



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **20TH DAY OF FEBRUARY, 2013** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz and Novick, 4.

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

Items No. 143 and 144 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
138	Request of Angel Lambart to address Council regarding fluoridation and the environment (Communication)	PLACED ON FILE
139	Request of Art Lewellan to address Council regarding CRC - time for a time out (Communication)	PLACED ON FILE
140	Request of Larry Southall to address Council regarding the housing discrimination audit testing by the Fair Housing Council of Oregon (Communication)	PLACED ON FILE
141	Request of Barbara Boose to address Council regarding chronic nuisance complaint (Communication)	PLACED ON FILE
142	Request of Grace Groom to address Council regarding continued funding for SUN Schools programming (Communication)	PLACED ON FILE
CONSENT AGENDA – NO DISCUSSION		
Mayor Charlie Hales		

February 20, 2013

<p>143 Appoint Rob Fullmer and reappoint Christopher Smith to the Community Budget Advisory Board for terms to expire December 31, 2015 (Report)</p>	<p>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>
<p>144 Adjust date for the Portland Police Chief report on the Portland Police Bureau work with the Federal Bureau of Investigation Joint Terrorism Task Force (Resolution) (Y-4)</p>	<p>37002</p>
<p>Bureau of Environmental Services</p>	
<p>*145 Authorize the Director of the Bureau of Environmental Services to enter into Intergovernmental Agreements for the Portland Loo (Ordinance) (Y-4)</p>	<p>185890</p>
<p>Bureau of Planning & Sustainability</p>	
<p>*146 Accept and appropriate an Intergovernmental Grant Agreement with Metro to accept funding for the Green Development Resource Center for FY 2012-2013 (Ordinance) (Y-4)</p>	<p>185891</p>
<p>147 Consent to transfer of the residential solid waste, recycling and composting collection franchise from J.M. Boitano Sanitary Service to Hoodview Disposal and Recycling (Second Reading Agenda 124) (Y-4)</p>	<p>185892</p>
<p>Bureau of Transportation</p>	
<p>148 Accept the Certificate of Completion, Acknowledgement, Release and Certification for the Emergency Landslide Mitigation repairs for SW Sam Jackson Park Road and Broadway Drive (Report) (Y-4)</p>	<p>ACCEPTED</p>
<p>*149 Accept and appropriate a grant in the amount of \$35,000 from Oregon Department of Transportation to provide trip tracking equipment and bicycle parking services to Safe Routes to School partner schools (Ordinance) (Y-4)</p>	<p>185893</p>
<p>*150 Authorize the Bureau of Transportation to acquire certain temporary rights necessary for construction of the N Killingsworth St: N Commercial Ave - NE MLK Blvd Project, through the exercise of the City's eminent domain authority (Ordinance) (Y-4)</p>	<p>185894</p>
<p>*151 Authorize application to Metro Regional Travel Options for a grant up to the amount of \$700,000 for transportation demand management projects (Ordinance) (Y-4)</p>	<p>185895</p>
<p>152 Accept a grant in the amount of \$279,888 from the Portland Development Commission for the Foster Road Transportation and Streetscape Plan - Design and Construction Phase 1 - Rapid Flash Beacons (Second Reading Agenda 128) (Y-4)</p>	<p>185896</p>

