



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **4TH DAY OF OCTOBER, 2006** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams and Sten, 3.

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

COMMUNICATIONS	Disposition:
1287 Request of Rey Ko to address Council regarding purpose of Neighborhood Associations (Communication)	PLACED ON FILE
1288 Request of L.J. Schwartz to address Council regarding South Waterfront development project (Communication)	PLACED ON FILE
1289 Request of Laura Herbon to address Council regarding cell towers in the public right of way (Communication)	PLACED ON FILE
1290 Request of Don Strong to address Council regarding custodians and Portland Public Schools (Communication)	PLACED ON FILE
1291 Request of Linda Bauer to address Council regarding sewer issue (Communication)	PLACED ON FILE
CONSENT AGENDA – NO DISCUSSION	
1292 Statement of cash and investments July 27, 2006 through August 23, 2006 (Report; Treasurer) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	PLACED ON FILE
Mayor Tom Potter	

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1293 Reappoint Youlee Yim You to the Portland Planning Commission for term to expire January 13, 2010 (Report) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	CONFIRMED
1294 Re-appoint David Bugni, Joseph Gehlen, Christopher Thompson and appoint Gaafar Gaafar, Harry Jones and Timothy Rippey to the Structural Engineering Advisory Committee for a term to expire August 31, 2008 (Report) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	CONFIRMED
Office of Emergency Management *1295 Amend contract with CH2MHill for \$95,008 to develop an Infrastructure Interdependency Workshop as part of the Portland Urban Area Public Infrastructure Protection Plan (Ordinance; amend Contract No. 36547) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	180476
*1296 Accept a Department of Homeland Security, Preparedness Directorate, Office of Grants and Training FY 2006 Urban Area Security Initiative Grant to plan for terrorism events through training and equipping First Responders (Ordinance) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	180477
Office of Management and Finance – Business Operations *1297 Authorize payment of \$30,000 from the Parking Facilities Fund to Pioneer Courthouse Square, Inc. as a contribution to the holiday tree lighting ceremony at the Square (Ordinance) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	180478
*1298 Pay claim of Heather Billington (Ordinance) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	180479
*1299 Pay claim of Nora Mullane (Ordinance) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	180480
Office of Management and Finance – Purchases 1300 Accept purchase of Public Safety Communications Equipment from Harris Corporation for \$613,776 (Purchasing Report) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	ACCEPTED
Office of Management and Finance – Revenue	

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<p>*1301 Authorize an Intergovernmental Agreement with Lane County for the Revenue Bureau to provide technical services for the Lane County Public Safety Income Tax (Ordinance)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180481</p>
<p>Office of Management and Finance – Technology</p> <p>1302 Extend contract with New Horizon Communications, Inc. to provide wireless and radio engineering consultation services for the construction of a public safety tower for the Water Bureau (Ordinance; amend Contract No. 33585)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p>	<p>PASSED TO SECOND READING OCTOBER 11, 2006 AT 9:30 AM</p>
<p>Police Bureau</p> <p>*1303 Authorize an Intergovernmental Agreement with the Multnomah County District Attorney Office for the 2006 Justice Assistance Grant to reduce crime and improve public safety (Ordinance)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180482</p>
<p>*1304 Apply for a \$60,000 grant for driving under the influence of intoxicants program enforcement from the Oregon Association of Chiefs of Police (Ordinance)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180483</p>
<p>*1305 Accept a \$98,723 methamphetamine grant from the Office of Community Oriented Policing Services to fund a Multnomah County Deputy D.A. dedicated to drug court prosecution of methamphetamine-related crimes (Ordinance)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180502</p>
<p>Commissioner Sam Adams</p> <p>Bureau of Environmental Services</p> <p>*1306 Accept a grant from the U.S. Environmental Protection Agency in the amount of \$25,000 to provide technical assistance to Portland businesses seeking certification in the Ecological Business Program (Ordinance)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180484</p>
<p>*1307 Authorize contract with Kenneth and Candace Krebs for sanitary sewer service and connection to a pressure pipeline in SW Cascade Terrace Project No. 7955 (Ordinance)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180485</p>

