented employees. The provision for the expanded transfer for the red circling -- and actually when we did the expanded transfer a year ago, we also negotiated with dcu retaining the ability of the person who took the expanded transfer, instead of being bumped or laid off, retained their rights to recall to their former position should that have happened. So there were components of that that had bargaining implications.

**Adams:** And if I could just -- a further explanation I would add is that - why this way is that it allows the bureau of human resources to work with individual commissioners and individual bureau

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managers to deal with the inevitable unique situations of talent and bumping and severance and all kinds of individual employee issues.

**Kanwit:** Yes, thank you.

**Fish:** I guess the other question I had is Andrew and his comment said that in part he's asking us to acknowledge we'll have potential budget shortfall and, I assume that the budget memo we all authored and sent out is in fact an acknowledgement that we're anticipating significant budget shortfalls right?

**Scott:** Yes, and the reason for this resolution is to authorize the employee transition services program, council has to officially acknowledge resource constraints and that's based on the ordinances that are referenced, that were passed back in 2001.

**Fish:** Okay, thank you.

**Saltzman:** Does this resolution - the employee transition services apply only to represented employees?

**Kanwit:** No, no it's -

**Saltzman:** It applies to management as well?

**Kanwit:** Yes, correct and there are provisions such as the hiring freeze that can be implemented obviously because it has do with hiring that has no bargaining implications, but can be a useful tool.

**Saltzman:** There's no hiring freeze in place right now.

**Kanwit:** No.

**Adams:** Well just to be clear, it would be my -- it is my legislative intent that we do have a hiring freeze that allows for hardship cases of exceptions. But we do have a hiring freeze so that the conversations between division heads, department managers, bureau managers, commissioners in charge, budget shop, h.r., that those discussions are very robust. Since, when somebody retires, it is a great -- probably the least impactful opportunity to save money, but that isn't always going to work because sometimes the positions they're retiring out of, you know this, but for the public, they're retiring out of, are really key positions that have to be filled. So again it's sort of we have to -- we're in a period now where we need to be more deliberative than we are in normal budget conditions.

**Fritz:** Mayor, I support this resolution, and I also would like consideration of an issue which is challenging now with layoffs but it also is pervasive ongoing. And that is, that when an employee is laid off, the bureau is responsible for unemployment payments and in a situation where an employee bumps into a bureau, and then the bureau has to lay off the person who was in a particular position, it's the receiving bureau that ends up having to pay the unemployment benefits rather than the bureau that was cutting the employee. So it's really, to me, I would like financial planning and h.r. to look into having a citywide pool for paying unemployment benefits rather than it being a cost to the bureau whenever there's a layoff. That, particularly, in small bureaus, it can be really difficult to manage those costs and it does seem like if we're bumping citywide, that the unemployment compensation should be dealt with citywide rather than by the bureaus.

**Adams:** So if you could do some research on that and confer with us on options.

**Kanwit:** Yeah, we'd be happy to do that and we'll involve risk management, because they're actually responsible for that program, and come back.

**Fritz:** Thank you.

**Adams:** Any other discussion on council? Do we have anyone signed up to testify?

**Moore-Love:** Yes, we have two people. Come on up.

**Adams:** Hi, welcome. Please come forward, even if it's just for moral support. Glad you're here. You just need to give us your names, and if you're authorized to speak on behalf of any organization.