February 20, 2013

Office of Management and Finance		
*153	Establish exemptions for the Prime Contractor Development Program (Ordinance) (Y-4)	185897
*154	Update Procurement Code to conform to new state law and make technical corrections (Ordinance; amend Code Chapters 5.33 and 5.34) (Y-4)	185898
Parks & Recreation		
*155	Authorize additional systems development charge funds for Chimney Park to Pier Park Bridge project (Ordinance) (Y-4)	185899
Portland Housing Bureau		
156	Authorize Third Amendment to the Agreement for Disposition and Development of the Jefferson West Apartments (Ordinance)	PASSED TO SECOND READING FEBRUARY 27, 2013 AT 9:30 AM
REGULAR AGENDA		
Mayor Charlie Hales		
Bureau of Transportation		
157	Vacate a portion of NE Sumner St west of NE 14th Pl subject to certain conditions and reservations (Second Reading Agenda 135; Ordinance; VAC-10078) (Y-4)	185900
City Budget Office		
*158	Adopt Winter Supplemental Budget changes to the FY 2012-13 Revised Budget and make budget adjustments in various funds (Ordinance) 30 minutes requested (Y-4)	185901
Office of Management and Finance		
159	Grant a franchise to Lucid Energy, Inc. for a renewal energy project in conjunction with the Water Bureau for a period of 20 years (Previous Agenda 63)	PASSED TO SECOND READING MARCH 27, 2013 AT 9:30 AM

At 10:11 a.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland



By **Karla Moore-Love**
Clerk of the Council

February 20, 2013

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

February 20, 2013

WEDNESDAY, 2:00 PM, FEBRUARY 20, 2013

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

February 20, 2013
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.

FEBRUARY 20, 2013 9:30 AM

Hales: We have a special presentation, and drew here to kick that off, and after that, we'll gavel in the formal session of the council but we'll have fun first, so, thank you for being here.

*****: Thank you.

Drew Mahalic: And good morning, everyone. I am drew with the Oregon sports authority. Our local honorary council, andy, representing the united kingdom, put our organization, the Oregon sports authority, in touch with mr. Robyn newman, the vice council of the british consulate general to discuss a very important visit, discussing the cultural and economic legacy of the 2012 london olympics. I have given you a dvd and a flag, to put you in the spirit of the olympics, and it's my honor to introduce the, the british prime ministers limbic and paralympic legacy ambassador. He's a highly decorated athlete. 11 world records. And in the middle distance races two-time olympian, four medals, and two gold, and if you wonder whether these achievement could be exceeded, he did so serving his as chair of the london organizing committee of the olympic and paralympic games. He delivered the most inspiring address in an opening ceremony in the olympics I have ever heard. With nearly 5 billion people watching across networks throughout the world. Please welcome the internationally renowned lord sebastian coe. [applause]

Hales: Welcome, lord Coe, it's an honor to have you here.

Lord Sebastian Coe: Thank you very much, i'm delighted to be here. And thank you, also, for so graciously hosting me this morning in a part of the world that was, was, for me, the cradle of the running revolution. It's by, why I became an athlete and, and it's the, the people that, that drove that running revolution, and of course, I don't need to, to be in this part of the world long without mentioning the inspirational name of steve prefontaine, who created a generation of athletes who came through in here on his formative coat tails. But, i'm delighted to be here, and delighted to be a part of, of the world that really does understand the, the impact that sport has in local communities. And that is what we set out to, to challenge ourselves in london, and I think also, congratulations are due to you, as well. And in your new endeavors. Congratulations.

Hales: Thank you, it's a great honor to have you here, and, you know, as you know, Oregon does have this wonderful legacy of, of sports and the outdoors, and running, in particular. And we're very excited about that reputation, and the possibilities for the future. We're also excited about some of the upcoming events around the world. I had a chance to visit brazil and hear about their preparations for the olympics there, and just met with representatives of cotter because they are preparing for the 2022 world cup. So the international community of sports, is, includes Portland. I want to give commissioner Fritz a chance, in particular, to welcome.

Fritz: It's very exciting to have here and my british accented is coming right out now. One of the things I was the most impressed about was the volunteer effort, and you named it, the people's olympics, and for those watching at home who were not aware, 240,000 people offered to volunteer at the olympics, and 70,000 were trained, and an amazing feat in and of itself, so thank you very much for visiting us, and for all you have done for the sport in general.

