



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **26TH DAY OF JANUARY, 2011** AT 9:30 A.M.

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

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

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

COMMUNICATIONS	Disposition:
<p>82 Request of Steve Unger to address Council regarding the need to account for the increasing number of Vacation Rentals in residential zones (Communication)</p>	PLACED ON FILE
TIMES CERTAIN	
<p>*83 TIME CERTAIN: 9:30 AM – Authorize a Master Intergovernmental Agreement with the Oregon Department of Transportation to implement stormwater retrofits (Ordinance introduced by Commissioner Saltzman) 20 minutes requested for items 83 and 84 (Y-5)</p>	184384
<p>*84 Authorize Intergovernmental Agreement with TriMet and the Oregon Department of Transportation to implement stormwater retrofits at the Barbur Boulevard Transit Center (Ordinance introduced by Commissioner Saltzman) (Y-5)</p>	184385
<p>*85 TIME CERTAIN: 10:00 AM – Authorize an Intergovernmental Agreement with Multnomah County for the design and construction of the Sellwood Bridge Project (Ordinance introduced by Mayor Adams) 30 minutes requested</p>	RESCHEDULED TO FEBRUARY 2, 2011 AT 10:15 AM TIME CERTAIN
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Sam Adams</p> <p>Bureau of Police</p>	

January 26, 2011

<p>*86 Authorize an Intergovernmental Agreement with Multnomah County, Department of Human Services to fund a portion of the salary expense for the County Domestic Violence Coordinator (Ordinance) (Y-5)</p>	<p>184373</p>
<p>*87 Authorize an Intergovernmental Agreement with TriMet and Clackamas County for Transit Police Division services (Ordinance) (Y-5)</p>	<p>184374</p>
<p>*88 Amend an Intergovernmental Agreement with Multnomah County, acting by and through its District Attorney's office to reimburse Police Bureau overtime costs on after-hours call-outs on child abuse investigations (Ordinance; amend Contract No. 30001158) (Y-5)</p>	<p>184375</p>
<p>*89 Authorize an Intergovernmental Agreement with Multnomah County not to exceed \$125,000 to fund a Deputy District Attorney to address the problem of prostitution in East Portland (Ordinance) (Y-5)</p>	<p>184376</p>
<p>*90 Authorize an Intergovernmental Agreement with Housing Authority of Portland for Portland Police Bureau to provide police officer patrol services at New Columbia housing sites (Ordinance) (Y-5)</p>	<p>184377</p>
<p>Bureau of Transportation</p>	
<p>*91 Grant revocable permit to Good Sport Promotion to close SE Madison St between SE 8th Ave and SE 10th Ave, and SE 9th Ave between SE Hawthorne St and SE Main St from 5:00 a.m. to 5:00 p.m. on February 13, 2011 (Ordinance) (Y-5)</p>	<p>184378</p>
<p>92 Grant revocable permit to Jake's Restaurant to close SW Stark St between SW 12th Ave and SW 13th Ave from 7:00 p.m. on March 16, 2011 until 6:00 a.m. on March 18, 2011 (Ordinance)</p>	<p>PASSED TO SECOND READING FEBRUARY 2, 2011 AT 9:30 AM</p>
<p>93 Authorize an agreement to accept \$223,760 in funds from Cascade Station Development Company to install traffic signals at the intersection of NE Alderwood Rd, NE Holman St and NE 105th Ave (Ordinance)</p>	<p>PASSED TO SECOND READING FEBRUARY 2, 2011 AT 9:30 AM</p>
<p>Commissioner Dan Saltzman Position No. 3</p>	
<p>Bureau of Environmental Services</p>	
<p>*94 Authorize the Bureau of Environmental Services to execute a temporary construction easement with WREH Lloyd Plaza LLC as part of the Oak A Basin Phase 1 Sewer Project No.E08387 (Ordinance) (Y-5)</p>	<p>184379</p>

January 26, 2011

<p>95 Amend contract with Berger/ABAM Engineers, Inc. for additional work and compensation for the Guilds Lake Pump Station Improvements Project No. E08877 (Second Reading Agenda 76; amend Contract No. 30000337) (Y-5)</p>	<p>184380</p>
<p>Commissioner Randy Leonard Position No. 4</p>	
<p>Portland Fire & Rescue</p>	
<p>*96 Authorize a Letter of Agreement with the Portland Fire Fighters Association to provide specialty pay for the Fire and Police Disability and Retirement Fund liaison assignment (Ordinance) (Y-5)</p>	<p>184381</p>
<p>97 Add the Jeff Morris Fire & Life Safety Foundation to the list of those organizations eligible to use the payroll deduction system (Ordinance; amend Code Section 5.08.140)</p>	<p>PASSED TO SECOND READING FEBRUARY 2, 2011 AT 9:30 AM</p>
<p>98 Accept donation of \$6,694 from the Jeff Morris Fire & Life Safety Foundation to help pay the costs associated with the arson dog (Second Reading Agenda 77) (Y-5)</p>	<p>184382</p>
<p>City Auditor LaVonne Griffin-Valade</p>	
<p>*99 Assess property for system development charge contracts and private plumbing loan contracts (Ordinance; Z0779, K0127, T0139, W0011, Z1184, P0102, P0103) (Y-5)</p>	<p>184383</p>
<p>REGULAR AGENDA</p>	
<p>S-100 Create an independent citizen oversight committee for City information technology projects and direct the Office of Management and Finance, City Auditor and City Attorney to prepare all necessary implementing ordinances (Resolution introduced by Commissioners Saltzman and Fish) 10 minutes requested Motion to accept Substitute Resolution: Moved by Commissioner Saltzman and seconded by Commissioner Fish. (Y-5)</p>	<p>SUBSTITUTE CONTINUED TO FEBRUARY 2, 2011 AT 9:30 AM</p>
<p>Mayor Sam Adams Bureau of Transportation</p>	

January 26, 2011

<p>101 Accept the Memorandum of Understanding and Conceptual Funding Plan for the Design and Construction of Relocated SE Water Avenue and direct staff to amend Transportation System Plan to reflect new alignment (Resolution) 10 minutes requested (Y-5)</p>	<p align="center">36841</p>	
<p>102 Pursue the design development and funding for the Clinton to the River Multi-Use Path (Resolution) 10 minutes requested (Y-5)</p>	<p align="center">36842</p>	
<p align="center">Commissioner Dan Saltzman Position No. 3</p> <p align="center">Bureau of Environmental Services</p> <p>*103 Amend contract with CMTS, Inc. to add Inspector Apprenticeship Program and increase compensation (Previous Agenda 79; amend Contract No. 37903) 10 minutes requested (Y-5)</p>		<p align="center">184386</p>
<p align="center">Commissioner Randy Leonard Position No. 4</p> <p align="center">Bureau of Water</p> <p>104 Amend contract with Analytical Services, Inc. to increase compensation for laboratory services for Cryptosporidium Analysis (Second Reading Agenda 80; amend Contract No. 30000364) (Y-5)</p>		<p align="center">184387</p>
<p align="center">FOUR-FIFTHS AGENDA Mayor Sam Adams</p> <p>104-1 Appoint Jeff Tryens and Andy Nelson to the Portland Parks Board for terms to expire August 31, 2011 and August 31, 2013 respectively (Report) Motion to accept the report: Moved by Commissioner Fish and seconded by Commissioner Fritz. (Y-5)</p>		<p align="center">CONFIRMED</p>
<p>104-2 Appoint Susan Pearce to the Charter Commission for term to expire when Commission disbands (Report) Motion to accept the report: Moved by Commissioner Fish and seconded by Commissioner Saltzman. (Y-5)</p>		<p align="center">CONFIRMED</p>

At 11:51 a.m., Council recessed.

January 26, 2011

WEDNESDAY, 2:00 PM, JANUARY 26, 2011

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

January 27, 2011

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **27TH DAY OF JANUARY, 2011** AT 2:00 P.M.

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

Commissioner Saltzman arrived at 2:07 p.m.

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

		Disposition:
*105	TIME CERTAIN: 2:00 PM – Amend contract with Walker Macy, LLC for design services for the South Waterfront Greenway Central District Phase One Project (Ordinance introduced by Commissioner Fish; amend Contract No. 37631) 1.5 hours requested for items 105 and 106 (Y)	184388
*106	Authorize an exemption to the competitive bidding process to Procurement Services pursuant to ORS 279C and City Code 5.34 and provide payment for construction of the South Waterfront Greenway Improvements Project (Ordinance introduced by Mayor Adams) (Y)	184389

At 3:00 p.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

January 26, 2011
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 26, 2011 9:30 AM

Adams: Good morning, it's Wednesday, 9:30 a.m. On January 26th, 2011, the quorum is present and the city council will come to order. Good morning, Karla, how are you?

Moore-Love: I'm fine.

Adams: Good. Please call the roll.

[roll call]

Adams: Quorum is present. We'll present starting with communications. Please read the title for item number 82.

Item 82.

Adams: Mr. Unger? Good morning. You -- please have a seat in front of any of the three microphones. We'll need your first and last name. We do not want your address. Do not want your address. If you're representing a business or an organization, please let us know that as well.

Steve Unger: My name is Steve Unger. I own and operate the lion and the rose, a bed and breakfast in Irvington and each year, I pay \$30,000 in lodging tax and \$500 in license fees to the city. As a bed and breakfast. There are over 20 licensed bed and breakfasts in Portland, paying over \$500,000 to the city and today, I'll show you how the city can collect another \$500,000 by licensing and regulating the over 150 vacation rentals operating in Portland. Vacation rentals are actually short-term rentals in residential zones of less than 30 days duration and this is in contrast to traditional month-to-month rental. The primary motivation is economic. Short-term rentals can generate more revenue than a long-term rental if the owner rents just seven or eight months a night.

Currently, there are over 150 vacation rentals listed in the internet for Portland. Two-thirds are listing nightly or weekly rentals and I've provided in your handout with sample pages. Homeaway.com and bandb.com. These cover from houses in the Pearl, the houses in Worthington and on houseboats on the Willamette. The only way to be licensed is to be licensed as a bed and breakfast but hardly any are, because it requires a type ii conditional use review, costing \$3,000 or \$4,000 and requires the owner or manager to live on premises. However, unlicensed vacation rentals do not collect lodging tax or pay license fees. No owner or manager lives on-site resulting in an unsupervised situation and there are no regulations as to the number of guests and no requirements for fire, safety or health inspection. So the problem is that there are currently over 150 vacation rentals operating with no license or regulation, so the city is losing money in lodging tax and license fees, guests and neighbors are uninformed and unprotected and the current lack of consistent regulation actually penalizes those who are licensed or attempt to get licensed and we see this in Irvington. Other cities from seaside to cannon beach and San Francisco and even New York City have adopted regulations specific to vacation rentals. What do we need to do? It's like restaurants and food carts, we need to amend the bed and breakfast ordinance to account for vacation rentals or create a new ordinance for vacation rentals. And these vacation rentals are easy to identify because they're listed in numerous websites on the internet. So what am I asking? I'm asking for city council to request the bureau of development services to report back to the council with an assessment of the current situation regarding vacation rentals in Portland and with recommendations on how best to regulate them. In fact, I'm here at the suggestion of a planner who

January 26, 2011

told me this is what I needed to do if I expected the Bureau of Development Services to actually deal with this situation which they currently are not.

Adams: Mr. Unger, I gave you extra time. Do you want to summarize?

Unger: Yeah. I just appreciate your consideration. And I just want to know if you have questions, that's all.

Adams: I'm going to take you up on your suggestion. I think it's a useful one. Unless there's council objection, it's actually to the Bureau of Licenses. Bureau of Revenue, we call it now. If you can hand your information to Karla and we'll have someone from the Bureau of Revenue follow up with you. I appreciate you take can the time to testify before us and just sharp, senator presentation that you gave us.

Unger: Thank you.

Adams: That gets us to the consent agenda. Is there anyone that wishes to pull any items from the consent agenda? Karla, please call the vote on the consent agenda.

Consent roll.

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

Adams: Aye. [gavel pounded] consent agenda is approved. We'll move to the regular agenda, can you please read title for resolution item no. Number 100.

Leonard: You've got time certain.

Moore-Love: The 9:30.

Adams: I apologize. We have three time certain. Can you please read the title for 9:30 time certain item number 83.

Saltzman: You can read both of them.

Adams: And item number 84.

Items 83 and 84.

Adams: Commissioner Dan Saltzman.

Saltzman: Thank you, mayor. Adoption of these two agreements will approve a partnership between the Oregon department of transportation and the Bureau of Environmental Services to carry out several stormwater retrofit projects in Portland. I believe TriMet is also a party to this agreement. The first document is a intergovernmental agreement that establishes a framework for the Bureau of Environmental Services and ODOT to collaborate on future projects and the other is to disconnect combined sewers from a overflow outflow pipe on the east side of the Willamette as we know, paved parking areas and hard surfaces generate a substantial amount of stormwater runoff which can wash pollutants into rivers and streams and erode and degrade fish habitat. Installing swales and rain gardens like at the Barbur transit center and other projects envisioned will protect water quality and habitat. These facilities retain runoff -- we have Dean Marriott and Jason tell are here today and -- sorry, your name?

Alan Lehto, Tri-Met: Alan with tri-met.

Saltzman: To talk about these partnerships. Dean?

Dean Marriot, Director, Bureau of Environmental Services: Thank you very much. Commissioner and mayor and members of council. I'm Dean Marriott, Environmental Services director. I'm pleased to talk about both item, 83 and 84. They're slightly different but we'll get to those in a moment, first I want to thank our -- my colleagues here for their partnership you'll see the results of the ability of Tri-Met and the City and ODOT to work together here in just a moment. Previously last year, council approved a intergovernmental agreement to design and construct stormwater improvements at ODOT's I-5 baldock storage yard. That project has been successfully completed and we want to show you pictures of what it means when we can work together well. And then I'll come back after Jason tell talks about that. I'll come back and talk about what is coming up. With that, I'll turn it over to Jason and I'm going to try and run the slide show here if I can.

January 26, 2011

Jason Tell, Oregon Department of Transportation: Thank you, Dean and mayor and councilors.

One of the best parts what we're here to talk about today is we've accomplished the first project. You can really picture what it is we're doing and so on the screen you can see one of our maintenance yards, that serves the Portland area. And we've just completed a project that we'll show you the outcomes of to treat three acres of impervious service surfaces and it's located at the headwaters of Tryon Creek and I think we can go to slides here. We can show you that impervious service we're talking about. And the partnership we put together, the bureau of environmental services did the project design and when dean and I talked early on about ways to partner, he's got really smart people who know how to do these kind of designs and we talked about let's tap that expertise. The work done, it was a project totaling \$375,000. BES did the design and now you can see what you get in terms of the project. Where we just had a lot of asphalt, we now have these planter strips that both look nice and serve a real purpose in keeping the Tryon Creek watershed clean. Much cleaner than it would be otherwise. So this is just the beginning of what this is a partnership and right mao, ODOT's committing a little over \$2 million a year through 2014, to do more of these kind of projects. So we'll be collaborating and we're working with BES to identify the next priorities which dean will talk about the ones that are coming up next. But moving forward, we're going to continue to find ways to expand upon that. So looking at leveraging additional dollars to what we've already put in and I just want to really reiterate what a good partnerships this. I believe that the citizens are going to get a great product from this by our different agencies cooperating and we'll leverage additional dollars that otherwise wouldn't be received. So very happy to be here and be happy to answer questions at the end.

Marriott: Thank you. Jason, it's been wonderful. We started talking about this about a year ago and things have moved quickly to the point of we've got one project down and another you'll hear about in a second. And then more projects coming. So -- so item 83 is the master IGA between ODOT and BES. This will allow us to get projects done -- under this umbrella agreement and move them along more quickly than doing a IGA for each project. And item 84 is a master IGA between ODOT, the City and Tri-Met, because you'll see in a moment, the ownership of the transit center involves all three parties. So just to distinguish then those. I want it talk about, as Jason said, there's two more projects in line coming up. The first is I-5 at Barbur Boulevard and S.W. 26th avenue. This is the site between I-5 and Barbur Boulevard. There's nearly 20 acres of impervious surface will be handled in these four areas --

Saltzman: We're not seeing.