**Erica Askin:** Sure. Erica Askin, local 43. Happy New Year council.

**Kevin Stampflee, Bureau of Maintenance:** Kevin Stampflee, I work at the maintenance bureau.

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**Askin:** I have a statement to deliver from our executive board who endorsed this statement yesterday. The executive board appreciates the resolution brought before council to authorize implementation of the employee transition services program and we ask you to vote yes on that. If the resolution is adopted by council, and numerous layoffs are, in fact, imminent, then our affected membership will ask h.r. to implement portions of the ets program that are best for the well being of our union and to the public. We realize these are difficult decisions and commend everyone who steps forward to make them; we believe however that our public efforts before city council are far from over. Authorization of the ets program is a necessary and worthwhile step to take when there are resource constraints that would make, for instance, \$16.2 million in the bureau of transportation necessary in the next fiscal year alone. However, the ets program is really just a backup plan and it's for when such an emergency exists and we believe that only a matter of political will can solve the problem of resource constraints. Those resources that the city has should be providing essential city services and prevent use of the ets program and hopefully prevents layoffs entirely. As has been mentioned by us on numerous occasions, our members consider cuts and layoffs of massive proportions like the ones proposed in the bureau of transportation to be an emergency. Not only because our families and lives are at stake, but also because the services that are essential to the public interest are at stake. City thoroughfares won't be maintained by putting our members in transportation maintenance on unemployment and even with the ets services for pbot maintenance workers, Portland's sidewalks and streets will continue to crumble without immediate and on going funding. The facts are becoming clear to us. Portland's street maintenance crisis is self-created. Reliance on fluctuating gas tax receipts has led to a massive and growing backlog of maintenance and proposed street, sidewalk and bikeway improvements. This isn't going to get any better as everybody knows. And resources have been shifted out of pbot through general fund overhead charges and transfers to other city bureaus. There's accumulated resources far in excess of requirements in those funds and the purpose of those internal service funds is to support bureaus like pbot which directly serve the public. Last year, in the last reported fiscal year, I should say, internal service funds held 110 million dollars, 186,000,791—I'm sorry, I'll say that again, \$110,186,791 in unrestricted net assets available for any legal purpose. That includes all internal service funds after accounting for current and future liabilities. We ask council to declare a holiday on general fund overhead charges and transfers from pbot. We have solutions for the long term too, that's just a short term solution. And we're working with stakeholders to develop a funding model that would get us away from the gtr tax. So, in short, we ask council to examine its internal service funds and in the long term to join with stakeholders wanting city thoroughfares maintained properly and funded. Thank you.

**Fish:** Erica I just have one question. You say in the letter that you're working with stakeholders on a new funding mechanism. We consider ourselves one of your stakeholder groups. What precisely are you looking at?

**Askin:** A street maintenance fee.

**Fish:** Ok.

**Adams:** Sir, would you like to add anything?

**Stamplfee:** Yes. The ets program is a good program and I encourage you to pass it. It is my understanding we're in a \$16.2 million cut at bom, and that we have to take immediately. The bureau is saying to us that we should take the pain now than rather go through it year after year, which means to me, that people are going to be laid off prematurely. If there is \$110 million in funds, why can't we use 16 of it to bridge the five-year gap while we work on other funding solutions other than gtr revenue? I don't disagree that times are tough. But city council needs to make some tough decisions right now, and we all do. The question for us all is do we let our infrastructure go and give the work of laborers to employers who pay people too little for a contract that expires when the short-term job is done or do we keep the men and women of the maintenance

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bureau who know about the infrastructure, who care about more than half a million people who see the jobs that we do in the long term, do we pay decent wages that provide for their families or go with whatever is cheapest, even if it means putting people out on the street? The reason why we're all in city hall right now is because we care about people over profits and the workers who do your street maintenance are people too. And maintaining Portland is a matter of pride. Thank you.

**Adams:** Thank you very much for your testimony. Appreciate it. Thank you all for being here. All right.

**Fritz:** So may I ask a couple of follow-up questions of staff.

**Adams:** Yes.

**Fritz:** Thank you very much for your testimony, thank you for being here. So my first question, I was reminded of by the laborer's testimony, what's the difference between what we're passing today and the fiscal emergency that we did I think previously?

**Scott:** I believe the last resolution is very similar to this. It declared a resource constraint which essentially the language in the original ordinance, you know, council must declare a fiscal emergency or acknowledge significant resource restraints.

**Fritz:** So this - that's what we're doing today?

**Scott:** Exactly.

**Fritz:** Thank you. What about the question of \$110 million in unused funds?

**Scott:** Well, I would need to follow up with labor about that, I believe they're talking about internal service funds and, you know, the city does have reserves and contingencies in all of its funds, internal service funds and other enterprise funds as well. And those are for a variety of different purposes, I can't speak specifically to the internal service funds today.