Coe: That's very kind of you. I saw the london games as very much more than just something that, that we were very honored to, to deliver for four weeks. In the history on the life of our nation. For me it had to have a lasting and sustainable legacy and that is the second half of the journey that the prime minister has asked me to help with. The first 10 years were the delivery of the vision and the

February 20, 2013

delivery of the games. The second half of the journey will be tougher. The 20th century was about connecting sport to the world. The 21st century will be connecting young people to sport. And the legacy of spiritual and economics is one we want to leverage in every possible opportunity. Thank you for your encouraging words and your british accent is coming through very strongly this morning.

Fish: Thank you mayor. Lord coe we welcome you to Portland. I just want to say you caused a real stir in this building. One of our deputy city attorneys who is quite a runner was walking around saying did you know that Sebastian coe is in the house. So that's a big deal and I also just want to thank our friends in the Oregon sports authority. Drew and len do a great job of being ambassadors, and helping Portland brand it's work around sport, and so you could not hang out with two better guys, so thank you.

Coe: I am looking forward to meeting the olympians in a few moments, as well, but thank you very much for your courtesy and, and the way that you have hosted me far.

Novick: Lord coe, I wanted you to know mitt romney had a 20-point lead from the polls in Oregon before he dissed london's preparations for the olympics and he collapsed after that so people here were paying close attention.

Coe: I think that I will leave that for your observation. [laughter]

Hales: Well, welcome, it's so nice to have you here. The lord will be speaking in the atrium at 10:00, and we're going to have a number of olympians from Oregon here. We hope to keep producing more olympic contenders and having them succeed in the olympics ahead, so, thanks for all that you have done for the movement and welcome so much to being here in Portland.

Coe: Thank you very much, and I think Mo Farah, you can rightly claim to be, at least in part, a product of the Oregonian ingenuity and coaching.

Hales: Welcome. Here, here. [applause]

Hales: Wonderful. So, we'll convene the regular meeting of the city council, and call the roll, please.

Fritz: Here. **Fish:** Here. **Novick:** Here.

Hales: Here. We have a number of communications items. Let's take those up in turn, please.

Item 138.

Hales: Welcome. You just have to state your name for the record, and you know you have three minutes.

Angel Lambart: Good morning, I am angel lambart. And I am the mother to a beautiful toddler, but, before my daughter came along I was a small business owner. And I also have a thyroid auto immune disorder and have been working with my primary care physician and dentist to avoid flouride because it is a thyroid suppressant. I am here today because I want my daughter to grow up in this beautiful city like I did, and because we must be mindful of our place amongst the creatures in this world. I am here to talk about our beautiful salmon. This was critical to the survival of many peoples of our region. I can understand this because no matter how far from Portland I get I have an insatiable desire to come back home. So, in order to survive in fresh and salt water salmon have to be good at regulating the levels of water and salt in their bodies. Both are very important and necessary to their survival. When they are in fresh water, they, basically, harvest the salt from the water, but it's fresh water, so they have to process a whole lot of to get enough salt. When it comes to water fluoridation, that is exactly what what is happening all over the country. Cities are getting what they want out of the water, and just littering it back into the world with no consideration for its impact on the rest of the planet but we're Portland, Oregon, and just littering the water back into the world without consideration for the environmental impact not ok. And so, I ask you, as our city council, what costs of adding these chemicals to the water? Thank you very much.

Hales: Thank you. [applause] next item, please.

February 20, 2013

Item 139.

Hales: You have got to take your turn.

Art Lewellan: That made it easier on me.

Hales: I apologize but we need a calendar and we need to stick to it.

Lewellan: I know. Good morning.

Hales: You know the rules and state your name for the record.