Marriott: I'm sorry. There it is. It's coming up now.

Saltzman: Ok.

Marriott: Yeah, you see i-5 and then Barbur Boulevard just to the north of that and there's four areas in there that take about 20 acres of impervious surfaces and routed to these areas for treatment and infiltration. It's in the Tryon Creek watershed so very helpful in protecting that. The design work is going to get going this year and we hope to move into construction perhaps next year.

Fritz: Can you go back to that slide.

Marriott: Yes, I sure can.

Fritz: I think there's recently been sidewalk improvements and as part of this project or at the same time, we would look at do the sidewalk adjacent to site four and one on 26?

Marriott: That's a great question. I'll check with folks on that. We haven't begun the work in this area yet, so --

Fritz: Thank you.

Marriott: -- let's see what we can do about that. The next one in the queue is Johnson Creek. This is shifting to southeast. Johnson creek and the I-205 area. This project will contain -- detain and treat stormwater runoff from 132 acres of impervious along I-205 and southeast Foster that drains into Johnson Creek. Two sensitive water bodies and important projects that will be underway soon

January 26, 2011

and as Jason alluded to, there are more projects perhaps coming beyond this which is why we want you to approve the master IGA.

Fritz: I'm not familiar with this area. I don't know if foster has sidewalks between locations and if we're doing a major project, a series of improvements, that would be great.

Marriott: Good point. Thank you. Then the item 84, the second IGA before you today is as I mentioned, a three-party agreement, ODOT, Tri-Met and the City of Portland. This would retrofit four and a half acres of impervious surface at the Barbur transit center. As Tri-Met as an active partner we're going to, as I said, require a three-party agreement. We've already done the design work on this for stormwater management and the three parties are ready to begin construction this year. It would involve water quality treatment and detention, and again, will protect a tributary of Tryon Creek, one of our more sensitive water bodies. \$770,000 is the estimated project cost. With contribution from all three parties. This is a photograph of the parking lot in case you haven't been there in a while. With that, that concludes -- actually, I want to give Alan a chance --

Lehto: Just to state thank for being a part of this and looking forward to getting the work done. And I want to thank my staff. Amin Wahab and -- they did the lion's share of the work with Jason and his staff and Tri-Met. I think any of us would be glad to respond to questions you might have.

Saltzman: Thank you very much. We have appreciate the partnership.

Fritz: I have a couple of questions.

*******:** Sure.

Fritz: Thank you very much and this is a very exciting project. I have specific questions about the Barbur transit center since I visit it twice daily. Are there parking spaces going to be lost through this design?

Marriott: I don't know. Do we know?

Lehto: I think I can cover that. No, there will not be any parking spaces permanently lost. The -- the infiltration treatments are in places that are paved but not parked on right now.

Fritz: As far as the construction management schedule, I have in my notes it's going to be done by June 30th. And I wondered if there's been -- if there could be some consideration to instead doing the construction over the summer. It gets heavily used by students parking there to go to PCC Sylvania of which there are fewer over the summer. So if we were able to avoid disruption to the commuters during the -- when PCC is in session, that would be very helpful and it would mean that you could cut down on the maintenance of.

Marriott: Yeah, I think commissioner, we'll look into that, but I'm suspicious it has to do with when the fiscal year ends.

Fritz: Oh. The challenges that that facility already has insufficient parking if you don't get there by 8:00, you're out of luck and there's no place else in the neighborhood to park. Let's talk about it and see what we can do.

Lehto: One thing, in terms of dealing with the demand there, for those coming from the south, we do have a park-and-ride in tiger that's not full a-- in Tigard, that is on the same bus line into define. We'll try to take advantage of that for those headed in that direction.

Fritz: It's more the people living in Portland and wanting to get downtown that have the trouble.

*******:** Hmm.

Fritz: I don't know of an alternative location.

Lehto: There are, but they tend to be small shared use lots on other lines. We'll do what we can to get the information out and phase the construction so it's not impacting everything at once.

Fritz: That would be helpful.

Adams: Thank you very much. Anyone signed up to testify on this matter?

Moore-Love: No one else signed up.

Adams: All right. Anything else commissioner?

January 26, 2011

Saltzman: No.

Adams: And I assume this is an emergency to get the work going, right?

Saltzman: Yes.

Adams: In the next contracting season. Karla, please call the vote on emergency ordinance item number 83.

Fritz: Aye. Very good work. Thank you.

Fish: Aye.

Saltzman: Well, I want to thank the Bureau of Environmental Services, Department of Transportation and Tri-Met for putting their heads together and figuring out a way to do needed improvements that will as I said in my opening remarks protect water quality and habitat. Surface runoff from parking lots or transit centers is a huge source of runoff that often gets in our rivers and streams and causes pollution and erosion. So undertaking these projects, I think, leads the way, shows how future collaborations between Tri-Met and ODOT and BES can make a serious dent in the runoff in parking lots and keep it out of our rivers and streams and treat it naturally through filtration methods. Aye.

Leonard: Aye.

Adams: Aye. [gavel pounded] 83 is approved. Please call the vote for emergency ordinance item number 84.

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

Adams: Aye. [gavel pounded] 84 is approved. 85 has been rescheduled till February 2nd. Do you need to read it? [gavel pounded] Moved to February 2nd. Gets us to the regular agenda.

Moore-Love: I have it as a time certain at 10:15.

Adams: Sounds good. So noted. Can you please read the title for resolution -- council calendar item number 100.

Item 100.

Adams: Commissioner Dan Saltzman.

Saltzman: Thank you, mayor. I think to -- first, we have a substitute that we need to move, and so I would move the substitute.

Fish: Second.

Adams: Where is it?

Saltzman: And the difference in the substitute is we clarify that the five-member citizen oversight committee is to be composed of one member appointed by each member of council. There was confusion the way we drafted that earlier. Five people each appointed by a member of council and the second major change is to remove language that spoke about the independent oversight committee applying to projects over \$500,000. We've spoken with Ken Rust, the Director of OMF and we're confident that there could be problems by putting in a specific dollar amount but we're confident the overall goals of this effort will be met without having a threshold above. So it removes the \$500,000 as the threshold. Those are the two changes.

Adams: It's been moved to recognize the second additional discussion on the motion to substitute. Anyone wish to testify on the motion to substitute? Karla, please call the vote.

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

Adams: Aye. [gavel pounded] motion is approved. Commissioner Saltzman.

Saltzman: Thank you, mayor. This resolution is before us today and it's been discussed with all my colleagues on the council and the auditor's office as well and it's really an effort to incorporate best practices regarding oversight of technology projects, particularly hardware, software and telecommunications projects. I think we all know that these are complicated projects. And oftentimes, the budget we're starting out with doesn't end up being the budget we end up with. We need an effort to instill best practices to ensure better oversight of these projects by both the city council and independent body of citizens and so this -- and also by outside or external quality

January 26, 2011

assurance consultants. So this resolution actually states these following principles that we ask OMF and the City Attorney's Office and the Auditor Office to return to us in terms of the ordinance. The four principles. Establishing a five-person oversight committee for these projects. Nominated by -- five members, and each one of us nominating one member. And OMF has the ability to add -- or the Office of Management and Finance has the ability to add additional members as expertise may be required for a particular project and ideally want the citizens to have backgrounds in information technology and professional services and so we state that in the resolution and this committee will be convened at an early stage, early enough to actually consult with the office of management and finance or other bureaus about the request for proposal, so getting these outside citizens involved at an early stage and making sure that request for proposal is really getting at what the problem is that needs to be solved. Whether it's new technology or upgrades to technology, that those citizens are impaneled and consulted early on in the project. The second aspect of this, which is already a standard project something that this resolution will state is to bring in external quality assurance consultants on all such projects that are going to be reviewed or projects that will involve I.T. hardware, software or telecommunications projects and we've done that with the replacement of the water billing system and we've had them for the sap project and new on the public safety revitalization project and I think they -- this resolution simply states they will become a standard item for all such projects. The third item in the resolution is to state that the council will on a quarterly basis as we did, I think, the public safety system's review project -- did I get that right? Public safety revitalization project. We had a briefing on that now several months ago, I want the council and the council should be more involved on a direct basis as a body of five people, meeting with the project managers, meeting with the independent quality assurance consultant and also meeting with members of the citizen review committee to review these projects on a quarterly basis. I think it was helpful at the PSRP hearing to hear questions I had and questions other members of council had. I think that made an excellent work session and something we should replicate for all main projects in the future. And then the fourth items is having early involvement by the citizen review committee or the citizen oversight committee. At the request for proposal stage. So that's in essence what the resolution directs OMF and the City Attorney and the Auditor's Office. We have invited testimony. Ken Rust, director of Office of Management and Finance. And the Bureau of -- and the City Auditor, LaVonne Griffin-Valade. All three want to come up here.

Leonard: I wonder if I might ask a question. May be able to help answer this. When you and I met on this idea, what -- what I -- the only concern I raised was I wondered if the oversight committee began early enough.

Saltzman: Right.

Leonard: And I'm not seeing in here language that -- reflecting that concern. If you have them beginning to meet and oversee the project, beginning at RFP stage, the decision's already been made to pull a RFP. The projects I've been involved in from the beginning to end are the PSRP project and the automatization and I directed they demonstrate is to council the need to begin the analysis. The problem I've encountered has in the necessarily been once a project is underway, it's managed improperly. It's actually the step before that, whether or not the project should have happened in the first place. Without being too specific.

Saltzman: Right.

Leonard: For me and as we discussed in my office in December, what's going to be important is to get language in here that allows for technical oversight at the front end. In other words, I came to council and said, here's how BDS currently managing the permit through the process and walk the council through the paperwork that went from desk to desk that required a shopping cart. This doesn't capture that earlier discussion that I think needs to happen. SAP is a example. I happen to thing think it was the right thing to do to go to SAP. There are a lot of people who think I'm not sure it didn't cause more problems than it solved. But this resolution wouldn't have gotten at that,

January 26, 2011

the way it's drafted currently. What I would like to hear -- maybe I've read it wrong, or some language I think needs to be drafted that really captures that critical first stage, that is, deciding whether or not you should go ahead with the project at all before you even begin an RFP.

Saltzman: I think we have a further resolution on page two. Utilized on the front end of the project through the review and input of the request for proposal or request for information. To ensure they're reasonably scoped and feasible. It doesn't get to your point, as you said, whether they're necessary.

Leonard: I think we need to have that discussion. With an oversight group independent of the city. I think I used the example with you that I remember vividly, the first discussion I had on the SAP project and the way it was framed to me, it seemed to make sense. However, had I had the benefit of having a -- you know, technically competent group of independent oversight folks to say, here's another view on that, it would allow me to ask questions that I didn't know to ask in that first meeting.

Adams: Commissioner, if I could add on that. Spending some money on some outside technical independent consultants does not expressly get any more work.

Leonard: Correct.

Adams: That's a penny wise and pound wise. Because we're not -- the difference between SAP and what you're doing is a significant difference in expertise. And we're often out-gunned in finding five people who are going to be experts on every major possible and deeply technical complicated issue is going to be hard. So I would like to see as part of this as well and announce you'll work -- an annual work plan that's part of the oversight committee and we authorize where we think necessary but at least be open to outside expertise to do that upfront -- to advise us on the upfront question: Should we do this at all.

Saltzman: The resolution does allow OMF to add additional expertise.

Adams: But expressly is important.

Leonard: This is clear that it starts at the RFP process and I'd like it to start one step before that.

Saltzman: We're asking them to come back with implementing ordinances and I think your point is well taken. I can try to craft something on the fly here that addresses your point or I think we've established what we want.

Leonard: I'd be more comfortable voting for this with specific language. For me, that's been the problem I've experienced since being on council, the decision is already made and we're trying to manage a decision that was made that probably should have been decided differently in the beginning.

Fritz: I have a suggestion for the amendment for that. In the second, be it further resolved, we could add to it so it states that the oversight committee's expertise is utilized on the front end of the project, through their initial scoping and preliminary before we review. Utilized on the front end and input for the request for proposal. Does that capture what you want?

Leonard: I think we have to be careful. I'm not sure the initial scoping actually captures what I'm trying to say. I'm talking about even probably before that, as the idea begins to bubble up that you need to do a certain technology improvement, that should trigger, whatever that language is that that would trigger that oversight should happen at that point.

Fritz: Maybe we need to work on the resolution for a week and come back.

Saltzman: Let's hear from our panelist and maybe they have an idea or two on that.

LaVonne Griffin-Valade, City Auditor: Good morning, LaVonne Griffin-Valade, City Auditor. Happy to be here. I definitely hear your concerns and I think we can all agree to -- to figuring out whether these projects are necessary to begin with and then also a plan, an annual plan is terrific. I'm very supportive of this effort to improve the oversight of large projects. I've long been concerned about the capacity of public sector organizations in managing these large and complex projects. I'd actually like to see something similar for capital construction projects as well but this

January 26, 2011

is a good step forward. And I'm happy to participate in developing the language for implementation of the oversight committee. I do have to warn you that, those, this does not preclude the Audit Services division from auditing these projects in the future. So that's --

Adams: Of course, not. Is there something in here that raise that's concern for you?

Griffin-Valade: No. I just wanted to --

Adams: Hope not.

Griffin-Valade: Make sure that's understood that I definitely plan to audit these projects in the future and I'm supportive of these efforts and a long time in coming for the city and I would encourage Multnomah county and other public sector oh, to do a similar initiative. So I'll turn it over to Ken and Mark.

Adams: Can I ask you a question. My concern with the resolution the way it's written now and I know the intent is good, it sort of captures what we've been doing already and hasn't worked and the issues raised by commissioner Leonard, I think are really important and the one -- the point that I raised, I am very passionate about. I feel repeatedly out-gunned by the complexity of these projects and having more experts which we did on SAP, I wouldn't vote for it when I became a city commissioner unless they assembled an outside group of experts. It didn't work. Because they weren't involved in the conception. Which happened in the last year the Vera Katz's administration and I wasn't here. I'm asking you to reflect on your audit, a lot of the stuff in here, not the standing committee but others, were doing and failing. What's missing from this resolution? I thought what was raised was clearly ripped from the pages of your audit?

Griffin-Valade: I think so too -- think what has failed in the past and in discussion was commissioner Saltzman and staff, the ongoing transparency that an independent voice is not the voice coming back to council and sharing concerns. And making those concerns not only transparent but clear that those need to be addressed before moving forward and so that's some of the issues that I think we would hope that this oversight committee would be able to bring to the -- these large projects is not only the alarm bells because the alarm bells did go off in the SAP project, I know for sure, but making having that come from -- having that come from a committee with authority to step in and say we need to stop now and we need to address these concerns.

Adams: The other thing that -- there's a fellow in the audience named Dave Lister that when I was elected to city council and was very concerned about this project and I asked a number of questions because he has expertise in this area and one of them was we own the code. He mentioned we were out-gunned in terms of the specifics of each project. And I don't -- and some of that came up in your audit as well. And I -- I guess don't you want more of your audit recommendation contained in this marquee headline of your audit?

Griffin-Valade: Of courses.

Adams: And an think the comment by commissioner Fritz is an excellent one. Take a week to go back through it.

Saltzman: I didn't hear commissioner Fritz say take an extra week.

Fritz: I did.

Griffin-Valade: For the resolution.

Fritz: Right for the resolution. It's makes sense to put more time in it. I want it hear from the witnesses and public to sigh what they want to do you -- see what they want to do but as the mayor says it's more to make sure it's all encompassed.