**Fritz:** So we will definitely be scrubbing each and every one of those big and small buckets to see if there are funds available to help bridge in this emergency?

**Adams:** Yes, and we actually scrubbed them in the last budget cycle and that's how we were able to fund some of the gaps. So it's a good reminder for last year's budget.

**Fritz:** Yeah, we are all in this together so we really appreciate your advocacy and omf's work in looking in every possible nook and cranny to see how we can provide these great services to the citizens of Portland. Thank you.

**Adams:** Alright, would you please call the vote on the resolution and if I could, to my colleagues, if the -- if your legislative intent is different around the freeze, because this is an opportunity for us to provide direction to our staff. If you're freeze with exceptions as we've done in the past, it would be great if you could give some individual direction if it's different than what I would hope we do. Karla.

**Fritz:** Thank you. Mayor, yes, I do support that concept. My understanding in talking with staff, is that they would include continuing with hirings already in process and hirings planned, in particular, for the director of the office of equity. I support this resolution; I very much appreciate laborer's 483 for their advocacy over the past several months in making sure that we do these -- obviously, the leadership of the mayor and h.r. and financial planning. We've gotten through some really tough times over the past three years and things have not gotten better this year. So we will need to continue to tighten belts and look in every single place that we can for both efficiencies and for resources and so I agree that we do need to, again, start the discussion that mayor Adams had as commissioner in terms of funding for street improvements and at some point that will need to be part of a discussion with citizens but clearly right now we don't have more resources and we need to make the best of what we have. So I appreciate this resolution and happy to support it. Aye.

**Fish:** Aye.

**Saltzman:** Well, i'm in full support of this resolution, I guess on the hiring freeze issue, I would like to revisit it, because i'm not sure a freeze with exceptions is really a hiring freeze, although I do believe, you know, certain key positions that are in the pipeline, like the office of equity. But I

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would like to -- and I guess i'll discuss it with the human resources first, but I assume we'll be revisiting this in our budget process too. I'm just, like I said, i'm just not sure a freeze with exceptions is really a hiring freeze. So maybe some information you could provide me is, how many people have we hired during previous hiring freezes? But nevertheless, I'm pleased to vote today for this program, painful as it is but necessary program. Aye.

**Leonard:** Aye.

**Adams:** Well I appreciate the commissioners -- i'm glad that we're doing a hiring freeze, happy to look at what it means to have exceptions in our last hiring freeze we did. We did freeze and I get reports on a, I think, a biweekly basis during the freeze, of what exceptions have been made. And the responsibility goes all the way up to the commissioners in charge. And so i'm consulted on the citywide, you're all welcome to get the citywide reports that I do. And if you've got an improvement on our last efforts i'm also open to that as well but i'm glad we've got the hiring freeze in place and happy to talk about whether we need to make changes or improvements to it. But I think it's necessary that we start that immediately. So -- aye. Thank you for your work. [gavel pounded] so approved. Can you please read item number 25?

**Item 25.**

**Adams:** Auditor lavonne griffin-valade. Councilor clerk Karla moore.

**LaVonne Griffin-Valade, City Auditor:** Good morning, happy new year. Lavonne griffin-valade, city auditor here to introduce the council minutes for july through december 2010 for your approval and to introduce Karla moore love who will do a brief presentation on improvements to the clerk's website in order to make the documents that come before council more accessible.

**Karla Moore-Love, Council Clerk:** Good morning, Karla moore love, council clerk. We've improved our website. A lot of people were involved. The easiest way to get to the council documents, we heard that was an issue. They couldn't find the minutes, the agendas and that stuff. If you start from the home page, Portlandonline.com click on the view council agenda. You'll see our new button in the middle. Says council records, that's where you can get to our tables we've got set up there. Click on that. And we've got a quick link directory that shows the date of the meeting and you can access the agenda and the audio. Mp3, videos and the actual documents and currently, either the draft or the approved minutes are right there and as soon as you click on one of those it will open that up and if it's a draft, it will have the water mark draft on it or if -- you can do the videos and audios, and we think it's an easy access.