Lewellan: I know. My name is art lewellan, I live in northwest Portland, and I am art lewellan, I am here to speak about the columbia river crossing project. I have some recommendations and requests and I want to talk about myself, and I am going to lead into the columbia river crossing project and finish with why i'm here today. I request and ask that the city, as a part of the policy, make a determination that when people come before the council, that their concerns were addressed as soon as possible. I feel like it's, it's -- people are losing faith in our governments, and especially, with the people who participate, they want to know that you really are listening and, and taking their, their concerns serious. I became an advocate for lightrail in 1992 and produced a design for Portland, and it received a review. I look back and say, our progress as, I believe, has proceeded fairly. In 2000 I took the design itself, which I say was not, is a concept more than a design proposal. It's a concept, and so I asked for review. Again the design I used to apply in Seattle, I didn't know where else to take it to ask for review. The Columbia river crossing to me is such a mess, I do not believe the bridge design that is now on the table can or should be built. I believe it is structurally unsound. I believe the commission has lost its credibility and I blame Washington state department of transportation as the lead agency who has I believe tampered with this planning process. In Oregon I blame the port of Portland for being the agency that should have known about the river clearance issue and because their plans for the hayden island terminal, at west hayden island, that is no place for a rail oval track. You don't want to tie up the main line. You don't want to risk closure in a derailment and in terms of global warming, flooding is going to be even greater. There is a place to invest in rails in north Portland. In seattle I've come to carefully watch all of their plans up there and I am fearful for the planning of the Washington state highway department to put a bored tunnel under that city and I am predicting that if it is built it will undermine the building foundations of the city of seattle and eventually bring them down. It is a terrible danger and I am distraught, fearful that it is going to happen and I asked the city to take my claim seriously.

Hales. We will, art and thanks for being here this morning.

Lewellen: Thank you mr mayor. I'm just a wreck.

Hales: You are raising good points. Thank you for coming. Appreciate it.

Item 140.

Moore-Love: He called this morning and may be late.

Item 141.

Hales: Good morning.

Barbara Boose: Good morning. I am nervous. All right, now, my attorney wants me to ask you, regarding a chronic nations ordinance, which I may have, he wanted to, to ask, specifically, mayor, and the council for this ordinance. I am not sure if it's the correct ordinance, and he wants -- I will, I will appreciate if you will please look into it. It's in regards to the 20 pages that I have just given to you and, and in 2011, housing inspector charles myrick came over to my property regarding a chronic nuisance complaint regarding the trees that were growing into my foundation cracking the foundation of my home as well as my garage and causing lightning to go into my kitchen. The trees are overhanging as well as my roofs and ruining my roofs as well as going into my foundation. He saw first hand and took pictures. He thought the neglect was so severe that he recommended to remove all the vegetation and debris five feet from my property line and what I ask for you to be pro-active as soon as possible to look into this situation. As far as I was told by colleen poole in

February 20, 2013

personnel, under commissioner Saltzman, that ed marahart blocked this procedure. At the 2000 council meeting it was charles myrick's signature was lifted. But he had me do an arborist report and I worked with five arborists. I got them lined up and the person who saw as a hardship case, he did it for 1/10th the amount. They were all in agreement as to what to do.

Hales: You're out of time, so you've given us this information and we'll make sure my office gets you a copy of that ordinance, as that's something you specifically request. And we'll all review this. Thanks for bringing it here this morning.

Boose: Thank you and if you will please—if this is the correct ordinance. That's what my attorney wants to know. We have chronic complaints in the ordinance Karla provided, but we don't know if the trees cover it, so we would appreciate working with you so that I can file a decent lawsuit.

Hales: We cannot necessarily interpret the ordinance, but we can get you a copy. So.

Boose: Well, I would like to -- we would like to meet regarding my, um, the condition my property right now, and what I am supposed to take because, because charles myrick was put on a gag order and I don't know what the next procedure is, and I mean, there is, there is -- he works underneath you, and porasky said that he volunteered to, to use sonar, to, to -- because i'm afraid of a dig under the foundation--

Hales: Let's not going into the details. Thanks for bringing it to our attention. We'll get you a copy of the ordinance and make sure we follow up with you.

Boose: I'd like to follow up with a meeting and the correct process to clean up the property because I want to donate my property for creative purposes. So it means a lot.