Leonard: The other thing I would add, if we're going to spend time crafting it and I didn't talk about commissioner Saltzman about this in December, but it's something I considered as this was being brought forward is one of the things I've notice noticed, it's been an important dynamic for me, to know I'm personally accountable for a particular project and so in the case of the computerized system that BDS and the case of the SAP, I was asked by former Mayor Potter to be a liaison to the project, and I'm painfully aware if something goes wrong, it could look like another

January 26, 2011

I.T. project that's occurred in the past that doesn't reflect well on the city and I'm wondering -- and I'm not saying it should include this, but the possibility of naming a person on council to be -- even if it falls under the mayor's perfect view, in OMF, naming a council person as a lay sedan to the project, I think that's a huge motivating factor to make sure that a person is accountable on the council for the project and be engaged more than you would otherwise be knowing it falls in your lap if it goes south.

Adams: I think in my executive order put you signing orders for this project.

Griffin-Valade: That's an excellent suggestion and as we go through the process of developing the authorizing ordinance we'll come around and chat with you and make sure -- in the resolution.

Leonard: I'm not saying at this point it should be. But if we're taking a week anyway, I would like to have a discussion with commissioner Saltzman and my colleagues because I know it's made a difference in how I approach projects. Versus a passive -- versus the day-to-day operations gives me a chance to -- I mean, I work closely with Mark and Ken on the PSRP, at a level I would never work with them given it's ultimately going to come back to me if something goes south. The same with the BDS project. I know for me, that's a huge dynamic in how I approach this project differently than -- I'm wondering since we're taking this approach open I.T. promise, if we shouldn't look at what we've found that works as well and include that as part of the template as we move forward.

Fritz: I'd like to add that our experience -- I think this something particularly important with the commission form of government. With the public safety revitalization project, the mayor and myself, and commissioner Leonard, who has fire, and having him as the champion of that project makes it clear it all city staff they can come to me with concerns about their concerns and I'm going to talk about with commissioner Leonard and we'll figure it out together and that's crucial to what we're seeing in the work session we had in December, that that project is indeed moving forward very smoothly.

Adams: And when there was an -- normal and helpful on that particular project when it was it -- when there was staff disagreement, I reiterated that the decision maker is commissioner Leonard.

Fish: If I could step in for a second. I'm currently the council champion on one I.T. project, and that's to get my iPhone to work properly. [laughter] If past performance is a predictor of future success, I think we may want to think twice about having me as a council champion. What I would say is that what I'm hearing in this discussion is that the framework that Dan has proposed has actually begun to generate a lot of good ideas and in my view, it's in some respects a compilation of existing practices and incorporates best practices and what I learned recently when Ken and his team briefed me on it, they had ideas for further refinement. What I think is happening, we're getting to what the mayor referred to as an omnibus approach. That brings clarity and while I was generally ready to vote on this today, if it's the will of the council for another week it make sure we've got it right and it's this discussion that gives us the catalyst for that roadmap.

Saltzman: I'm fine to take another week and it's good to get these issues out.

Adams: Anything you'd like to add?

Kent Rust, Director, Office of Management and Finance: I'm Ken Rust, the director of Office Management and Finance. I'm supportive of the resolution and intent. All of us have been bedeviled by these projects and they're difficult and complicated and we've tried using techniques. Q.A. consultants on almost all of the city's major software implementation projects over the last 10 years. We had Q.A. involved at the earliest stages before we hired any vendor. When -- we utilized citizen oversight to assist with the go live. And this is not necessarily a guarantee but having additional eyes and input is helpful. In that particular project, we did a lot of work in the pre-project phase. We had an independent firm assess feasibility of it twice before we brought it to council. We had quite a few eyes on that. Over the course of that project, I probably talked about each council office dozens of times about the status of the project. In terms of transparency, we've

January 26, 2011

tried to engage council, not collectively, but certainly individually. And all of those are indicators that even the best laid plans won't necessarily guarantee success because some of these things are a bit of not knowing what you don't know until you get into it. And I don't think we can design a process that will eliminate all risk but we can do a better job trying to track that and make sure we're involved, and that's something I'm interested in. I know there are things we were concerned about in the resolution in terms of the threshold and what defining a major project. To engage the input of the citizen experts to help us develop a rule what is a major project. Some things -- even though they're expensive may not have a lot of risk. Some may be small but have a lot risk embedded with them. And engaging our experts would be helpful. So those are the thoughts that I have. I think it's timely and necessary. And I think we're going to have to continue to work at how to make the process, allow us to make good decisions but recognizing that sometimes even that won't necessarily guarantee success and that's unfortunately, part of the problem with these projects but I think we can do a better job and I know we've learned a lot from the experiences over the last 10 years.

Adams: Mark.

Mark Greinke, Chief Technology Officer, Bureau of Technology Services: Mark, City's Chief Technology Officer. I want to stress two things that commissioner Leonard brought up that are important. We have a tremendous portfolio of requests for projects. More than we can actually deliver and one the challenges we face is making sure we're working on the projects that serve the best interests of the city. So having some structure that decides these projects should even go forward I think is critical. Lots of off times they come through and it's first come first served basis and I want to applaud commissioner Leonard for understanding that. And also, it's important, these are technology projects but they're meeting business needs. Not understanding the stream importance of having the business partner at the table explaining why the need is there is important and having a council champion because they and you address problems that meet all of your post needs is extremely important to have one person -- a portfolio needs is extremely important and have one person.

Fish: When you gentlemen visited with me, you raised the question if we create this new system and it's embedded in an existing process, some oversight, do we end up with duplication or other things? And I think you used PSRP as an example. I'd be interesting in knowing how we avoid unintended duplication.

Rust: We have that potential and a newly formed oversight important the geobond -- the.

Fish: Ken, in any rational system there's a way to make the council aware there's the potential for duplication and we can grapple with that, but I'll say that what I think often gets us in trouble is that we don't have enough of a discussion about risk at the front end. When we're honest about risk and I'm previewing on Thursday we'll talk about the greenway in south waterfront and we bumped up the word "risk" on the slide and put it in red because the council has to make judgments based on risk. And there are some risks we can't control including whether we had another flood like 2006. If we're completely transparent about the risk and ask the question that the mayor and you asks, why are we doing this again, then I think we bring the public along with us and making sure that everyone understands the parameters and that's the spirit of what we're trying to do here.

Adams: And I agree with your concern about duplication. I think that my experience over the years just to -- the other side of the coin, is that the difference in the needed expertise on a SAP project versus the needed expertise on the water bureau billing project, can be significant. And so I think looking at -- and five people that have sort of that universal sort of experience and expert tease and the volume -- expertise and the volume of work we do, so I think a point well made and I also want to match experience. So the first thing I saw in sap, the steering committee was bureau managers. They're not -- they're not -- if one of them happens to be technically proficient enough to provide meaningful oversight to sap, that's great. But I thought at the time that was a needle in the

January 26, 2011

haystack and the suggestion of outside experts on that project worked. I'm concerned we're locking in something that actually is locking in too much of the status quo. That hasn't worked. And an really, in the next draft, want to see, especially out of the auditor's office, if you would take the request sort of what are we going to do differently and how is it responsive to specific action items called for in your audit. Which I thought was an excellent audit.

Griffin-Valade: Thank you. Happy it take up that request.

Adams: We'll take testimony ton this draft and then move it on to next week. A week or two weeks.

Saltzman: A week.

Adams: Anyone signed up to testify on this matter?

Moore-Love: We have two people signed up. Dave Lister and John McCormich.

Adams: Welcome back to the city council. Give your first and last name. The clock will help you count down your three minutes and let us know if you're authorized to lobby.

John McCormich: My name is John McCormich, and I'm an attorney at the Standard. Portland's largest downtown employer. I'm not authorized to lobby on anyone's pacific and I'm a Portland resident and taxpayer and thank you for allow me to come and testify. I enjoyed the discussion. At the Standard we serve approximately eight million customers around the country and our information technology needs and resources have expanded greatly over the half the decade or so. In my current role, I manage contracting procedures at the standard. Specifically information technology contracts and the negotiations of those contracts. Prior to joining the Standard, I served a similar role for the Oregon Department of Justice as an assistant attorney general in the general counsel division there. I have over 10 years experience in drafting the sorts of contracts you're talking about here this morning and the subject of resolution. During that time, those 10 years, I have been involved in successful projects and projects that have cost overruns and schedule overruns and I think those risks that you've -- as you've discussed are inherent in this work and what I want to do is over standard's support in your efforts to mitigate those risks and take steps to avoid them in the future. We believe and I believe permanently that the city would only benefit by the creation of the oversight committee you're talking about this morning. As you mentioned, mayor Adams, five people is not a large number of people, and having worked in the public sector, I've been on the other end of being out-gunned by resources but I think that the appropriate mix of technical project management and legal resources can provide a valuable service to the city and perform a valuable function throughout the project life cycle of these projects and commissioner Leonard, your comments at the start of the discussion were well taken and I fully support that approach to these sorts of projects. I've seen it work very well when appropriate resources are involved. Much prior to the RFP stage and the initial decisions can be made using the proper input. If you do choose to adopt a resolution today, I'm here to offer the Standard's support to help in any way we can by contributing expertise, any experience we have that might be helpful and assistance in creating this oversight committee. So thanks again for your time. I'm happy to answer any questions you might have based on my experience.

Adams: Thanks for your offer. Appreciate it so much and you're so close.

McCormich: I'm close, I can come across the street.

Adams: Sir?

Dave Lister: Good morning, mayor Adams, members of council. My name is Dave Lister. I started doing systems work in the late 1970s and cofounded integrated data concepts in 1985 and we're about to celebrate our 26th year in business doing custom software development for business and industry. Not a bad run for a tech firm. We've watched a lot of city projects over the years and joked around the office, if we can get one city contract we can all retire. That hasn't happened. You've hit on the points I wanted to make but I do want to iterate. First, technology is a vast field and you can't say you're going to have a board of five steps that are going to be able to cover

January 26, 2011

everything that might come up. My personal background would be useful for things like utility billing systems or payroll. But if you ask me to help you to a automated email notification system, my eyes would roll back in my head and I wouldn't know about it. As you work on this resolution, you might want to consider a core committee and give them the ability to bring in other expertise as needed on the particular project. Commissioner Leonard's point is excellent. After the RFP's been crafted, the horse is out of the barn and after that, the vendor is going to tell what you want to hear, the bureau managers will tell you what you want to hear but you won't have any independent voice.

From what I know about the SAP implementation, if I had been involved in talking with you about that at that time, I might have said don't attempt to integrate all of those payroll systems, it won't work and leave them in place and create a interface. So that's the input you can get from folks from the outside. And it should happen before the RFP process, it should happen before you even decide to go forward and that's a very good point. There's no reason to adapt technology just for the sake of adapting technology unless it serves some purpose. We've worked with our clients over the years and tried to avoid what we call the bleeding edge of technology and try to keep well back of even the leading edge of technology. But in conclusion, I think it's a great idea. I think you should do it. Have a diverse group. Get them involved early on and that's all I have for you.

Fish: In our council discussion, a lot of good ideas have surfaced that can strengthen this resolution. Is there anything in the private sector around quality control that's conspicuously missing from the approach proposed?

Lister: This may not be in answer to your question. But the most important thing we try to do in our business that oftentimes is overlooked, you have to get the users, the low-level users of the technology, the system, involved early on. I can't tell you how many times we've written a system based on management specifications and then put it in front of Sally who enters the purchase orders and says where do I put the purchase order number? And the managers look at each other and say, "We didn't know you needed that on that screen." So input from the users is the most important thing. The bureau management level, they're up there, looking at the big picture but you have to talk to the people in the trenches about what they really need.

Fish: Thank you.

Adams: Thank you, sir. Thank you both, appreciate you taking the time.

Saltzman: If I could just --

Adams: Summarize?

Saltzman: Yeah. I wanted to summarize the core principles are to establish citizen oversight early on in the process and even as written now, will move it up to having the committee look at the feasibility. I do want to restate because numerous people have said you need different services and skill sets on the committee. This resolution does allow the office of management and finance to add additional people but I think it's important that each one of us appoint a member and the other point of this resolution, two points, is to bring on independent quality assurance for consultants for all qualifying projects and finally we have collective oversight by the council itself on a quarterly basis. I think that's an invaluable thing that doesn't really exist now that I think can make sure we're all paying attention and as the PSRP briefing demonstrated and we're return next week and talk to you all between now and then --

Adams: The things we specifically raised, this is actually -- to Mark's point, this is actually -- I.T. is in service to a higher purpose, to approve business practices and service and efficiency and I'd like the appropriate mention of and thought of how before you can consider -- or as part of considering whether I.T. stimulus is needed, there needs to be business protocol and business improvement aspect to this. And we talked about -- I mentioned the annual work plan. And -- there was a notion -- there was one other item. You had one.

Fritz: Two. One in addition to OMF being able to add citizen member, I'd like the council to have the ability to have them on a particular project and some of the structure that would do the same

January 26, 2011

thing but having council input as well as OMF input as to whether additional citizen input is needed and what Dave Lister raised. Putting front line users early into the process. I experienced that as a nurse. That sometimes that's -- the very thing that Dave said. The managers didn't know how we actually managed on the unit.

Adams: And also to have the auditor go through your audit with an eye to -- in the resolution, because that becomes what is communicated. Our conversation here is not communicated out to the bureaus as effectively if it's not also contained in the resolution. I'd like to see that you've got your recommendations specifically covered in the resolution. All right. Unless there's objection, item number 100 moves to next week's council hearing for further consideration. [gavel pounded] Ok, can you please read the title for resolution item number 101.

Moore-Love: Did you also want to read 102?

Adams: That would be great. Yeah.

Items 101 and 102.

Adams: Hi, welcome.

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

Adams: Go ahead.

Art Pearce, Bureau of Transportation: Thanks. So council's familiar with the Portland-Milwaukie light rail project and all it can bring, I think to the central east side and southwest Portland. As a staff person working on the project, one of the other things I've been pursuing is the associated infrastructure projects that can help make the system work more effectively and bring more long-lasting benefit to the district surrounding it. Mayor Adams referred to this as the knitting projects, the associated -- southwest moody was the most significant work that we needed to take on and that's heading to construction as we speak. Since passing southwest Moody, I've started to focus my attention on inner southeast on the projects in that area. I'm bringing a status update on two projects we've made project on and looking for direction from council in continuing moving forward. And a quick review. Here's the Portland-Milwaukie light rail alignment going through southwest Portland and inner southeast Portland. It has the potential to create a lot of opportunity for the area in its own construction but also the ability-to-dramatically change the way the corridor functions and gives rise to the need of these associated projects I've been speaking about and I'm pursuing to try and formalize those projects and get them funded so they can be implemented along with the Portland-Milwaukie light rail project. As the light rail alignment and the bridge alignment was chosen a couple years ago, OMSI did a master plan process looking at the future vision for that area and also with Portland opera and coming out of that process, it was determined that the existing alignment for water avenue was not the preferred long term alignment and a relocation to water avenue, similar to how BDS has done a detour currently today, it allows for a campus to emerge around the light rail station there that could support OMSI uses and opera uses and the like.

So the red is the current alignment for Water Avenue that's closed right now because of the big pipe construction and the green is the new alignment that's proposed to relocate Water Avenue. This does provide a direct connection to southwest 4th avenue and a better connection on to the vision and will improve some of the previous jogging and pedestrians and cyclists had to do to navigate the district.

Saltzman: Access to southeast 4th.

Pearce: S.E. 4th, excuse me.

Adams: It's a tunnel.

Pearce: But what would do done with the old water avenue as it backs the centerpiece of the sites around there. And tiger one tiger two and this is one we've been on the hunt for. Pretty standard cross-section. Vehicle lanes going both directions and stormwater facilities and sidewalks on both sides of the streets. On the west side is where orph is planning the historic railroad museum and I know commissioner Fish has been actively involved in and on the west side is where future OMSI

January 26, 2011

development would occur. One the actions I'm asking of council is to amend the TSP. Direct PBOT to reflect the new alignment of the roadway and a scent act that the transportation planning staff --

Adams: Stands for?