**Adams:** That's great.

**Fish:** Karla, nice to put the name and face together. [laughter] this looks like a significant enhancement.

**Moore-Love:** Yeah, the auditor's office did a great job.

**Fish:** Who picked the four photographs on the top margin?

**Griffin-Valade:** I did.

**Fish:** Very interesting. Very revealing.

**Fritz:** Supposing a citizen doesn't know what agenda an item was on but remembers seeing in the media something.

**Moore-Love:** You can search in e-files.

**Fritz:** How do they do that from here?

**Moore-Love:** If you go to the clips here. Council clerk's webpage and it's right in the middle here. Sorry. Look at my e-files page here. Council documents.

**Adams:** [inaudible] auditor photo?

**Griffin-Valade:** Oh, no. That's old. Lots more gray hair.

**Moore-Love:** I started from the auditor's home page and if you click on city documents, that will bring up the e-files page which is where you can do a search for key words. Click right there on the

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e-files and you can put a search term in there. You could use key words, whatever you're looking for and if all else fails, you can always call us.

**Fritz:** Thank you.

**Saltzman:** This is great. I'm curious, is it available respectively, for the upcoming agenda for next week, will the documents filed with you on thursday or wednesday --

**Moore-Love:** We're only able to post the titles of upcoming time certain because our deadline is thursday at 5:00, so our agendas are ready at friday around 4:00 or so and that's when the current agenda is posted.

**Saltzman:** So it's posted and people can look at the documents.

**Moore-Love:** Usually by friday afternoon, certainly.

**Saltzman:** Great improvement.

**Griffin-Valade:** I want to thank Karla and sue and other staff in the council clerk's office who put their heads together and made great improvements, I think, to our accessibility.

**Adams:** Nice work. Anyone wish to testify on item number 25? I move we accept --

**Fritz:** Before you do that, may I --

**Adams:** I didn't know you had anything.

**Fritz:** My staff and I looked through what I was reported to have said in the minutes and have identified --

**Adams:** Oh.

**Fritz:** -- identified minor changes we would like to have incorporated into the minutes.

**Moore-Love:** We looked at these -- your staff gave these to us this morning and agreed we'll be able to -- as they weren't verified with the audio, we'll have to go back through these errors and make the changes accordingly.

**Fish:** Are these technically scrivener's errors? It reminds me when I work out occasionally and there's a tv screen that has the --

**Leonard:** Closed captioning.

**Fish:** Yeah, and the closed caption tends to be very phonetic or has -- for example, it would probably say i'm envious, rather envious. Lots of words get garbled. Is that a function of the system we used to translate?

**Moore-Love:** The live person, they hear that sometimes and that's how -- they're going pretty fast. Closed captioning is what they're hearing at the time.

**Fritz:** That's my concern; the minutes are the transcription off the closed captioning so, of course, since it's in the moment, there will be errors and the person listening doesn't know the name, for instance, of the director of the office of healthy working rivers and they guessed and it wasn't changed that's why I would like it if we approve minutes on a monthly basis or as available -- and I appreciate having those links and will have my staff be looking at those on a -- at those as they come up so we can do them in the moment so I can actually remember what I said when the Portland development commission was approved and I can't right now because it's a year later.

**Adams:** If I -- if I could interject respectfully. The last time this issue came up, I thought that our legislative -- we agreed on our legislative intent and I don't really want to open that back up again, and as I recall correctly, our legislative intent is for the purposes of complying with state law, what we're approving, this is what we're approving for state law.

**Griffin-Valade:** And it more than satisfies that.

**Adams:** Right. For the purposes of our internal record, that these are the minutes subject to clarification, subject to perfecting and improvement based on consultation with the audio and/or video, so that was my understanding. I'm fine with the approval schedule you have us on. And if someone has a different understanding, and now would be the time, although I don't want to recognize you.



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**Moore-Love:** We've been getting them out there. I think right now, we've got January through June already for your review and notifying staff and they'll go and look for those. They're out there ready to be reviewed and it's a -- you know, we have Sylvia going through the closed captioning. Sue will go through it again and then I'll go through it again. We have closed captioning, not perfect, but we're certainly catching the substance, which is required by orders of the meeting.