Item 142.

Grace Groom: I'm here today to show my support for the sun schools after school program. I'm a mother of two young children in the audience today and we have several other children here today who are participants in the roseway heights sun school program. It's been a great program and a great benefit to many of our children at roseway heights. For the past two years my son has loved his after-school sun classes. He's excited when he goes to school when he knows it's a sun class day. And I know the reality of the budget situation, and \$25 million is no small number, and I don't envy your job at all, and but, I just really want to strong strong recommend that sun schools be spared cuts because the programs are so important to families in neighborhoods. My family would not be able to afford after-school enrichment programs, such as the ones that sun offer without the rose heights sun program. Times are tough but I know that once the sun programs are closed, the likelihood of them being reopened once the economy turns around, which we're all seeing signs of, I know that, that the chance of them being reopened slim. And many lives will be negative, negatively impacted if the schools are closed now. And roseway heights has had a sun program for 13 years, probably around the time that you, mr. Mayor, were advocating for the creation of sun. And before that, we had community school run by Portland parks, for another 20 years so that's 33 years of, of a lot of history and lives positively impacted in our neighborhood. And last year, this is the first year that was impacted, we lost our title one funding because of Portland's public schools change it go from 60% to 40%, free and reduced lunch to get title one fund money. So, we still have a significant financial need at our school right about 40%, and without the title 1 funding we have had to make significant staff cuts, and ask our families to pay the 300 plus a month for, for all-day kindergarten. If the sun funding is cut, these challenges would be made harder to bear for our families. 50% of the students at roseway heights participate in the program, that's about 300 of our k-8 kids, and that's about double the average at other sun schools. It also offers summer camps at glenhaven park which is adjacent to Madison high school and those camps are very popular, serving a wide population, not just our school population. And the staff at these camps administer the lunch program which has kids lined up across the park in the summer. We have a robust participation from neighbors that come into the building that otherwise wouldn't if the sun program wasn't there

February 20, 2013

that gives them a feeling of connection to the school and helps us leverage some resources from those neighbors that might not have been connected in another way.

So in conclusion I urge you to support funding of all sun programs run by Portland parks and rec, it's doing a fantastic job and a really important service to our neighbors. If I can beg 30 more seconds, I brought a book of letters from 1st and 2nd graders at roseway heights for you mr. mayor. I'll read a couple of those. Dear mayor hales, can I please take book club classes next year, please don't destroy our sun classes. Please I love my sun classes. Don't take them away. I learned in taekwondo that we trust each other. I learned in girls skateboard that we never give up. I learned in theatre class that we got to work together. I learned a lot of things in sun classes. And that was from aden.

Hales: One more. Letters from kids, we're suckers for those.

Groom: Dear mayor hales, I want you to keep the sun program going because they help us work with other people. They also help us bring peace to the world. I learned how to sing and protect my body. I love that you spent the money on letting us have sun programs! Thank you, sincerely, brooke.

Hales: Thanks for coming and bringing those. Thanks kids for being here. Hope the rest of your day is as good.

Moore-Love: Mr Southall has arrived.

Item 149.

Larry Southall: Good morning my name is larry southall. You all remember—

Fish: Are you here individually, or representing an organization?

Southall: No, I'm here individually. We all remember the press that came out in 2011 where claims were made 64% of minority testers were discriminated against when seeking rental housing. Those claims were made by the fair housing board under contract to perform testing for the city. The point I would like to make today is that I don't think the city has thoroughly addressed the damage that those claims have made to those providers in the city and I would like to have someone in the city examine the original test documents thoroughly and make some statement to the press about the validity of those claims. I began studying the docs when I received them boli as public information last year and have brought it to the attention of the city, but the response the city has made has been soft pedaled in terms of not describing the tests as false. The claims as false. The public has been left with the perception that the claims themselves are true, but there were flaws in the tests so they could not prosecute those racist landlords. I read and studied those documents thoroughly. I found no racist landlords. The claims are fraudulent. So you've been a house provider, mayor hales, if you can devote some time from you or your staff to look at these documents and make some statement to the public, that debate has not been done and I think it should be.