Pearce: Transportation system plan, thank you. So the core of the TSP would be to realign the primary modes of travel to this new alignment but retain local travel needs for the existing roadways. Part of the roadway is designated and not built and that's between Carruthers and Division. But the greenway designation still exists to stepped the greenway over time as the city initiates a process and as the parcels develop. Any questions on that part yet? I'm very familiar with -- all right. So in terms of the status of the project. 30% design is complete. In part -- large part by help of tri-met staff assisting in continuing to move the process forward. What I have in front of council today is a memorandum of understanding of essentially the interested parties in water avenue and that also includes a conceptual funding plan. We're close for Water Avenue being ready to essentially pass the project over to tri-met to continue with the design and implementation of that. We're not quite fully funded yet but as the design progress, we'll get there. About \$125,000 short currently. What the plan would be as we solidify the funding package and further the design coming back to council for a further action to accept funding from various parties and moving the project forward.

Adams: In terms of the council's action, it is to authorize the pursuit of further design that would lead to the official action of amending the transportation system plan?

Pearce: Right, and so essentially by this direction today, the transportation planning staff who are planning to did a technical update would include this in their package to pursue.

Adams: Which then comes back to city council?

Pearce: This is an intermediate step. One key point is that Tri-Met is planning to commitment find design in the coming months and this is an important element that should be included this the Portland-Milwaukie project as the other pieces come together.

Adams: More?

Pearce: The second item, 102 is the Clinton to river path. At the right of your screen is the end of the Clinton street bike boulevard. If anyone has traversed heading west, you don't know where to go when you hit Clinton at 12th and people use sidewalks and many different directions as they try to navigate fly this area that has heavy industrial use and hard to navigate. So this utilized the -- utilizes the alignment of the Portland-Milwaukie project for the -- getting you down to the greenway system as well as to the new Portland-Milwaukie bridge.

Leonard: Currently, going west on Clinton, they actually go through Ladd's addition on 20th and what you're saying this would be a -- meet up with Madison?

Pearce: Right.

Leonard: And go over the Hawthorne bridge?

Pearce: Over the Hawthorne bridge.

Leonard: Instead of turning right on 20th, you continue down Clinton and then the first change, a cyclist would see at --

Pearce: At 11th there.

Leonard: What is that?

Pearce: Currently Northwest Natural has a site there and there's a union pacific line and a gravel bed adjacent that some cyclists use today and that would formalize that route.

Leonard: How would one cross differently those multiple lanes? That's where it breaks off in two, one going north and one south. How does one traverse that safely?

Pearce: The Portland-Milwaukie that has a design where there's a crossing at Clinton of 12th, a crossing of the tracks and another crossing of 11th.

Leonard: But there's not a bridge.

January 26, 2011

Pearce: Not a bridge. Right. One benefit of being able to incorporate this with the Portland-Milwaukie project is the level of change anticipated to the Portland-Milwaukie project gets us most of the way there to making these changes and then the additional funding needed is to implement the path connection.

Leonard: That would be a safer route --

Pearce: By far.

Leonard: -- than the current route of going through Ladd's Addition?

Pearce: I think it would provide an alternative. Particularly those using the light rail bridge and head to OHSU and the other key part and you'll hear testimony from people who live in those inner southeast neighborhoods is this creates a connection from residential quiet calm streets down to the regional trail system. If you're trying to go on a bike ride with a child, this might be a route that's feasible.

Leonard: Right.

Adams: You have a lot of personal knowledge.

Pearce: There's a whole number of bike boulevards that come through this area, many of them all having over 2500 users a day but not a good set of connections between them. This could become a connection hub for those routes and the same for the pedestrian network in the area. A lot of pedestrian networks not well connected to each other given the industrial character of the area. This is suggested a tsp classification change and identified in the bike master plan but not yet added to the tsp. So both the project list and the classification could be changed to acknowledge the presence of the future paths. For this project, a little less progress has been made but still quite a ways there. Portland-Milwaukie staff has helped in furthering the design. It accommodates the path but we don't have the funding to produce the path itself but strong community support and a pending grant with the State of Oregon that would provide the capital funding for it. In addition, both Water Avenue and the Clinton to river trail are subject to a conversation around additional overlays we're looking at to fund the light rail project and possible other projects so there's another source that could help with funding that's in the conversation at this point.

Adams: As our goal as a council and one that I certainly promote every chance I get on my projects, even if we don't have the money to implement, we're designing to get multiple benefits walking, biking, what have you and transit and movement -- improvement for cars.

Pearce: Absolutely. And quite a work has been done with stakeholder groups on the Portland-Milwaukie projects as well as direct briefings on these projects that I pursued this past fall. We went in planning in October and had an open house in November. There's quite a bit of excitement for the potential of these projects.

Fritz: Have you heard any concerns?

Pearce: I think one of the concerns is how we will -- how the design will be attractive enough to make a predictable where cyclists will be coming through the area. There's concern from current users and adjacent parcels that essentially cyclists and pedestrians are everywhere without being predictable where they go. One of the key elements to the Clinton to river project is to make this predictable so there's less conflict of interests in other locations.

Fritz: So is the site supportive?

Pearce: They are. It takes -- it focuses cyclists on to Carruthers Street and this takes the pressure off to provide higher level of access for cyclists.

Saltzman: Can you go back a few slides where you show the Clinton Street? What's happening with connecting the Springwater corridor? I know it's not your -- I did see a blue line, is there anything to report on that?

Pearce: I know that the middle parcel of the group of parcels there, I believe, has agreed to dedicate and construct a trail segment for that segment but at this point, we don't have progress on the other two parcels. And that's in the resolution for the Clinton to the river Water Avenue, I've

January 26, 2011

included direction from council for us to continue to find a strategy how to do that and bring parks into the conversation since they're the keeper of the greenway trail.

Saltzman: Thank you.

Pearce: So in terms of next step, council's support today is very important to keeping the process moving. As I mentioned, the transportation planning staff are ready to include this into the technical update and we'll continue to pursue more funding and hopeful on the transportation enhancement grant that's pending and both of these projects were in our tiger two application and these are projects well poised to be supported by grants as other opportunities come up. We'll be coming back to council with funding agreements and clarity on the design and then the plan could be to have -- would be have the projects constructed concurrently with the Portland Milwaukie construction.

Fritz: There's obviously a lot of value in doing the projects at the same time as a major project.

Pearce: Absolutely.

Fritz: How would the citizens also waiting for sidewalks, how does the prioritization in transportation of which projects, asking for state and federal funding for, how is that worked out?

Pearce: Currently, for the that. Grant, the Clinton to the river is one of those -- outer southeast, safe routes to schools, we're trying to be cognizant of balancing the requests of inner and outer neighborhoods. That reflects that. There's a lost opportunity when a major capital project is occurring to not support that. It would be harder to implement these projects later on.

Fritz: You mentioned a possibility of additional systems development charges from residents down businesses in this area.

Pearce: Correct.

Fritz: Is there any other gas taxes or funding going into this project?

Pearce: Currently no, it's the SDCS and in addition to contributions from the adjacent property owners and including Tri-Met has agreed to be a partner in the funding of water avenue project.

Fritz: Thank you.

Adams: Just -- I appreciate your questions to make as understandable to an ample -- there's no such thing as an average Portlander. Above-average Portlander. And that's that local area residents will be using this and benefit from the potentially increased property values, they'll be paying for these improvements. It does not come out of some other part of the city. I appreciate -- we have that in our heads and need to speak to that more and more. To be respectful of council's time, I asked a couple of key people to join me today and I think they would like to speak briefly to each of the projects and that will be the end of that. The three people are Amy and Sue and Paul Carlson. Good morning thanks for being here. Please have a seat. You'll just need to give us your first and last name. The clock in front of you will count down your three minutes and let us know if you're authorized to speak as a representative of any group or business or what have you. Non-profit.

Susan Pearce: I guess -- shall I go ahead? I am -- you have a letter coming around, my prepared words and I emailed it to you this morning. And I'm hoping Art comes back because lied like to digress from what I planned to say to correct a little bit -- some of what I heard a few minutes ago.

Fish: Can you introduce yourselves?

Pearce: Sorry. I'm Susan Pearce, I'm representing both myself and I'm the Hosford Abernathy board. And additionally, if I have time to speak, to support what Paul has to say about Water Avenue, I can do that with a different hat. The Clinton to Carruthers' plan, doesn't replace or improve on the existing route from Clinton's bike boulevard to 21st avenue through Ladd Addition to Madison. What it does improve upon is an existing difficult route through the central east side industrial district from what we call Clinton, 11th, 12th, so what it improves upon is that existing difficult and make safer. There are -- there has been some concerns about the route you were shown because on the bike -- mostly the bicycle community, the pedestrian community would much preferred to have the route continue north by northwest across the northerly natural property and

January 26, 2011

continue and go to Carruthers, and people are realizing that's impossible because of the safety issues of the way the buses are coming off the new bridge so there's a jog that for a little while continues on division place and then to I think it's 7th and then Carruthers, although I don't officially speak for them, the central east side industrial -- I work with them closely, they suggested to me that Carruthers as a alternative so we can separate the freight and bikes. And happy to separate the two.

You have my letter and if I can change hats as a member of the -- because I work closely with central east side industrial council and as a member of the Portland-Milwaukie light rail citizens' advisory committee, I very much support the plan for the Water avenue. I also sit on the Oregon rail historic foundation, the or -- the board and we're in favor and that will improve the ped and bike as well as the connection to Springwater corridor because for that short period of Carruthers, while not in use, Water avenue and fourth will no longer include freight traffic -- I've run out of time.

Adams: We can never say enough how much -- I know I speak for the whole council when I say thank you for your two full -- two full-time, three full-time jobs for not only advocating for your part of Portland and the city wide issues by your active participation in what must be a dozen different efforts.

Fish: She's identified at least six hats today. The project you alluded to is your effort to find a home for the historic locomotives and hope will be in a re-reign view near OMSI that the council has been a strong supporter.

Fritz: On our four-fifths agenda at the end of the meeting today we're appointing Susan. When you want to get something done, ask a busy person.

Adams: And that's because she had a couple of hours Sunday morning -- it's like an episode of this is your life.

Adams: Ma'am.

Amy Ruin: My name is Amy, a volunteer member with the Hosford Abernathy neighborhood and I'm in awe of Susan. Thanks, Sue. And the countless others who have pursued the project. The Clinton to the river route. And not only am a volunteer board member but a parent and a small business owner and live just over a mile from the Willamette river. But I visit its shore I must confess, less than once or twice a year. Because getting to the river where I live is complicated and dangerous, especially when I have a child in tow. I think about the squeezing by that I have to do to get to the river, it makes me think it's not worth it. And I want to add a personal experience about the Willamette as a 6-year-old, one of my earliest memories was working along and discovering a turtle along its bank and years later, downstream of the river, that my daughter knows is a different place. And her toes don't touch the water here and I think the day will come where she and others will enjoy playing on the southeast side, but it's going to be a challenge unless we take the steps now. A safe route to the river for this side of the city has been discussed for years but the time is now to formalize a plan and find the money and find a connection and make it happen. It's an essential link not only as part of a major transit design but as its own key piece in encouraging the vitality within with the central east side and connects us to the rest of city. Thank you.

Adams: Thank you, and thank you for your service.

Fritz: How far away from the river do you live?

Ruin: I'm on 28th place. Just on the edge of our neighborhood.

Fritz: Thank you for describing your attachment to it and the mayor and I -- he was with the bureau of sustainability and I with the office of healthy working rivers are looking at the whole city's connection to the river.

Fritz: I appreciate your comments about your connection and now your daughter's connection to the river and this project is evidence of why -- why Portlanders all over, and people from all over the region are connected to the Willamette. Thank you.

Adams: Sir?

January 26, 2011

Paul Carlson, Oregon Museum of Science and Industry: Good morning, my name is Paul Carlson, I'm speaking on behalf of the Oregon Museum of Science and Industry and thank you for giving me this opportunity to speak in favor of the memorandum of understanding that you have in front of you for consideration. You know that OMSI is and will be at the nexus of two major transportation projects, streetcar and light rail. We see these new projects, transit projects, as essential for the growth of the museum in the future. The new light rail bridge will connect PCC and OMSI on the east side. With PSU and OHSU on the -- excuse me -- west side. And a key element of our planning is to give life, if you will, to the concept of an innovation quadrant that's embedded in city planning. Our plans and vision -- envision an expanded campus to enable our own growth but an area that will attract nonprofit and for-profit conditions and innovation companies in support of this concept. The relocated Water Avenue is critical to achieving this plan. For us, the benefits are the realigned Water Avenue are several. By moving the alignment to the east, we improve the development potential for our property. And ease traffic movement throughout the district at the same time. By moving vehicle traffic to the edge of our campus, we are facilitating the objective that we have for a bike and pedestrian-friendly development. The new roadway as explained, will be built to city standards and we believe it will be an improvement to the overall character of the immediate area and it will aid in attracting visitors to our campus. So we're very excited about this prospect and we support the memorandum of understanding. Thank you.

Adams: Thank you all very much. Really appreciate it. Anyone else wish to testify on these matters?

Moore-Love: No one else signed up.

Adams: Come on up sir. Glad you're here.

Bill Crawford: Hello. My name is Bill Crawford. I am a new board member for Hand, Hosford Abernathy neighborhood. I am a cyclist, spouse of a cyclist, and an expecting father of a future cyclist. I just wanted to back up my colleagues here and really emphasize that I believe this is an important component of our city's green feature. I just would like to, in any way, sort of improve the significant safety concerns for cyclists going through that urge. I urge you to move forward with support of both these agenda items.

Adams: When is your future bicyclist due?

Crawford: Due may 16th.

Adams: Congratulations.

Fritz: Thank you for taking the time come down.

Adams: Please call the vote.

Item 101 roll.

Fritz: More good work being done by the bureau of transportation and the community organizations. This is a very challenging part of town to make sure that all of the viewpoints and needs are respected, and I think you're doing a very good job of maneuvering and collaborating to make sure that happens. Aye.

Fish: Thanks for an excellent presentation and all the testimony, and I had the great pleasure recently of being hosted by our friends at OMSI to walk around the campus and to see the plans for the future innovation quadrant and some of the transportation challenges that they encounter and that could be with Portland, Milwaukie light rail, and it's a game changer. It has enormous potential for our community for jobs, for housing, for the vitality, for our brand and why people come here. I thought I knew a few things about OMSI until I walked into an old PGE facility that they used to build out all the displays, and I did not know at the time that we are the leading manufacturer of science museum displays. And I can't wait to take my 7-year-old back to see some of these. Anyway, this is good work, and I'm pleased to vote with my colleagues and vote aye.

Saltzman: This is great progress on improving sort of that spaghetti network of pedestrian, bicycle connections through the inner southeast or central east side industrial area as well as establishing

January 26, 2011

the innovation quadrant. I think they're both really exciting, and I'm glad to see that these are occurring as part of the Portland, Milwaukie light rail project, although we still have some funding to identify. It's important to have them ready when we get the funding, but I think they are important to provide the opportunity for people who live close in to reach the river and to reach it in safety. I'm pleased to say, by the end of next year or by the end of this year, we'll have the big pipe project finished, and we're already experiencing a cleaner Willamette river that people can go and visit. Definitely cleaner. So this is good work. Aye.

Leonard: I do appreciate Sam leading the effort to incorporate multiple projects into what's primarily a transportation project and comfortable politicianing safer bike routes, safer pedestrian routes for people that don't live on the inner east side but who use that transportation corridor from all parts of the city. Aye.

Adams: Well, I want to thank Art, Rob, Matt, and Risa in addition to the folks that we heard from and the whole team at the bureau of transportation, environmental services, the whole crew. Making progress. I appreciate it. Aye. Resolution is approved. Please call the vote on the second resolution.