**Fritz:** I appreciate the diligence. Do you have a sense when today's draft minutes will be available on the screen you showed us?

**Susan Parsons, Assistant Council Clerk:** This is a short meeting so we can have it up within two weeks.

**Fritz:** And is there any notification when those are posted?

**Parsons:** I had been notifying your office. They requested now that since it's in the table, they're picking it up themselves.

**Fritz:** Right.

**Fritz:** Thank you very much.

**Fish:** So I'm clear, the changes highlighted in the document Commissioner Fritz handed out are largely syntax, grammar and capitalization and things like that. I think we'd have a concern if there was something that said Commissioner Saltzman said unambiguously that he's opposed to programs about children. I take it at any time, someone, one of us or someone from the public can contact your office and it just -- it gets updated to reflect what anyone said, is that right?

**Griffin-Valade:** Sure.

**Fish:** The goal is to have it accurate, but the goal of this version is to get the sense of what was said.

**Adams:** And satisfy state law which was written probably before there were recording devices.

**Moore-Love:** Right.

**Adams:** And that allows us this kind of more efficient and effective approach. You can listen and watch what happened in the city council. You don't have to rely exclusively on what's written. All right --

**Saltzman:** One curiosity. The people who do the closed captioning, do they provide a written transcript or do we?

**Moore-Love:** They provide that and that's what Sue takes and puts in a macro and -- and sends it to the next person who puts the names in.

**Adams:** Every time this issue comes up, I learn just a little more. Anyone wish to testify on this matter? Sue, how are you?

**Sue Parsons, Assistant Council Clerk:** Well, thank you.

**Adams:** Happy new year. Please call the vote.

**Fritz:** I greatly appreciate it. Aye.

**Fish:** Thank you. I want to especially compliment all of you on the enhancements you've made to the website. You know, that's -- we still get emails and comments from the public from time to time about the challenges they find in navigating the city system and that's why the whole system is ultimately going to be updated and replaced. But there are things we can do within our existing technology and you demonstrate that here. And so I compliment you on your work. Aye.

**Saltzman:** I want to compliment you. I wasn't aware we were replacing our current system. I think we're probably the most transparent government. This latest feature helps. My office all the time is looking at previous meetings to see what I may have said or what somebody else may have said and it's effortless and doesn't require any work and thanks to the good work you're doing on the website. Good job. Aye.

**Fish:** My comment was not to this particular system. It's to accessing the city's website. And particularly at budget time, people find it difficult to navigate and I think it's a function sometimes of people's technological efficiency.

**Leonard:** Aye.

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**Adams:** Thank you, thank you to the entire team. I really appreciate it. All of your great work, Karla, and auditor. Aye. [gavel pounded] all right. Please read the title for item number eight pulled from the consent agenda. Mr. Jones, please come forward.

**Item 8.**

**Adams:** So the most dangerous corridors in the city are sort of the corridor and cross of foster, 82nd avenue, 122nd avenue and the glisan, everett, burnside corridor on the west side. And so in the past seven years that i've been transportation commissioner, we've actually -- I don't know what the numbers are, but we've prioritized east Portland for much of our safety improvements because it's only been part of the city in some cases, for you know, less than 40 years and the county didn't make the appropriate transportation investments out there when it was under county control, so making up for lost time. This, though, is approving a grant application from the federal highway administration for improvements back on that third dangerous corridor that I talked about related to the I 405 Couch Burnside interchange. It is needed regardless of whatever happens to other safety improvements and Mr. Jones here will tell us more details.

**Greg Jones, Bureau of Transportation:** Good morning, Greg Jones with the Portland office of transportation. This is a grant application to odot for federal funding and these federal funds are being distributed throughout the state on a competitive basis and they're being ranked by odot based upon the cooperation between an odot project and a city project so each local agency is going to be coming forward to odot with projects, but those that will score the best will be those where there's a tie between an odot improvement on their system and the city improvement on our system. We've only had about eight weeks to put this application together. So we ran through a very quick process. In order to do that, we did consider other state highways and projects within the city and this project was the one that was ready to go, which was one of the criteria of the grant application. This project is in our transportation system plan. It is not in our cip because projects – only projects in our cip are those that are funded. So once this becomes funded then it will become a part of our cip, if we're successful in this grant application. We do have letters of support from the northwest neighborhood association, from Willamette pedestrian coalition and from the bicycle transportation alliance and this work is being done in cooperation with a project that by odot that would approve the ramps off of and onto 405 in this location. So it is a opportunity to tie their work at that location with the work at the intersection of burnside, everett, couch, to create a safer situation for all modes passing through these intersections.