Hales: Thanks for being here. Thank you. We'll move on to consent calendar, there were some requests for items to be pulled.

Moore-Love: Item 144.

Fritz: Item 143, if you wouldn't mind pulling that back to your office. That's the appointments to the budget committee.

Hales: OK. Those two are pulled. I'll take item 143 back to my office for further review and we'll take up item 144 after the consent calendar. Let's take a motion on the remainder of the consent calendar.

Fritz: Aye. **Fish:** Aye **Novick:** Aye.

Hales: Aye. Item 144.

Item 144.

Hales: Mr. Handelman, I believe you wanted to make a statement about this.

February 20, 2013

Dan Handelman: Good morning, I'm dan handelman with Portland Copwatch and we pulled this item, not because we disagree with the substance necessarily, but because of the process of reopening the question of the resolution that was passed two years ago means that there are other pieces of the resolution that could be addressed at this time. And I might point out that the intention is the report will come out in march of every year instead of January. I'm not sure that grammatically the way its written right now it's 100% clear. I don't know if there's a chance to take a look at that language before you vote on it. But one of the things we're hoping is you will enshrine in the resolution what happened last year and what we're hoping will happen this year, a two week period where the public has a chance to review the draft report before it goes through council. We hope that we will have a chance to do that again here and into the future. Because these reports can be very complicated and we need to understand them before we testify before you. Reminder for the history, in terms of process for this item as well, task force existed way back in 1997 before 9/11 even happened and it came up on the consent agenda here when you mayor hales were a commissioner and we pulled it off of the consent agenda then. It is an important issue and i'm hoping anything to do with joint terrorism task force will be heard with a full airing like this with a public discussion, even though I know it is just a technical thing to move the date. We tried to make sure these things end up on the regular agenda. For those of you who are not maybe familiar with the whole history, at the time the first agreement surfaced on the consent agenda, it had very nasty language in it about going after right-wing and left-wing groups and the environmental movement and commissioner hales then said that it sounds like something out of the nixon era and had language rewritten and commissioner hales was the only commissioner to ever vote against the renewal of the task force, and I we thank you for that. And in 2005, mayor potter created a resolution that actively said that Portland would only participate on a case-by-case basis. That apparently got -- it ended up with an engagement with the police until after the 2010 so-called holiday tree bombing plot when the city made the new resolution that you are modifying today. While we have deep concerns about the underlying issues around police working with the fbi, again, i'm hoping that you will take to heart my procedural issues and the comments that I made about maybe enshrining in the resolution if you are going to change it to a two week period for the public to review the documents.

Hales: Thank you. Let me respond. I appreciate you raising these issues. It is my intention that we will have a full public discussion on the substantive issues. The point of this resolution is to reset the calendar to be flippant about a serious subject, used to be an oil change place in Portland, motto was we don't want to change the world, we just want to change your oil. All we are doing with this is changing the calendar. Points noted and we'll make sure there is a full public discussion when the substantive issues are take up -- the point of this is to not have the council be perennially late as we take up this annual review. If there is not any further testimony or concerns, I would like to take a vote on the resolution.

Fritz: Aye. **Fish:** Aye **Novick:** Aye.

Hales: Aye. Thank you. We are to the regular agenda.

Item 157.

Hales: Second reading roll call.

Fritz: Aye. **Fish:** Aye **Novick:** Aye.

Hales: Aye. Item 158.

Item 158.

Hales: Good morning.