Item 102 roll.

Fritz: Commissioner Saltzman, I think there are parts of the Willamette which are swimmable. We had the triathlon there but, as the daughter of a former marathon runner, I have to say people who do triathlons make are making different choices than the rest of us anyway.

Fish: I think we need to rule commissioner Fritz out of order, new matter. [laughter]

Fritz: I think you raise a good point that with the big pipe project being done and significant improvement in water quality, now is the time to take our interest and concern for the Willamette to the next level which we're doing through the Portland plan, central city plan. And so we encourage and thank you for taking the time to come down today and for doing your part on this piece to make sure that we get the Willamette the way we want it to be, the way for our future children, children not even born yet. What a nice reminder. Thank you for your good work on this project. Aye.

Fish: Can we also just add that both parks and housing look forward to collaborating on identified trail opportunities to connect. Parks will be at the table with you. The mayor has raised the larger question with me of planning for the next 25 years in terms of housing, getting our data. And frankly, as we make more progress in that exercise, we'll be able to make even more connective decisions about parks and housing as we go forward. Aye.

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

Adams: Commissioner Fish's point, on this specific part of town, the opportunity to do bike-oriented development could be quite -- could come to life. Aye. So approved. That moves us to emergency ordinance item number 103.

Item 103.

Saltzman: There were some questions about this approach last week. I just want to remind people that what the effort here is that the big pipe is winding down. I've asked for the apprenticeship program to return with the goal of training and graduating two candidates, public works inspectors, each year. The goal is, simply put, to increase the diversity in our workforce and in contracting with diverse firms, and this ordinance will help us increase diversity among our public works inspectors. There were fact sheets delivered to all of you about this program.

Adams: I didn't get it.

Saltzman: It was given to all council offices. Internship programs with local community colleges and universities, and it's supporting the future connect program. The goal of this effort is to fast track candidates through a paid apprenticeship in one year with immediate results-based outcomes, i.e. qualifications for employment with CMTS or similar firms, other agencies or ability to successfully compete for city positions. I think we also showed that the compensation is for the

January 26, 2011

public works inspectors a fair wage a living wage, and the costs of comparable to what other positions of apprentices are in both city government and other government agencies.

Adams: I think the first sentence misstates the concern expressed was it seemed generous for an apprenticeship contract.

Fritz: May I address that? I have been working with Sue Williams and others, and thank you very much for answering our questions. The key piece that I learned in this past week would be they're not beginning apprentices. These are folks who have already been working and are seeking to take their employment to a different level of inspector. So it's not like we're taking kids or students fresh out of high school or even in community college. In fact what I heard was that the program doesn't get at many applicants as we perhaps would like in that they can make better money in their existing job rather than going through this apprenticeship training to become inspectors. So that was a key piece to me to actually help people get beyond the entry level in this particular skill to get to a more supervisor inspector level.

Adams: You said there was a lack of demand?

Fritz: Well, if this was such a generous program, I would expect there to be hundreds of applicants, and I have heard that some people consider it, but it's not comparable to continuing to work in the jobs that some folks are already in.

Adams: So this was your question.

Fritz: Yes. These are my questions.

Adams: Were my questions answered from the hearing?

Saltzman: I believe they were.

Adams: Do you have that somewhere?

Fritz: I think some of your questions were about the other training programs we do at the community colleges through southeast works, and my understanding is that this program is a little different. It's more of an advanced training rather than a beginning, so it's more training -- people who already know the job, how to become inspectors, this is more of a mentoring and individual training component than there would be in a community college course.

Saltzman: That's the value of CMTS is they are doing this work already, and their inspectors will provide on-the-job training.

Fritz: As we move forward with other contracts and looking at this, when we are awarding multimillion dollars contracts or indeed going out with RSP's or requests for proposals for big contracts, I'm wondering if there can be a component that this kind of apprenticeship or mentoring would be built into that contract. This would be a standard expectation. 'Cause I do think it's a good model. I'm not convinced this is a way to make an added value or points. It seems like we could further multiple goals at the same time.

Saltzman: For construction contracts, we do acquire apprenticeship, but I think your point is broader. It's a good point.

Fritz: The apprenticeship programs at every level are very necessary. People, especially in these kinds of trades, need to get hands-on experiences, so there's no substitute for them. If we want people to get beyond the entry level to a more supervisory inspector position, it seems like this kind of specialized program addresses that need.

Adams: So the salary is half what we're paying for the -- it looks roughly. I don't know if it's precisely, but if it's \$15.25 going up to \$18 and we're being billed \$31.50 to \$34.40, we're paying for the contract management for basically the services we're paying, 100% premium. And it looks like, based on the information I'm reading here and what I had in front of me before, that this is something that we have a manual in place. There's been, quote, close collaboration and coordination with the city. The manual's about than in place since '03. Revisions in 2010. And now I learn today that we're dealing with folks with experience already.

January 26, 2011

Fritz: They don't qualify as inspectors, but they know the trade. We're training them to become inspectors.

Adams: I see. And again I'm trying to rub two sticks together in other parts of the city's efforts to get people through high school and community colleges and college degrees. So do we really need to pay so much for overhead?

Sue Williams, Bureau of Environmental Services: That's kind of a difficult question to answer in pay so much for overhead. I would like to do this with no overhead at all, but the cost of doing business is there. The fact sheet that we've provided kind of outlined where most of this money goes. And even though we do have the curriculum from the last round of training, we do need to get instructors, and a good part of the training is also safety-related training, so there's a cost associated with that as well as CMTS using some of their individuals to provide the training.

Fritz: Do you have a copy of that table? I don't have it in my notes for this week.

Adams: I'm trying to make sure that for every effort that I'm responsible for that we're making our dollars stretch as far as possible that and we're thinking about this between the silos of city government. You have a great reputation of doing great work. It's not anything to do with you or your company. When we're paying as much for oversight as we are for the salaries of the workers and we're only dealing with four -- our goal is four over the next two years -- and I'm trying to get dozens to move down the job skills -- up the job skills ladder -- I feel compelled to ask these kinds of questions.

Williams: One of the key facts is that these individuals do have some knowledge of the construction industry, are maybe working as flaggers on job sites or something like that. They're going to have a real opportunity to spend one year in this paid training apprenticeship and then kind of graduate with the opportunity to get a real job. As commissioner Fritz was saying, we aren't dealing with the students coming through college that are going to start out on this career path. And big part of this program's goal is also to increase the diversity, so we really want to target specific individuals and give them an opportunity to be employed within the next year doing this work and meet the city's goals of increasing diversity in the workplace.

Fritz: And my understanding is it's 300,000 for two years, 150,000 a year for two apprentices, \$75,000 per apprentice and about \$45,000 of that is paid for benefits for an apprentice, which is similar or maybe a little less than they might be making as a flagger. The remaining \$30,000 a year, can you remind me what the pay for the instructors was out of that? It wasn't close to \$30,000, was it?

Adams: The numbers show the introductory rate is \$15.25 and the billing rate is \$34.50.

Fritz: But there was a breakdown of what the additional billing rate goes for.

Yvonne McClain, CMTS: I don't mind chiming in here. There was a summary of all the various costs kind inform a lump sum.

Saltzman: Could you give us your name?

McClain: Yvonne McClain, president of CMTS. There is a breakdown of costs for this program as well as the cost rate for overhead. You guys are very familiar with standard rate and overhead rate. And in reality, I kind of broke it down in persons. I'll give you the rough percentage numbers here. The average pay rate for the year is around 44% of the actual pay rate for the actual individual. The payroll burden, which includes workmen's comp, Medicare, social security, ORWTF, state taxes, which is approximately 17%, the average is at about 7% of the cost. Healthcare insurance, I do pay 100% of the employee's medical benefits, and that is 8.9% value to the actual employee. Cellphone cost is just a little under 1%. Mileage, we pay for fuel for their trucks for them to drive from site to site. That is approximately a little under 1%. Hold on a second. Mileage around 4% or 4.6%. Professionally ability insurance 2.4%. Instructor costs around 22%. If you kind of roughly add up all of those percentages, you can see that there isn't -- I know your concern was a profit range. There really isn't a large profit within these numbers here.

January 26, 2011

One thing I'd have to say is BES does require all inspect for all of their equipment when they come on the job site as a part of this as an individual person making even minimal wage as a laborer or contractor, they're responsible for purchasing their own personal protection equipment, and we are going to be providing for the individuals safety vests -- two safety vests, one which has the BES logo on it. We have it for different climates in the summertime as well as wintertime. We provide fire extinguishers, give them construction boots, two pairs, steel-toe construction boots as well as regular construction boots, rain gear, manhole hook, digital cameras, batteries, thermometers to test the asphalt.

Fritz: I think my concern and perhaps the mayor's is the \$24,000 a year that goes for the internal training for one instructor.

McClain: It's not one instructor. Let me clarify that. With the inspections, I also did a preliminary on that. We're basically looking at having four inspectors that are going to be doing various classroom training with the apprentice. What I did is I kind of did their average pay rate over the persons burden. There's no profit margin in the instructors cost at all. This is just for their time and for two trainees. I didn't do a percentage on it. I kind of did a standard spreadsheet. With the four individuals, we have a civil engineer. We have Bill Vincent, one of my senior inspectors that's been working for me for 10 years. He is in my office, but he's a very good asset in terms of he's able -- he's been a construction manager as well as inspector, so he's going to give perspective on what it's like to be construction manager in their point of view. He's going to give a perspective of construction view as well as inspector. Lori Allen will go over writing skills. How do you write job sheets? How do you write your daily reports? Going over grammar. And another consultant, an existing consultant for me for BES, who's going to be doing the math training.

Fritz: If a person isn't in an apprenticeship program like this, how do they become an inspector?

McClain: Historically they take individuals who have been in the field, backhoe operators, someone who's actually been installing pipe work for the city.

Williams: Or they've been as much as a superintendent on a job site. There are construction management programs, and the two-year program I think at some of the local community colleges, those people are pretty much kind of on a path to go into construction management, but some of them do decide, well, I'm not going to go that way. I'm going to stop and go into construction management. I guess, to answer your question -- and I want to make sure that -- I think you got the information that there was on the original fact sheet a small unintentional error. It was \$12,000 a year for the training. This probably won't replace any of other programs. It's just an additional opportunity to augment existing programs that we have to train, and it's taking a different approach with the apprenticeship. Maybe there is a different way to achieve the objective, but we found this is well-spent money to get the people who end up with real jobs the diversity on the work site.

Fritz: Thank you for bringing that transcription or to my attention that it's \$24,000 total, not \$48,000.

Williams: For one year.

Fritz: But does that mean that the request in the ordinance has gone down?

Williams: No.

Fritz: Why not? If it was \$300,000 for two years and we've now discovered that the cost is 24,000 -

Williams: No. I'm just saying in the breakdown. CMTS's billing rate is still \$34.50 and \$41, but in the breakdown the cost of the training wasn't split between the two individuals.

Fritz: Then the numbers don't add up.

Williams: Well, the rest of the money, there would be a little bit of profit for CMTS, and there is additional -- we're just counting here the classroom training. These individuals, after the first 90 days, are going to be spending most of their time on the job site, so any cost associated with on-the-

January 26, 2011

job training and then Yvonne has her time and some of the other employees in her office. That makes up the other \$12,000 per individual.

Saltzman: This is really focused on jobs, getting people into jobs, getting minorities into jobs. And profit is not necessarily a dirty word, especially when it's an African-American-owned firm. I think the profit is modest. The outcome is tangible. We will have public works inspectors. We did in the past. Our past program, 2002, 2004, three minority candidates, two of them presently working for the city, another one currently employed elsewhere. But this has succeeded in the past. That's why I asked they develop this program to make it succeed again.

Adams: Again I feel compelled to county value propositions, so I appreciate that, and obviously, if it's worked in the past, I'm trying to figure out, though, if there's a way to get more value from the proposition. Again, you just said there will be classroom time, two people in a classroom. Why couldn't we -- I'm trying to figure out --

McClain: I know you had mentioned last time having an instructor with 30 students. It's really the logistics is does BES have the staff to have 30 students out in the field training them.

Adams: That was just illustrative to that number. Is it possible to leverage this benefit? Which you've described as a proven track record. But is it possible to get that benefit for more people? If you said there's classroom time and there's two people in a classroom with an instructor, again I have to ask the question is it possible? Maybe 30 is too many.

McClain: Last time we had this program, it was a two-year program with four people. I think we'll be really giving them a lot of information and really mentoring them and making sure that they succeed. We're taking a year out of the program from the last time to make sure that these candidates do well and are prosperous. And the goal is they actually will be billable on the actual projects, on the bureau of environmental services contracts. They will be able to bill some other time to the construction project. So the city will be getting value sooner than later.

Adams: Last question along that line, under expense, it says on the fiscal impact statement -- I think this is prepared by the bureau. Is that right? I can't remember. Yeah. Prepared by the bureau. It says under expense there will be no additional cost to the city for this. And I've had, through this budget process -- I'm determined to get clearheaded about BES finances. I thought I understood them, but I don't. And this says no additional cost to the city, but the 300,000 has to come from somewhere. Where did it come from?

Williams: As Yvonne said, after the first 90 days, these individuals will be participating on the job site and can take on billable level status. I understand your point about you could put 15 or 20 people in a classroom when somebody's training, but it's really the on the job work that's kind of the --

Adams: When you say no additional cost to the city, you mean the city general fund as opposed to rate payers. The money comes from somewhere in the city. BES is part of the city.

Saltzman: I think she means it's budgeted through the capital improvement program.

Adams: Because it will be billable.

Fritz: Was this planned in the 09/10 budget?

Williams: Because they're going to be on the job site and assisting on the job site, they will take the place of other inspector duties, probably contract employees. So they will take the place of inspection duties that would be performed by already budgeted contract employees.

Fritz: But at the additional cost of the training thereof.

Williams: The training is the overhead.

Fritz: Is there a particular reason why this needs to be done now rather than the beginning of the next fiscal year?

Saltzman: We wanted to get this program up and running now.

Leonard: If I might observe -- I have stayed out of this discussion the last two council sessions, and I always appreciate council members asking for the details. It's important to flesh all that out. But I

January 26, 2011

fear the discussion now is veering off where I think we need to bring it back to, and that is a more global view of what this program is trying to accomplish, and that is to employ people who otherwise would not be employed in skilled jobs working for the city, and I don't want to lose sight of that. And I fear that we are getting ready to take a left turn and leave the goal, which is to sooner rather than later put people to work who otherwise might not have a job. Each of us might have a different view how we might administer this, but at least it's a program doing that, and that's more important to me than making sure we've got this precisely correct at this point. I do want to vote on this. Having said that, I think we can look at how it's administered in the next fiscal year. I have no problem with that. I don't want to lose sight of what it is we're trying to accomplish with this program, which I think is laudable.

Adams: And I appreciate that. I just see that the challenge facing our city is so great, and four people is progress, but we need 4000. Any other discussion? All right.

Fritz: Well, I think, to put my thoughts out, I greatly value the purpose of what is being done, and we do need to find ways to get more diverse folks in leadership roles in the city. I think we are in the midst of a debate with our citizens of what we pay for with our money, and we do everything to make it a part of our progress in economic goals. I'm not sure I have enough information right now about what else BES is doing to that end and how other parts of what you do are cost -- compare in terms of cost and whether there are other programs like this in other bureaus that we should get information from.

Adams: Any other council discussion in then we'll see if there's any testimony. There's no testimony. We'll go for a vote.

Item 103 roll.