**Fritz:** Thank you. I was more confused by the public involvement statement than informed because it said that the project was initiated after a letter dated October 17th, 2011, was sent by the northwest district association. It sounds like this project has in fact been in the planning stages for longer than that.

**Jones:** That's right. The work has – we have had a number of projects on Burnside, upper Burnside, that have been identified for a number years, we simply haven't had the funds to do that work. Northwest neighborhood association sent a letter asking for a wide variety of improvements, not the letter that was passed out here. But a previous letter that asked for a large number of improvements in the northwest district area. The funding opportunity came up in november, and so we took northwest's consideration, their requests into consideration as we looked at other requests throughout the city. But found that this one was the best fit for the criteria and the time available.

**Fritz:** Was there any other citywide input? Do you have a bureau advisory committee that helps look at these and agree that yes this is the one we should go for?

**Jones:** We have a bureau advisory committee that is looking at our budget right now, they generally do not look at our grant applications so the director's team, within the office of transportation looks at our grant applications and gives direction to staff to move forward with those. And as with all grant applications, they must come to city council for approval before we submit. In this situation, we normally would run a public process to identify our grant applications.

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We had basically eight weeks during a holidays in order to move this project forward and we had a project that had been previously identified so we had the opportunity to -- to at least submit this application, but did not have the opportunity to run a large public process.

**Fritz:** Thank you and I do appreciate the willamette pedestrian coalition sending in the letter yesterday and the bicycle transportation alliance sending one in on January 2<sup>nd</sup>, that's helpful. What we have found in some of my bureaus is having an executive committee of a bureau advisory committee can be pulled together relatively quickly to look over the criteria. Just so that we have more citizen eyes so that when I get messages this week, which I may on why wasn't barbur chosen, why wasn't foster chosen, why wasn't, you know another or other intersections between city projects and state highways, that we know that there has been that citizen input. Is that something that you could consider in the future?

**Jones:** Certainly, we'll do that.

**Fritz:** Thank you.

**Saltzman:** I'm fully in support of this; I just wanted to get a little more details. So the Oregon department of transportation is going to do some improvements to the 405 couch Burnside exit and then the money we're applying for is to do improvements at those intersections where the 405 off ramp intersects with couch and burnside?

**Jones:** That's correct. That's absolutely perfect description of what we're doing.

**Saltzman:** And our improvements will be related to improved bicycle-pedestrian safety basically at those intersections?

**Jones:** Right. So they will modify the signals at those locations. You have a very confusing set of intersections there that will be simplified and then will provide better improvements for both bikes peds and for auto use through those intersections.

**Saltzman:** That's the work we'll do?

**Jones:** That's right.

**Saltzman:** I'm just curious, what is odot contemplating to do with the couch-burnside exit?

**Jones:** My understanding is, that they are basically modifying the ramps onto and off of the freeway where they hit the city street system and there's a series of islands and turns that are -- are really set up with really bad geometry, basically, from 20, 30 years ago when they built 405 originally. So those are the modifications they'd be making.

**Fish:** I just have a question, I'm sorry --

**Adams:** Well just, this is an opportunity for us to do it while they're doing the other construction and that's really the savings and would allow us to score higher in my opinion on their scoring as opposed to a stand-alone project where they're not going to be doing work. So I think that is another reason why I supported this. The other reason is that we've always had this, we've been stuck in a cul-de-sac, we've got what 11-inches of sidewalks on the north side of the overpass at burnside and i-405 and we can never have it addressed and it's an incredibly dangerous part of the city, we can never get it to score high because to get to that overpass is really screwed up.