Andrew Scott: Good morning. I'm andrew scott, budget director, and with me is Claudio campuzano, budget monitoring process coordinator. We had a work session last week on the winter Budget monitoring process. We covered a lot of these issues in detail. I will be brief today and hit a couple of the highlights. In terms of the big actions that are happening in this

February 20, 2013

winter bump, and, again, general fund reconciliation report is what we often refer back to in terms of going through these, transfer of just under \$50,000, from the compensation set aside by the fire bureau for employment claim. There are some reallocations of media reductions primarily from the office of management and financing, reductions taken in the fall. There are a number of new requests related to the department of justice report. Those requests are funded in here for the current year. The bump also includes language that changes current appropriation level targets for the next fiscal year. We had a good conversation about the department of justice costs last week. One of the changes that has been made funding has been included for an additional .5 fte investigator in the independent police review division. This bump also includes the transfer of loan funds to the water bureau, again, to repay them for some of the work they did down on the rose festival building. Also included are transfer of vacancy savings funding of \$411,000. This is an ongoing process throughout the year. \$411,000 is taken out of there. Funding for parks and recreation for the field, opening of the fields. We did go back at the request of council and work with parks on that number. \$19,490 included for opening the fields this year and again as was the case before when we talked about it. Ongoing funding, next year's budget at the full amount the parks requested. And I think those were the major highlights. Any questions?

Novick: On the justice department settlement, establishing a baseline for next year's budget, but do you think -- any barrier for us to revisit some of the issues relating to funding the settlements before we approve next year's budget? There is -- I think that ipr, half an investigator, also asked for additional administrative staff. I personally have questions as to why we need an entire police captain calling up the other captains to monitor their compliance with the settlement, and i'm just assuming that we will have more opportunity to look at those issues before we adopt next year's budget.

Scott: I will answer the question generically. Council as they go through every budget process can look at programs in every bureau and modify by reducing or increasing or keeping funding the same. What this bump does is sets out what the current appropriation level is for the bureaus next year. Certainly Council, during the budget process, either this budget process, future budget process could revisit those issues.

Fish: Our contingency following action today will be how much?

Scott: I meant to mention that. In total the winter bump spends \$90,776 out of that contingency, bringing the total to just over \$65,000.

Hales: Other questions for staff? Great. Thank you very much. Is there any public testimony on this item?

Moore-Love: No one else signed up.

Hales: Emergency ordinance and we will take a roll call.

Fritz: Thank you, aye.

Fish: Andrew, thank you for your outstanding work. This was one of the more challenging bumps that we have gone through. Mayor thank you for supporting the revised figure on o & m for the fields which we hope to have a soft opening in march. And a more formal opening to follow. I hope to be attending whatever soft opening or opening that you schedule. But thank you, andrew. Aye.

Novick: I appreciated the lively discussion last week and appreciate the action taken as a result of them. Thank you everybody, and aye.

Hales: I want to thank the council for a good deliberation. I agree commissioner novick and our staff and bureaus for working well together and taking up these questions. You can sum up what we did in this bump and maybe adopt a motto for the next budget, which is managing scarcity responsibly, and I think we have done that. Thank you all for your good work. Aye. Okay. Next item.

Item 159.

February 20, 2013

Hales: On a previous council calendar and it is back. It is not a -- not an emergency, but we have staff here. That's right. Okay. Mary beth, welcome.

Mary Beth Henry, Office for Community Technology: Hi, mary beth henry, office for community technology revenue bureau and i'm happy to answer any questions. This franchise will allow lucid to install with the water bureau turbines within water bureau pipe to produce renewable energy on city property and generate revenue for the city.

Hales: So, further questions for mary beth? No?

Fritz: Thank you, very much, mayor. I asked mary beth to give me a thorough briefing on this matter. It is a different kind of project, and not our typical franchise agreement. She answered all of my questions and if anybody in the public is interested, she can answer all of their questions, too. Thank you.

Hales: Thank you, mary beth. Anyone else to testify on this? Previous agenda, we vote on it now.

Moore-Love: No, this goes to second reading March 27th.

Hales: Move to second reading and we are adjourned.

At 10:11 a.m., Council adjourned.