Fritz: I don't know. I think there's a lot of value to both ways. We've gotten a lot of testimony over the last two years about how high the rates are and how difficult people are finding them to pay, and so this -- in terms of the overall budget of BES -- is very small, and the impact on rates would be less than a penny. So we are going to invest in diversity programs and in helping people who have not been part of the -- I don't know a better word to call it than gravy train. I have the Black Sabbath song stuck in my head of "crazy train." but certainly we've been make something progress in our purchasing about getting -- spreading the wealth that comes from rate payers and taxpayers citywide to make sure that more people benefit. So I am looking forward to, in the future on projects like this -- on all big projects that there should be something like this involved up-front in the RFP so that it becomes a standard that this is part of what we expect in the way the city does business, that we shouldn't have to pay extra for it. And having said that, I did look into and scrub the numbers. I am a little concerned that it wasn't clear up-front that there was a \$12,000 a year profit in addition to the \$17 million contract that's already there. But I guess on balance I'm going to defer to commissioner Saltzman's judgment, knowing that he is very concerned about keeping the rates as low as possible and support this. Aye.

Fish: First, I very much appreciate the discussion, and this is the second hearing we've had. I actually think we're at risk of spending more time talking about this item than time looking at the billion dollars on the big pipe generally, but I think this is an important question, and I appreciate the discussion. I appreciate the mayor putting down a marker, which is the time of tight budgets are a critical piece of all of our work is how do we leverage our dollars. And if we can get a two or three or four benefit at once, we should be exploring that. And it is, as this illustrates, challenging in this form of government, and I think the mayor has opened my eyes to something that we can think about in parks and housing that may be more holistically about these kinds of problems. I appreciate that, and I appreciate commissioner Leonard's comment about creating opportunities for people that may not otherwise have them in this industry, and this industry has a lot of catching up to do rather than other areas of employment in our community. The discussion is a good one. I

January 26, 2011

think our focus on rate payer dollars is good and will carry through the budget process. But commissioner Saltzman has made the case for this, and I think on balance it is worthy. Aye.

Saltzman: Well, I appreciate the discussion. It's been a good one. And I believe this is a good program to invest in creating jobs and done by a firm that has the expertise and that's tapped into minority populations to make sure that those candidates are going to succeed and find employment hopefully with us or other agencies or private sector. Aye.

Leonard: This is a program that employs people that have a hard time otherwise finding jobs. I think we need to remember again, as I said earlier, the context in which we're having this discussion. In spite of all of our efforts to make Portland a very inclusive place, it is a city overwhelmingly dominated by people that look like us sitting up here. I'm not sure we're using the term "profit" appropriately when we're having this discussion. There is an actual legal definition of what a profit. That is not when to pay somebody in a private sector to train workers that that wage is profit. That is a wage. Profit is something different than that. I don't find inherent in this contract anything abhorrent. Again, I appreciate the questions and I appreciate making sure we understand what it is we are agreeing to. I'm not offended that you're an owner of a business that employs people to train people to become apprentices. We should do more of that if we don't have the capacity to do that ourselves. I appreciate the context within the discussions, but moreover I appreciate the effort on the part of BES to think creatively to try to employ more people that otherwise might not find jobs. Aye.

Adams: For me the concern is not about profit. We need more minority-owned companies making a profit. Nor is my concern that this isn't an appropriate expenditure of rate payer sewer dollars, as concerned as I am about that. I think that you've heard me say before in this chamber that we do need to be spending money to make sure our employees are as diverse as our city is. My concern is that we as a city aren't as coherent or as strategic as I think we could be on these efforts. That while this is great for BES, I wonder if it couldn't also be leveraged to be great for more than four people as important as it is for those four people to get work for the price of \$300,000. This is a two-year program. I guess I'm putting down a marker. We've done some great work in the last two years of government structural reform, more reform than any previous council has done in my time around this building. And I would put this on the list for needing to look at it for reform or improvement, looking at the potential to improve our equity efforts, how and what we do to make sure that our workforce is again diverse, matching our city, and that our programs also leverage opportunities for our citizens out in the private sector. So we'll work on that in the next two years. In the meantime, I will defer to the commissioner in charge's judgment, and I really appreciate your willingness to engage in this conversation. For me, the conversation was in part about that bigger concern. And so your willingness to help educate me and dive a little deeper on this was very useful to me and maybe to others. So thank you for that. Aye. So approved. We'll now move to item number 104. Can you please read 104 and call the vote?

Item 104.

Fritz: Again I appreciate David Shaff's willingness to give information to me and to citizens on an ongoing basis, in council, e-mail, very, very diligent, putting stuff up on the website. I believe continuing the testing is necessary for a variance as it is for a cost-effective approach. Citizens who are concerned or agree with that approach should certainly participate in the bureau's budget committee meetings and in the budget process throughout, and I thank commissioner Leonard for his ongoing efforts to obtain a variance on the source treatment issue. Aye.

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

Adams: Well, this is -- I was back in D.C. the last couple days, and I can tell you the work led by commissioner Leonard was back in D.C. lobbying and visiting with our delegation and commits on the hill, and I can tell you that the work that has been led by commissioner Leonard and David Shaff and his team and Eddie Campbell is considered very solid, very smart, and very credible. So

January 26, 2011

I feel reassured that we are doing not just -- we're doing more than we ever -- we're doing everything we can to try to get this variance. And this is a key part of that companion part of that, so I am happy. This is money well spent, and let's hope we get that variance. Aye. Please read 4/5ths agenda item 104-1.

Item 104-1.

Adams: Commissioner nick Fish.

Fish: Mayor and colleagues, as you know, under the parks 2020 plan, going back a little bit of history here, it called for the creation of a parks board to advise the commissioner and this body in decisions impacting our parks bureau and the creation of a parks foundation to help leverage private resources to achieve the goal of citywide equity in our bureau. We have been blessed with a lot of talent serving on both bodies over the years. I would like to acknowledge, though, with the parks board that we really have a stellar lineup. Julie Vegland, who many of you know from different things in our community, including around the arts, is our chair. Mike Alexander, who some of you may know from Regence Bluecross Blueshield is the vice chair. We have a very strong team, strong lineup. With your concurrence today, we'll even have a stronger board. Andy Nelson and Jeff Tryens have been nominated. Andy is the current executive director of hands on greater Portland. I believe he is also an honorary advisor to the City of Portland Human Rights commission. He's just an all-around great guy. If you see him speak as often as I do, he's got a wonderful metaphor about old-fashioned barn building exercises. He's used this as a barn building exercise, and we at the city use hands on quite a bit, particularly the Housing Bureau during times of emergency when we volunteer. Andy is a stellar nominee to join the board. The other is Jeff Tryens. Jeff was executive of the Oregon progress board, so he bring as wealth of experience. And also he is a prior parks board member coming back. We have a strong board. With your concurrence, we'll add really two outstanding local activists to the roster of the parks board, and I would urge your support.

Adams: Does anyone wish to testify on this report? Any additional council discussion? I'll entertain a motion to accept the report.

Fish: So moved.

Fritz: Seconded.

Adams: So moved and seconded to approve the report contained in 104-1. Please call the vote.

Fritz: I greatly appreciate folks so willing to serve in positions like this. Thank you for finding two great people to add to the board. Aye.

Fish: I, too, want to thank Andy and Jeff for agreeing to serve. This is not a rubber stamp board. This board historically is quite independent and weighs in as it deems fit in its own course. As a result, I think we do a better job at the Parks Bureau. So I'm very pleased that they're willing to serve. Aye.

Saltzman: Definitely good nominees and great parks board members. Aye.

Leonard: Aye.

Adams: Aye. 104-1 is approved. Please read the title for 104-2.

Item 104-2.

Fritz: One of my appointees to the charter commission had to drop out even before the first meeting, which was on Monday. Sue Pearce had been nominated by commissioner Leonard as well as one of my favorites of the folks who were nominated by the council, so I'm asking you to approve Susan Pearce as a member of the charter commission.

Fish: Will you yield on one point? Would you remind me exactly what the charge is to our charter commission appointees? And specifically, since we have an opportunity with the newest member, can we once again kind of set the table on what we believe the charge is and the scope of this assignment?

January 26, 2011

Fritz: I could do that. However, the charter commission, now that it's formed, gets to decide what it wants to do.

Fish: Since we have the benefit after member --

Fritz: We ask them to do three things: To propose some housekeeping amendments which would look at outdated parts of the charter which has existed since the 1800's. There's some language in it which I find offensive and I hope others do, too, that we could get rid of. Second to advise the council on how to appoint a second charter commission that would represent the demographics of the city in age, racial diversity, and geography as required in the 2007 charter changes. It's to start a list of bigger issues to look at after the Portland plan is done. There's a lot of work done in the Portland plan to set policies for the city of Portland and to look at where we are now and what we want to be in 2035. So that was the council's direction or request to the charter commission. This charter commission was required to be formed in January of 2011 by the changes passed by the voters in 2007, and those changes said, once the charter commission is formed, it changes its own procedure and how it operates. That's why this report is worded the way it is in terms of until the charter commission ends, because I don't see anywhere in the charter it says how long the charter commission gets to continue on, as long as it wants under the 2007 rules that the board adopted.

Fish: Thank you for reminds us as to what our intent was as to the scope of this assignment. Can I assume, before I cast my vote, that in your conversation with Susan Pearce, who I think is an outstanding nominee that, she understands the scope of the assignment that we've offered?

Fritz: Susan is right here and nodding at me. If you'd like to come forward, you're welcome to do that.

Pearce: I'm Susan Pearce. Commissioner Fritz and I did review, I believe, what she just told you word for word what she said to me on the telephone when I took notes. I wasn't taking notes today. So, yes, I do understand.

Fish: You will operate with your own good discretion as a member of this. Are you comfortable with those guideposts in terms of moving forward?

Pearce: Yes. Oh, yes. I think we have work to do, and we certainly would think we would move on in the final -- especially the final -- well, both the housekeeping and the final charge to look at what could and should be discussed following the Portland plan, very important pieces.

Fish: Thank you very much.

Adams: Any other discussions? We'll entertain a motion.

Fish: So moved.

Saltzman: Seconded.

Adams: Moved and seconded to appoint Susan Pearce to the charter commission as described in 104-2. Please call the vote.

Fritz: Thank you for your willingness to add another important commission to your other volunteer work on behalf of the city. We greatly appreciate it. Aye.

Fish: Thank you, Susan. Aye.

Saltzman: Thank you, Susan. Aye.

Leonard: Well, I was disappointed in the first round you were out of town and unable to accept, so I'm happy commissioner Fritz took the opportunity to appoint you. Thank you. Aye.

Adams: Thank you. Aye. So approved. We are in recess until Thursday at 2:00 p.m.

At 11:51 a.m., Council recessed.

January 27, 2011
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 27, 2011 2:00 PM

Adams: It is 2:00 p.m. And the city council will come to order. Hi, Karla.

Moore-Love: Hello.

Adams: How are you?

Moore-Love: Good.

Adams: Can you please call the roll.

[roll call]

Adams: We shall proceed. We have two items on our agenda today. Karla, read the titles for 105 and 106.

Items 105 and 106.

Adams: Commissioner Nick Fish.

Fish: Thank you, mayor. This afternoon we're bringing two items to council related to the development of the central portion of the south waterfront greenway. First we're asking for an amendment to the contract with project architects landscape architects Walker Macy. The complexity and number of designs to meet the federal regulatory requirements has resulted in substantial extra work. Second, working with OMF and procurement, we have concluded that the complexity of this construction project makes it a good candidate for a construction manager general contractor project bidding. And we'll explain a little bit more what that means. Our presentation will explain both ordinances in some detail. Now, the need for council to consider these two items provides a great opportunity to update each of you and the public on the status of this project in general. Our primary presenter this afternoon will be Eileen Argentina, park services manager. She will be joined by bureau representatives from our key partners in this work, Kaitlin Lovell from the Bureau of Environmental Services, and Lisa Abuaf from the Portland Development Commission. South waterfront, for many years, mostly an industrial site, is now reconnecting with its historical youth as a location along the Willamette where people have long lived, raised families, and built community. With some 2,000 new residents, the evolution of this new neighborhood is well underway. The opening of Caruthers Park earlier this year has given the new community a beautiful neighborhood park. With council's strong support, we recently announced that the Portland Housing Bureau and reach community development corporation will be building 200 new affordable homes at block 49, contributing to the further diversity of the neighborhood. And finally, after a lengthy design and permit process, subject to complex federal regulations, and that I guess is a euphemism, we're moving forward to break ground on the central portion of the greenway in 2012. In short, we are keeping promises made years before I join this council. This news will no doubt be cause for relief if not celebration for many of the residents of south waterfront. Our vision for the greenway is bold and ambitious. A regional treasure that both honors fish habitat with cutting-enbiodesign, and that reconnects all of us to the Willamette River in this part of the city. So today's presentation, which has three parts, first we will refresh council on how we got here. Second, we will describe in some detail the current project. And finally, and perhaps most importantly, we will clearly delineate the risks that council will be asking -- that we will be asking council to assume in making a commitment to go forward. The city team has been working hard with regulators and the public to bring us the best design we can afford. With an accountable well-

January 27, 2011

considered risk mitigation plan. Ultimately I guess could you call this a story of partnership and perseverance. With that I'd like to welcome -- invite Eileen Argentina forward, she is going to make a presentation with power point. Welcome.

Eileen Argentina, Portland Parks and Recreation: Thank you. Good afternoon, and thank you for your time today. We're here to show the latest on a project that is important not only to the south waterfront district, but to the entire community and to the river. We want to remind you of its origins and describe upcoming steps, and we want to ask for your approval on a couple of ordinances relating to the next phase. And as the commissioner noted we want to flag some risks that should be understood as we go forward. This shows the plan for green space overall as well as the limits of the central district in south waterfront and the central district scope is from lane to Gibbs, it's about a thousand linear feet of greenway. Greenway extends from the top of bank inland about 100 feet. Here's a starting point for south waterfront redevelopment. You can see the Old Spaghetti Factory in the foreground, and this picture gives a good feel for the underlying topography. Eight years ago, council set out goals specifically for the greenway in south waterfront and set a high bar for creating a public space that worked for people and for fish and accommodated multiple uses. Following the council's 2003 direction, Parks and Recreation coordinated development plan which resulted in the conceptual plan for the 1.2-mile greenway. This is a starting point for more detailed design of individual phases. The development plan was a very inclusive process and included neighbors, regulators, people from throughout the city organization, and it helped to create the starting point. Below you'll see some images that reflect how the diverse uses are to be integrated, and we'll have more on that later. I wanted to do a little historical recap. There's been a progression of steps that have been taken at the state and local level for many years that set the stage for south waterfront --

Fish: By the way, that reference to the Olmstead was a shameless plug on my part.