**Jones:** Exactly right.

**Adams:** This at least sets up future decision makers to like qualify for other federal funding to actually put a sidewalk on both sides of burnside as it crosses I 405.

**Jones:** Right, but we have to fix the intersections first.

**Fish:** And I appreciate this discussion. This may be the most vetted grant application we've had during my three years at council. But I just - the question I guess I would have is, since we have a tradition of being opportunistic in responding to needs as they come up, does this particular grant application displace any other grant application we've put in or compete with something else for those limited dollars?

**Jones:** This will be the only grant application for this grant series. We looked at several others but they were not in the same state of readiness that this project was. And one of the criteria is that this

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money has to be spent quickly. We're at about 35% design for these improvements and there were no other projects that were similar to that and that were also on a -- on a time track that would match a state improvement.

**Fish:** That's very helpful. Thank you.

**Fritz:** Is the business association in support as well as the neighborhood association?

**Jones:** I don't believe we have a letter yet from the business association. I'm -- no, we don't have a letter yet from them.

**Fritz:** And then my final, thank you for that answer. How does this relate to the west side burnside-couch couplet?

**Jones:** This is not a part of the west side, burnside, the couch couplet. It's really independent of the couplet project. Right now, the couplet project is on hold because of funding issues. We're simply unable to move that forward at this point. But we have been looking at a series of improvements along upper burnside, and lower burnside. And this would not conflict with those kinds of improvements, simpler improvements.

**Fritz:** So it would work with any future improvements and it would also work as a stand-alone?

**Jones:** That's right.

**Fritz:** If we leave it as is.

**Jones:** That's correct.

**Fritz:** Thank you.

**Adams:** Any other council conversation about this? Anyone wish to testify? Anyone from the fire bureau? Anyone? Anyone at all? Ok, can you please call the vote on the grant application.

**Fritz:** Thank you very much for answering my questions. Also Catherine Ciarlo and Katja Dillmann in your office Mayor were very helpful. Aye.

**Fish:** Yeah, I appreciated the discussion, aye.

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

**Adams:** I too appreciated the discussion and want to thank commissioner Fritz for pulling the complexities of ready to go and the complexities of need and the pre-design work having been done and scoring high, because odot is going to be working there anyway, on top of that, we get more value for the -- more improvements for the money spent and then for those who have not walked burnside ever, you wouldn't know that in one of the busiest streets in the city, there's 11-inches of sidewalk on one half of two blocks. So -- had a lot of people killed and injured in this area, so this doesn't solve all of that, but it moves us in a direction where we will be able to solve it. I want to thank you and the team for fast footwork on this. We didn't have a lot of time. Aye.

**Jones:** Thank you.

**Adams:** [gavel pounded] Alright, what does that get us to -- 21. Can you please read the title for item number 21.

**Item 21.**

**Adams:** Commissioner randy Leonard.

**Leonard:** Thank you, mayor Adams and council. I asked that this be pulled because we discovered an error on the original ordinance. This ordinance, if passed, will allow us to accept a grant from the federal emergency management association, in the amount of \$720,000 to replace the aerial apparatus, otherwise known as the fire truck at station three on n.w. 17th and johnson, which has reached the end of its life. And the \$720,000 grant along with \$280,000 from the bond that we passed a year ago last november, will allow us to purchase this \$1 million fire truck. The original ordinance said \$180,000 from the bond. The correct amount was \$280,000. Given that we were going to remove it from the consent agenda, and amend it, we went ahead and offered more detailed explanation as to the nature of the competitive bidding process and the local companies that we will be using in securing and equipping this fire truck. So I need to move to substitute the ordinance with the one that was passed out to council.

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**Fish:** Second.

**Adams:** Moved and seconded. Any council discussion on the substitution? Karla, can you please call the vote on the motion to substitute.

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

**Adams:** Aye. [gavel pounded] motion approved.

**[Fire Bureau staff, unidentified]:** Thank you, council.

**Saltzman:** Before you go off. I'm just trying to picture this. Is it actually a tractor-drawn apparatus or is it a truck?

**Leonard:** It's how it's described, a - in the fire service, the fire engine carries the hose and the waters and the fire trucks carry the ladders and the aerial ladder. In some instances there are fire trucks that are one large vehicle that don't require a trailer and a tractor so that you have a tiller person in the back driving the trailer. This particular fire truck is one of the types that requires a tiller person in the back and it's specifically required at this particular station, n.w. 17th and Johnson, because if you can imagine the hills up in northwest Portland are very tight and these tractor-trailer drawn fire trucks allow for the truck to navigate corners that a standard fire truck would otherwise never be able to get around.

**Saltzman:** And this is going to be manufactured in Washington, is that right?

**Fire Bureau staff:** No, sir, the actual apparatus is manufactured in Wisconsin.

**Saltzman:** Oh, Wisconsin.

**Fire Bureau staff:** and the local distributor is in Eugene.

**Saltzman:** Thanks.

**Fritz:** So can you just tell us about how -- why we're going - we didn't go out for bid on this? In particular, why we didn't go out for bid when the - we got the homeland security grant back in March of last year?

**Fire Bureau staff:** Yes Ma'am. We got the grant on February 4th last year. And we had one year window to complete this project. We knew at that time we could not complete the project in one year and we told FEMA that and FEMA said that we would be applying for an extension and they said there would be no problem with that. They were aware of the time frames for this apparatus. Unbeknownst to us, they did tell us a couple weeks ago that we had to have a contract in place and it - to be successful to apply for an extension. And there was no way we could do the normal request for proposal process in two weeks. And we have to have that -- FEMA required -- needs that 30 days before the end of the grant, so we really needed to apply for the extension next week and we could not do that, go through the entire process in less than a week.

**Fritz:** But why was it that we weren't able to start that process back in March of last year?

**Fire Bureau staff:** The process, first, we have to do the research and write the specifications. That takes a number of months. And frankly, that - as we completed that, I did not have the scrutiny on the project to make certain that we would have enough time to complete that.

**Fritz:** And that's -- so then my understanding is that city code allows us to use, in this case, Seattle's bidding process to parallel ours and so we're able to go for the conclusion that they reached. Is that a rough understanding?

**Fire Bureau staff:** Yes, they went through a process, they did a request for proposals, they had a number of proposals come in, then they graded the proposals and we are allowed to utilize their contract to purchase the apparatus.

**Fritz:** Do they have similar rules such as we do on emerging small businesses women and minorities, benefits, those kinds of things?

**Fire Bureau staff:** I cannot speak to that. But we can certainly find out for you.

**Fish:** Well in this case, we're talking about contracting for the purchase of a piece of apparatus. It's been a while since I was commissioner in charge of the bureau, it was stolen from me but --

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[laughter] my guess is that there - my sense is, there are a finite number of manufactures of this product is that correct?

**Fire Bureau staff:** Yes, sir.

**Fish:** And probably -- are there manufacturers of the kind of equipment you need that are, in fact, developed by minority women owned businesses?

**Fire Bureau staff:** Can you repeat that, sir?

**Fish:** Are there firms, national -- we have mwesb requirements we do in certain kinds of contracts, my assumption here is that there's a number of national firms that --

**Fire Bureau staff:** We currently have a contract with - for fire engines for pumpers with this company so I'm certain --

**Fritz:** That's very helpful. Thank you so much.

**Adams:** Any other discussion? Anyone wish to testify on this matter? Karla, can you please call the vote on the substitute.

**Leonard:** Actually on the ordinance.

**Adams:** On the substituted ordinance, sorry.

**Fritz:** Thank you. This is very helpful and I appreciate your information to my staff ahead of time. Thank you, commissioner Leonard, for your work on this. Aye.

**Fish:** This is again, I think, a dividend of the g.o. bond that commissioner Leonard passed and the timing was good. Apparently, the polling suggests that just about anything can go down in this current environment. So kudos to you for giving us this opportunity and appreciate the presentation. Aye.

**Saltzman:** Aye.

**Leonard:** Thank you. Aye.

**Adams:** Aye. [gavel pounded] so approved. And we are adjourned for the week.

**Fire Bureau staff:** Thank you very much.

At 10:55 a.m., Council adjourned.