Argentina: [laughter] No river presentation would be complete without it, I'm sure. It's also required an all-out team effort of city bureau and others, and I just want to recognize, identify those, Parks and Recreation has been the lead on design and will be on construction. PDC has led the way in terms of funding and working with the property owners, BES has advocated for environmental values, and facilitated permitting issues. You'll hear from both PDC and BES after my comments. Office of Healthy Working Rivers is another critical partner, helping us to balance different goals, Bureau of Planning and Sustainability provided the policy and the planning framework. Property owners have been key partners, neighborhood associations, homeowner associations, advocacy groups, and other regulators. All that work has yielded impressive results. The commissioner noted that community building is underway with 2,000 repellants. And the river frontage looks pretty good in this picture. It's springtime, and the river is covering much of the bank. Building on the 2004 development plan a. Formal design -- the area that we're talking about is covered under a development agreement, and which laid out an implementation plan. Walker Macy was hired to lead the design process. And we got into permitting in 2008, submitted our joint permit application which goes to the army corps of engineers at the federal level, and division of state lands at the state level, and they coordinate with related agencies at their levels. Over the -- it was at that point that we started to run into real challenges, and over the next few slides I'll be walking you through those challenges. They fall into three categories. Property transfer, permitting and design issues, and budget. In terms of the property transfer, the development agreement called for the property to transfer to the city after it met certain conditions. In fall of 2009, the city attorneys advised us against taking fee title to the property, not because of anything major new development was the property, but the overall climate related to the proximity to the superfund site and third-party litigation that was finding its way upstream and that potentially create an unacceptable exposure for the city. Eventually through extensive discussions, both at the City Attorney's Office and with the property owner, we land order these uncontested condemnation. This provides the city of defense

January 27, 2011

against suits such as these, and the process is created to enable improvement scenarios just like this one. Council authorized those condemnation proceedings in October. The permitting challenges were even more daunting. We basically in this slide you can see we're trying to go from the current status of the riverbank into what we see as a vision for the finished greenway. And as I said, we got into our permit process in 2008, and before too long we realized we were really running into some hurdles in terms of getting approval for the necessary permits. A national marine Fisheries service, the agency charged with Fish protection, and it was just becoming clear that substantial modification was going to be required. It so happened at that point we had a fair amount of turnover within the bureau, and it was 2009 before we were able to really tackle it, but we recognize that there is more emphasis on fish habitat that was going to be required. This gives an overview of the site itself. With the new project team, our first order of business was to seek clarity about what it was the federal regulators were looking for. What we learned is shallow water habitat is their single highest priority. I asked Kaitlin to speak about why so it's important. Fish habitat protection is crucial, it's very high priority for the city as well, we immediately set about investigating what would be required to accomplish what their request -- what they're requesting. We have you can see the parallel lines not quite parallel, but the two paths that are a requirement in the south waterfront. A foot path as well as path for wheeled vehicles. Bicycles, and what not. And that pedestrian path which is the closest to the river really forms the top of bank. And we largely left that intact. The level of development is very dense, so really we're working with what was to the river from there. And what we did was to look at f. We maximize the beach that we could accomplish the shallow water beach, we could accomplish without impacting the upland, what would we get? And we found we could achieve about an acre of beach. But what it would result in always approximately 12 to 20-foot seawall right at the edge of the pedestrian path. That was problematic in a number of ways. It significantly exceeded our budget, and it also didn't really keep faith with the vision of the plan that the community had articulated. It didn't provide for a greener, softer edge, it didn't comport with the south waterfront greenway design guidelines that were then under review. So we started looking for the middle ground, and we eliminated our inwater impacts, which consisted of a dock and an overlook, and we reduced the size of the beach in order to create a more gradual slope and opportunity for riparian vegetation and trees, and a more natural bank treatment while still utilizing engineering techniques to ensure structural stability. I'll walk you through this slide. You can see at the start of the river level, it talks about OLW, ordinary low water, and above, that ordinary high water. So in the course of a typical year, you could easily see a fluctuation in river level. This elevation or this amount. And then you see the shallow water habitat, also noted here below as mitigation area. As the river levels of level comes up, it provides the shallow water that is so crucial for juvenile migrating salmon. So that's really -- that became somewhat of the controlling factor in the design, and in order to do that, still have the more natural bank treatment, vegetation, rye tear want -- riparian habitat than we're -- than what we feel is a top-notch design, a row of tiered utility vaults down here that are referred to as vault retaining wall. They're open at the bottom so they'll be planted with material with vegetation, trees, there's additional area behind them, a wall structure that allows for another transition up to the pedestrian path, which is all the way to the left of this. And that's basically the top of bank. So we had a certain amount of real estate that we were able to work with, and trying to get from the beach to the top of bank in a way that was balanced all these competing goals that we had for the area. The other thing I want to call your attention to is a dash line that shows -- refers to existing grade. So that will give a feel for how much earthwork is going to be involved in achieving this. This is one cross-section in a thousand linear feet, and it varies from location to location, but this is a good illustration of the design that we've ended up with. As a result, we ended up with a beach area over 25,000 square feet and a bank design that we feel did a great job of balancing design, environmental, safety, and cost issues. I want to take a minute and talk more about the dock, which

January 27, 2011

was a decision that we made to pull out of the permit. The dock was never funded for construction, but it had been intended to be permitted as part of this project. That when construction funding was available, the project could go right into that phase. We knew as we redesigned this that the dock would really be compatible with the shallow water habitat being created in the very location where the dock had been located. And most important, it was going to be problematic from other stand points and other locations. Most importantly, we consistently hear from regulators and other stakeholders that the city needs an overall prioritized approach to where water access is needed and how do ensure associated impacts are minimized. As a result, we made the decision to pull the dock out of the permit, not doing so would have jeopardized our planned work window of 2012 and the partnership we developed with tri-met. We did take several steps to advance the dock issue, including working with the office that initiated the dock and made it a priority, largely in response to the challenge presented here, the need for. This we really appreciate the partnership that we have. The project does include a path to the river, and you can note on the right side it's a little faint, but at the north end there will be an improved concrete path that will be vastly improved access to the river's edge over what's there now, and in the lower left corner of the slide is what that would look like, an example of what it would look like. The third thing we did around the dock issue was that our permit clearly states the city's expectation that a dock is needed in south waterfront and that the city will seek approval for that in the future. So we put a marker out there. So at the time we solved a couple major challenges around the property transfer and the design. We had a design we thought was permissible and one we thought would be acceptable along the community. But additional work, including execution and bank structures, added about a million dollars to the hard costs that increased as well. We started to get into conversation was Tri-Met who was in the market for mitigation for the inwater impacts associated with the light rail bridge, and we -- there were a number of folks who recognized the opportunity that existed here and those discussions were very fruitful, ultimately we decided that the if it was a good one, and Tri-Met has committed to contribute a million dollars to this project, which was efficient to really put us back in a place where we had a project that we felt sufficient resources to go forward. This is the budget as it stands today. Estimated costs continue to reflect our current assumptions. We've been conservative in estimating costs. In the end we know we'll be constrained by the resources available, and this is one of the reasons we think the CM/GC process, this is one of the items we'll be asking for today, offers an effective framework for anticipating and managing costs and identifying the implications in various budget balancing scenarios. So we've got -- what we understand the costs will be for the project, we've identified the resources, and you can see that largely it's TIF Parks SDC, Tri-Met's contribution, the property owner as part of the property transfer agreement is contributing funds, there is contingency funds left in the Caruthers Park fund that PDC and Parks have agreed should go to this, we're still not completely Closed out on that contract, so that's why it represents a range to the extent that we need it, BES has made a commitment to help us with the environmental clean-up costs when we get there. And then we know we're going to have to do some work, we think the CM/GC approach will be essential here in value engineering, economizing and refining this estimate to make sure we're not overstating or understating the cost.

Fritz: If you could go back to that, could you for those watching at home say what all those acronyms are?

Argentina: Yes. Thank you for that. TIF is tax increment financing. Parks systems development charge also known as SDCs, there's a row for reimbursement from RCI, river campus investors and -- the two property owners we worked with. And BDS and Bureau of Environmental Services.

Fritz: Thank you.

Argentina: We talked about all the challenges. Here's how things came together. In pretty short order last fall. In October, essentially the pieces fell into place to allow the project to get on a very

January 27, 2011

positive track. And in particular, in the same month we resubmitted our joint permit application. We signed an agreement with the property owners on the transfer and signed a nonbinding memorandum of understanding with Tri-Met. We have some upcoming actions and real quickly I'll highlight a couple of these. We need to sign a formal agreement with Tri-Met regarding our mutual commitment to each other. That will come back before council. Assuming council supports our actions today, we'll be selecting a construction manager, general contractor, and a series of things will need to happen so we can stay on track for what is planned to be a 2012 inwater work period of July through October. Talk a little bit about the council action we're requesting today. We're -- there's an ordinance, and this comes through the procurement services that we've been working closely w. An exemption to the low-bid requirement. The timing of today's presentation was triggered by a need to get these ordinances approved. One is -- the exemptions, and I want to highlight a couple of reasons why we wanted to pursue this approach. This project will require very specialized expertise. You can see from the cross-section that that is relatively complicated. The constraints of both the inwater work window, the time frame, and the site are going to mean we need to be very efficient, be able to move quickly to get the project done. It will be a high visibility project, and the multiple objectives and different features in the project are not that typical. In terms of finding a contractor who will be skilled at all of those. We will use a competitive process to select the best possible team, and the result will be that our contractor will be part of the design team for the final year, providing construction expertise as we finalize the construction documents. Not only will the plans be better informed as to constructability, the contractor will have a very good understanding of what we're trying to accomplish and what the project is really all about. Property says provides a framework for us to anticipate and manage costs. The other ordinance will amend or contract with Walker Macy to account for the additional work associated with CM/GC and the additional time that we spent developing design alternatives. The commissioner noted that we wanted to talk with you about risks. There are risks associated with. This here's what we need you to know. The site is characterized by a century of industrial filth. The bank of the river used to be hundreds of feet to the west of where it is now. Huge quantities of material have been placed here as the site became a location for industrial activity, including ship building, ship breaking. We have been diligent and prudent and testing the area to characterize the site and we have been conservative in our assumptions. However, it is possible that we could encounter conditions or contaminants that would require to us revise our plans. It is even possible we could conclude that this so it is not suitable for shallow water habitat and the extents of execution required to make that happen. We consider this a low likelihood scenario, but it can't be entirely ruled out n such a case there would be impacts to Tri-Met. They're relying on to us mitigate for their bridge and they would need to look elsewhere for mitigation. We've been very proactive about discussing with them, it's recognized in our MOU and would be part of the IGA as well. And the city would make the commitment to work with us to find an alternative site. The other area of risks we want to talk about is around the durability of design. There are risks associated with a more natural riverbank as opposed to leaving with its more current condition. As a practical matter the regulators would not allow a heavily riprap bank. Depending on what the river does, particularly in the first few years before vegetation is established, we could be confronted with having to repair the structures. It's important to note these risks relate to the area below ordinary high water. They don't compromise the adjacent properties or even the -- depending on the final design and particularly on the final conditions associated with the permit, maintenance of the bank will be a natural area, subject to seasonal cycles, and our estimate will reflect our understanding of these requirements. We have to do some work with tri-met. We need to clarify what our mutual commitments are to each other. We'll have shared responsibility regarding compliance with permit conditions and we'll need to work through those issues as finalizing the IGA with them. Conversations have been very good and I don't expect we won't be able to get there. In the end, we wouldn't be here if we didn't think the

January 27, 2011

goals were achievable. I want to recall the objectives that were referenced earlier in the presentation. The council's aspirations for the greenway and south waterfront. The plans call for a highly urbanized environment well integrated with the natural environment, and along a very dynamic river. We haven't done that before. It's unique, it's ambitious, and that's a path that has been set for us by actions over many years. Here's what we're trying to get to. We wanted to close by providing more context on the project from the point of view of urban renewal as well as river protection. And to do that we've asked first Lisa, who manages the north Macadam urban renewal area to speak, and she'll be followed by Kaitlin, who leads the science and fish and wildlife efforts at BES.

Fish: [inaudible] I think the time to spare. So thank you for an outstanding job. Welcome.

Lisa Abuaf, Portland Development Commission: Thank you. Good afternoon mayor and commissioners. I'm here on behalf of PDC, I manage the north Macadam urban renewal area. We're very happy to see this project moving forward. And we do support parks seeking approval for these two items. As many of you are aware, this is a pretty significant day for us as well. We made a broader commitment to the district's residents, employees, and visitors and we feel this is an important move in following through. It is also a legal obligation that we feel it's important for to us complete per the development agreement that we signed with our private partners. I want to echo something that Eileen closed with, which is, this has been a long process, and really the balance between the designs recreational, environmental, and revitalization goals align directly with PDC's own mission of creating a diverse, sustainable, and healthy community. And I think you see all of those in the design before you today. We've been very close partners I would say to parks over the past five to 10 years that it has taken for to us get to this point. And I want to echo something commissioner Fish said earlier, which is, it has really been about perseverance. Would I say across all bureaus, including Bureau of Environmental Services, as well as the Office of Healthy and Working Rivers, to really get to a solution that we think can work. And then would I like to close by just saying I think as we look forward in this area in our discussions was OHSU and ZRZ, the city's same partnership will be important as the city chooses to move forward with future segments of the greenway. Thank you.

Fish: Very much.

Kaitlin Lovell, Bureau of Environmental Services: Good afternoon. Kaitlin Lovell, program manager for science fish and wildlife at BES. Eileen asked me to speak about the fish elements of the project, which has definitely been cause for some of the challenges that the project has overcome. A four-year study commissioned on the Willamette River by the endangered species act program, which is the -- our program before we were renamed science fish and wildlife, found young salmon use the river to grow before they head to the ocean. Without that important step, the fish wouldn't survive the journey. And all of the restoration projects in the Willamette bay as far away as Eugene, would be limited in their success. In particular in this study, shallow water habitat, it emerged as the important habitat type. Historically the Willamette River was 80% shallow water habitat and shallow water habitat is defined as 20 feet deep or shallower. And 20% deep water. Today it's the reverse. 80% of the Willamette River is deep water, and it was deepened by human activities and only 20% is shallow water habitat. As you saw in some of the photos, and as Eileen mentioned, the shoreline in this area has migrated significantly into the river's edge, and that's been part of the cause. The Willamette River between Ross Island and Swan Island is the most constraint and built-up section of the river. It has the fewest numbers of opportunities for inriver restoration, and those few opportunities arrive only every 30 to 60 years as redevelopment occurs. The south waterfront central district greenway is the gateway and the opportunity that Portlanders need. This project demonstrates we can have development, public access, and restoration. The 25,000 feet of rivering habitat that will be created will be the largest restoration on the Willamette River main stem by any entity in the city of Portland. BES would like to thank and

January 27, 2011

applaud parks for working with us to see that our watershed improvement goals are met, including the storm water treatment along the trails, the improved habitat and the creation of large resting spots for threatened fish. And to thank the other partners as well, PDC and Tri-Met, and some of our local partners have been very helpful in moving us forward. Thank you.

Adams: Any more invited testimony?

Fish: This is it. Do we have any testimony?

Moore-Love: No one signed up.

Adams: Do we have the money? For the 8 million? The 4 million? From PDC?

Abuaf: You'll see coming before you it is in -- it's split over two years, but the 4 million is carried in the budget as was the Caruthers expenditure to parks for -- and the savings that we go toward greenway.

Adams: Why are there two paths?

Argentina: I can speak to that. We know from our experience in other riverfront path environments that these are getting more and more use all the time. And best practices around the world is a separate the path, one for pedestrian and one for bikes and other wheeled transportation. We see it all the time, whether it's on the east bank esplanade, waterfront park, the conflicts occurring, the stresses it creates, safety issues, the dual path has been an integral part of the plan for south waterfront since 2002, and it really needs to become the standard I think elsewhere.

Adams: And what's the confidence level of the budget estimates? Low, medium, high?

Argentina: Would I say it's medium. We have our design pretty far along, we've been conservative, particularly on the environmental clean-up costs. But as we're trying to flag, there are things we can't further test until we get in there. We looked at, could we test more, spend money to test more in the bank and see what would happen, and the costs outweigh the benefits of doing so.

Adams: You mentioned the risk of improvements being washed away. Can you talk a little bit more about how high the river has to go before things get washed away?

Argentina: Well, each high water event is unique in terms of where it hits and how it hits. We don't have final design yet, so we'll work with the structural engineers to define what is that magnitude of event that they're designing to. And I can't tell you right now what it is, though certainly the level 18, which is the ordinary high water, that could be inundated every year, and they're designed to withstand that. It's difficult, because high water events vary very much in their local effects.

Adams: Thank you. Other discussion?

Saltzman: Just to follow up on some of those questions the mayor was asking, what's the high water mark right now?

Argentina: The highest we've ever seen?

Saltzman: Today. The river is pretty high, I'm trying to get --

Argentina: I don't know.

Saltzman: Are we talking 18 feet --

Lovell: No. No. I haven't checked the gauge today, but in the storm in December it got up to about between 13 and 14, the city of Portland. So that's usually what we see on an annual or biannual basis, about 14. The corps of engineers and the regulators like to use 18 as a conservative value, and that's where we see the vegetation line establish. So --

Saltzman: Is it the high water plus the velocity of the river that will cause the scouring? Is that the right term?

Lovell: Yes.

Saltzman: Ok.

Argentina: There's a range of scenarios. Some of it may be the materials wash away and we have to replenish plants and material that are in the vaults. Worst case, it gets hit really hard and the

January 27, 2011

tiered row of vaults portion of that would be destroyed. It's designed to withstand, we know ordinary high water will fully inundate the upper vault and they'll be designed to withstand that.

Saltzman: And then on the environmental clean-up, you said we're conservative, almost a million dollars for environmental clean-up?

Argentina: It's really just for disposal. We're assuming virtually all the material will be classified as lightly contaminate and need to be hauled off. We hope that won't be the case, and that we'll be able to reuse material, and particularly in the wall structure, where as long as the material is clean, it would be a very good material to use within the structures.

Saltzman: When you say lightly contaminated you mean it would not be hazardous waste?

Argentina: It would have to go to Hillsboro.

Saltzman: Not Arlington?

Argentina: Not Arlington.

Adams: What's in Hillsboro?

Argentina: A solid waste disposal facility that accepts certain -- up to a certain level of contamination.

Saltzman: I guess I'm just -- is this consistent with what Zidell is finding in all their work right upstream from us, or downstream from us in terms of contamination and hazardous versus lightly hazardous?

Lovell: The Zidell property, the activities on the Zidell property present a very different level of contamination. We have not seen that same level of contamination based on the sampling that we've done, both in the river and upland at this site. The Bureau of Environmental Services today small bank proposal with NMI around the swale, a number of years ago, so we have sampling and data from that as well, and it came back fairly clean. So where we have touched the bank in this area, we're pretty confident that we've been able to manage around the risk.

Fish: Students at PCC watching this hearing will get college credit for that exchange. I want to go back to -- it was very illuminating and high level both ways, but that question of cost benefit is what I asked of Eileen and our staff. How much more testing can you do to find out what the risk is, and there's apparently a certain point where you're just spending a lot of money with a modest return, and so this proposal contemplates that we would go forward, but there is a risk that at some point we find something that's contaminated beyond what we're envisioning, but we're just trying to do a balancing act.

Argentina: I would add there's been extensive testing by Hart Krauser, who is part of the due diligence on the site, and this reflects what we've done through that testing process.

Abuaf: We have additional information from the fact the condos did excavate back, so as Kaitlin mentioned, the original line was almost back under those condos, so we have a sense of what was also found underneath the condominiums when excavated.

Fritz: I have questions about the exemption from the competitive bidding process. Can you describe the selection process that will be used in the makeup of the selection committee?

Argentina: I'd like to ask Allison Rouse and possibly Christine Moody to speak to that issue.

Fritz: Thank you.

Fish: Do we need Harry too?

Argentina: I don't think so.

Fish: Commissioner Fritz will have a couple questions about this process, and then a suggestion of how we go forward.

Argentina: I think Allison has been lead on just designing the process and putting the RFP together.

Allison Rouse, Portland Parks and Recreation: Good afternoon, I'm Allison Rouse, program specialist for the Parks Bureau. As far as the selection committee, we envision a committee of nine at present, with representatives from the Park Bureau, the management team and the project

January 27, 2011

manager at the Parks Bureau. The project manager from the PDC as well as one of their construction managers to provide expertise. A representative from Bureau of Environmental Services to help us with the soil and issues that may come up. Representative from the design team and then also three evaluators from the minority evaluator program, and then we -- so that's what we envision for that. And what was the second part of your question, please?

Fritz: Just the selection process. How you evaluate the different proposal.

Rouse: We craft a request for proposals that is advertised publicly, and with a clear set of criteria for a successful proposer to address crafted around the technical needs of this project, there's quite a lengthy period of, a bid period so they have plenty of time to examine the documents in the existing information that Eileen and everyone has used to craft your presentation. And the selection committee will use criteria that's advertised in that RFP to rank the respondents and choose the top three, and we may choose to interview the top three or it may a clear selection depends on what we get back. But it will be competitively bid. And then when we choose a successful proposer, that person will be signed to a preconstruction contract which is for them, the year that Eileen referenced when they'll work with the design team to help with the value engineering and refine and design to its completed state. During that time they will be asked for a proposal for the price of the construction work, and when a successful conclusion to that negotiation is achieved, they will be assigned to a construction contract, at which point they become the contractor and the project proceeds in a fairly normal way.

Fritz: How do we establish the price at that point? The construction price?

Rouse: They will be asked to -- why don't I pass to Christine. That's a technical thing.

Fritz: I think this is a very good process, and it makes sense in this process with this complexity of a project, I'm just seeking clarity on how the decisions are made and what factors weigh in.

Christine Moody, Bureau of Purchases: Ok. So like -- Christine Moody, procurement services. Like Allison said, after we've got the general contractor on board for -- to finish up the design with both the city and the existing design firm, they will negotiate a guarantee maximum price for the construction of that contract. That contract will then come back to council for approval at that time. So you will have an option to look at what the guarantee maximum price for construction is when we get to that point.

Fritz: How do you figure out what's there at that point? Because it hasn't been the competitive low bid that we would otherwise --

Moody: It's part of the evaluation for the request for proposal. So there's -- I don't know the specifics for this one, but there's things that project approach firm capabilities, that's a factor in a request for proposals process.

Fritz: It did say in the ordinance qualifications approach and price, it also mentioned in the rest of the process that public benefit assist one of the criteria that you use in selecting. And I wondered, are we allowed to put public benefits of the proposal as a fourth category for helping to select? I'm thinking back to the discussion we had yesterday as far as apprenticeship and training and on the job inclusion of women and minorities. Are we allowed to include any of that in our evaluation?

Moody: Part of our evaluation criteria is diversity, and we evaluate what kind of subcontracting plan the awarded contractor would have, although they don't submit a plan at the time of the request for proposal, they tell us where they would think there would be opportunities for minority and women and emerging small businesses and the subcontracting. We evaluate what type of work force that they have on their existing -- with their existing work force, and what they perceive would happen if they got the project. So those types of things are within a diversity criteria that we typically have awarded 15 points to that.

Fritz: Do we award points for public benefit in addition to that? Or public benefits of what they're proposing to put into the project?

January 27, 2011

Rouse: I would say that other than the strictly the work force outreach requirements, the public benefits are embedded in making sure that we can achieve the objectives of the project for the price -- the budget that we have. It has to do with achieving the quality under circumstances of uncertainty, beyond -- I don't have a specific benefit criteria. Do you have something in mind?

Fish: If we dock it now or after the hearing, but if you have some thoughts on how we might strengthen this process, we would love to hear that, and perhaps we could -- you can do it here, but we'd also be willing to have a meeting in your office and explore this.

Fritz: I think this is an interesting concept we ought to be looking at more, so one request I have, you said that there were lots of people on -- different kind of folks on the selection committee. And I am very happy to see three well qualified women before me, and I assume there will be women on the selection committee.

Argentina: Yes, there will.

Fritz: It wasn't specifically mentioned, but -- I just came from the planned parenthood lunch, so I'm fired up with feminism right now.

Fish: Commissioner Leonard is beginning to perspire.

Fritz: Would I like to request that for those of us who don't have a bureau staff member on the selection committee, if you could invite a member of my office staff to observe the process, it would be really helpful for me to help learn how this works and so that I can work with my colleagues to make sure there are other improvements to make. And I commend Christine Moody for your work, you've been making a lot of improvements like this since your tenure, and I greatly appreciate it.

Argentina: If I could just add, one of the things Christine has shared with us is this process has turned out to be more effective in working with contractors and ensuring good subcontractor diversity participation. So that's just a benefit we're excited about.

Fritz: Thank you very much.

Adams: Thank you.

Fish: Thank you all very much.

Adams: Has anyone signed up to testify.

Moore-Love: No one else signed up.

Adams: All right. Council discussion? Please call the vote. On the first item.

Item 105 roll.

Fritz: I was on the planning commission when the green -- the north Macadam plan went through, and the initial greenway discussion, so it's exciting to see this coming to fruition, and having dealt with them pretty significant challenges along the way. And I commend commissioner Fish, who like me on the council has come in to this with some fresh look, and a definite commitment to figuring things out, how they get done. I particularly thank all of the staff who have been involved, not only in Parks and Portland Development Commission, Bureau of Environmental Services, the Department of Transportation, Office of Healthy Working Rivers, and Development Services, we have all been engaged in this, and it needs to continue to be a partnership as we move forward. So that we make sure that as many different needs are covered. And also our citizen partners who have been very helpful in advocating, in pointing out where city staff and others have maybe missed things or things can be improved upon. The new residents of south waterfront are active participants, and that's really great. And I think the greenway is the key piece of south waterfront, which will make it a vibrant community, and I'm very excited to see this further step in completing the greenway which is core to the entire economic as well as sustainability and livability of that neighborhood in my opinion. Thank you for your work. Aye.

Fish: Well, this is a complicated risky project. And because of that, I ask parks to put together a presentation and brief all my colleagues before this hearing to make sure that we had given them all relevant information, and get good feedback. From those presentations, we did get good feedback,

January 27, 2011

and Eileen Argentina spent the last two weeks refining her presentation, and I really want to compliment Eileen. This is an extremely difficult thing to condense into a 15, 20-minute presentation, but I thought did you a superb job, and I want to thank Kaitlin and Lisa also for your presentations, and in laying it out so clearly. When I talked to people about south waterfront, I generally encounter two camps. There's the cup half full crowd and the cup half empty crowd. And I think we know who falls roughly into one of those two camps. Amanda and I are fairly new to the council, and the council in the last two years has been charged with moving forward on some of the more ambitious and important pieces of the south waterfront puzzle. I think our sense is, let's look forward and let's honor past promise and let's continue to build out the community that was envisioned. If you are today walking around south waterfront, you see the fruits of this collaborative effort and this team that is before us today. OHSU has a wellness building, where I get my health care through my wife's employer, where I'm told commissioner Leonard can be sighted sometimes in the morning in the health club. Across the street is a beautiful new building that's gone up that is home to older adults who chose to make south waterfront their home --

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

Fish: There's a beautiful new park, there's a beautiful new park that was a long time in the making but came in under budget, and I'm very proud that in the budget you received today for the greenway, there is the proposal for the contingency, that is the money that was not expended to be shifted over to the greenway. We've received rave reviews on that new park. As you continue walking south, there are two new developments that have come in, and block 49, which is the proposed veterans housing is poised to break ground this spring. There's lots of pieces coming together, and as commissioner Fritz said, perhaps the piece that ties this a lot together is the greenway. This is not without risk. And so I asked Eileen to be very clear in her presentation to identify the risks, to walk my council colleagues through this, and to make sure that they understood what they were, what they are, and so there was never a claim down the road that we somehow hit the ball on those risks. Because a project of this ambition has risk. But it also has the potential for an enormous payoff, and as we all know, sitting up here, the people who live in south waterfront feel passionately about adding this greenway and this council's committed to delivering the right greenway. So in closing, I just want to thank all of our partners. First of course my bureau, Parks and Rec, Eileen, Zari Santner is here, all the people who are working so hard to make this happen. The Portland Development Commission, Lisa, thank you very much, and your colleagues. Bureau of Environmental Services, and among others, we have the director here today. Healthy Rivers, Bureau of Planning and Sustainability has been with us on this journey, Bureau of Development Services, we got a bunch of lawyers in this room, Harry and others, thank you. Tri-Met, a few acronyms I've even forgotten, I would need commissioner Fritz to remind me. And of course the neighbors. Because this process from the beginning has been a collaborative process with the people living in south waterfront helping us to get it right. So to everyone who has brought us to this point, thank you, and now the hard work begins. Aye.

Saltzman: The new south waterfront neighborhood has been a challenge for the city from its inception, but I still support the vision and the policies behind what we've done today, and I'm convinced ultimately this is going to be a great asset to the city of Portland. And it's on its way to doing, that but certainly what key link is having a greenway segment that we can be proud of, and I think the design and the hard work that's gone into this really is showing not only that we can think creatively and think artistically, but we also can be mindful of cost. And I realize there's some considerable risk any time you're dealing with essentially hazardous materials or historical areas like a waterfront, there's all sorts of risks that can be associated with, that but I'm satisfied we've done as much due diligence as we can possibly do without getting in there and doing the work itself. But I do think this has been a great partnership, a pragmatic one and one that will pay off for the citizens not only of the south waterfront neighborhood, but for our city and its -- in its entirety

January 27, 2011

and the future. So I want to thank commissioner Fish and all the bureaus, Bureau of Environmental Services, Healthy Working Rivers, PDC, Planning and Sustainability, and for really the citizen and who have really rolled up their sleeves and produced a good design that will work. Aye.

Leonard: I remember when the council in the '90s passed and implemented the decision to build the east bank esplanade. It was the object of a lot of derision. And since that time until now it's probably proved as it has become an integral part of the 40-mile loop, and the greenway by connection with a variety of bridges that gets you over to the west side of the river, probably one of the most popular amenities in the city used by bikers, runners, and pedestrians, and people from out of town who just love the view. To view the action that we're taking today as an amenity to south waterfront would be myopic. Along with the agreement that I'm hoping is soon to come from Zidell on developing their property, it would become an integral part of the 40-mile loop, the Willamette greenway, and will extend that path that people use to connect to the river. And to bike and run and recreate. So this is a very important piece, it has covered all the important elements, I commend commissioner Fish for the diligence with which he's brought to this task, it had to happen the way it did for it to come together, and with a couple more decisions down the road, we're going to extend that greenway and the 40-mile loop to include this area, and it's going to be very cool. Glad to vote for it. Aye.

Adams: Well, I want to thank commissioner Fish for his dogged oversight of this project, I want to thank my colleagues of Portland development commission as well, Lisa, in addition to Parks and the whole team. As you move forward, I'd encourage you to, and as you bid it, I would encourage you to be cognizant that you might have to phase something. If you end up paying -- if we end up paying a lot more money because we find some surprises. So as you move forward, based on my experience on some other projects, so that things don't come to a screeching halt, but just assume worst case scenario you find something don't want to find, and then figure out what might be phased in later. The fact that we're doing some in-water engineering is progressive and a tough part of the river, I know. And from everything you've told me and my staff, you've really thought about I think everything that you could think about in terms of dealing with various levels of the river and various conditions. And if it works, then it's going to be a national model, a best practices. And if it gets scoured away while it's growing, then we'll have to go back and mend it. But I think --
*****: [inaudible]

Adams: So I would just say that it's worth the effort, and it definitely is going to be improvement for water habitat, which is long time coming in this part of the river. Aye. [gavel pounded] please call the vote for the second item.

Item 106 roll.

Fritz: I especially like it when we have two paired ordinances and my turn to vote first, because I get to add in the things I forgot to say the first time around. One of those things is to thank Emily Hicks in commissioner Fish's office and Patti Howard in mine for their work on this. And secondly to emphasize my awe and gratitude toward the mayor for his direction and support as Christine Moody and others in procurement services throughout OMF, looking at ways we can achieve our broader goal for the city and supporting all of its citizens. Beyond what we have been required to do or what we've been able to do before, looking for different ways, because we know we haven't been achieving as much as we want to achieve. So thank you mayor for that. And thank you commissioner Fish for your openness and transparency throughout this process. As exemplified by my request, could I have an observer in the RFP process, and his response was of course. And this council does -- is making a lot of effort to work together and to figure things out, because we can't afford not to. And we want to provide good value for the citizens, for the taxpayers' money, and that's what we're doing in this process. And I appreciate the work. Aye.

January 27, 2011

Fish: Thank you for your kind words. And in addition to Emily Hicks, Jim Blackwood has worked very diligently on this, so we're very fortunate to have Jim and Emily on my team. Thanks to both of them. Aye.

Saltzman: Aye.

Leonard: Aye.

Adams: Aye. [gavel pounded] we're adjourned.

At 3:00 p.m., Council adjourned.