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<p>*1308 Extend Intergovernmental Agreement with Multnomah County for management of environmental cleanup on a County-owned property (Ordinance; amend Contract No. 52256)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180486</p>
<p>*1309 Authorize Intergovernmental Agreement with Multnomah County for vector control services, authorize compensation amount for the current fiscal year and provide for payment (Previous Agenda 1248)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180487</p>
<p>*1310 Authorize the Commissioner of Public Utilities to enter into a Consent Judgment with the State of Oregon for settlement of liability for certain remedial action costs in the Portland Harbor Superfund Site (Previous Agenda 1263)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180488</p>
<p>Office of Transportation</p> <p>1311 Set a hearing date, 9:30 AM Wednesday, October 25, 2006 to vacate a portion of SW Broadway Drive east of SW Davenport Street (Report; VAC-10026)</p> <p>Motion to accept the Report: Moved by Commissioner Adams and seconded by Commissioner Sten.</p> <p>(Y-3)</p>	<p>ACCEPTED</p>
<p>*1312 Authorize contract with Applied Pavement Technology, Inc. to provide Business Practices Analysis services for the Pavement Management System (Ordinance)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180489</p>
<p>*1313 Designate a Sewer Easement and Water Quality Protection Easement within property owned by Portland Parks and Recreation and assign to the Bureau of Environmental Services (Ordinance)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180490</p>
<p>Commissioner Randy Leonard</p> <p>Bureau of Development Services</p> <p>*1314 Authorize an Intergovernmental Agreement with the State of Oregon on behalf of Portland State University for the use of parking permits and access cards at the 4th Avenue Garage and provide for payment (Previous Agenda 1254)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180491</p>
<p>Water Bureau</p>	

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1315 Authorize the Bureau of Water Works to purchase property located at 6940 SW 10th Ave. to increase water storage capacity in the Burlingame area for \$549,000 and provide for payment (Ordinance) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM	PASSED TO SECOND READING OCTOBER 11, 2006 AT 9:30 AM
1316 Authorize the Bureau of Water Works to execute an Intergovernmental Agreement with Portland State University to conduct a study of the safety climate of the bureau (Ordinance) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM	PASSED TO SECOND READING OCTOBER 11, 2006 AT 9:30 AM
Commissioner Dan Saltzman Office of Cable Communications and Franchise Management *1317 Extend term of franchise granted to MCI Metro Access Transmission Services, Inc. (Ordinance; amend Ordinance No. 169230) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	180492
Office of Sustainable Development *1318 Authorize application to the Oregon Department of Environmental Quality for a \$39,100 grant for The Oregon Center for Environmental Health to fund hospital electronics recycling and environmentally preferable electronics purchasing initiatives (Ordinance) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	180493
*1319 Authorize application to the Oregon Department of Environmental Quality for a \$9,652 grant for public place recycling at Portland State University (Ordinance) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	180494
*1320 Authorize application to the Oregon Department of Environmental Quality for a \$52,700 grant for construction and demolition waste reduction efforts at the ReBuilding Center (Ordinance) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	180495
*1321 Authorize a sublease with the Wild Salmon Center for office space (Ordinance) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	180496
Commissioner Erik Sten Bureau of Housing and Community Development	

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<p>*1322 Authorize subrecipient contract with Portland Community Land Trust for \$294,000 to provide homebuyer financial assistance and provide for payment (Ordinance)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180497</p>
<p>Fire and Rescue</p> <p>*1323 Apply for a \$232,000 supplemental grant from the Department of Homeland Security for Portland Bureau of Fire, Rescue & Emergency Services for the City Metropolitan Medical Response System (Previous Agenda 1256)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180498</p>
<p>*1324 Authorize Intergovernmental Agreement with Portland Community College for Paramedic Field Experience training (Previous Agenda 1257)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180499</p>
<p>*1325 Authorize Intergovernmental Agreement with Portland Community College for advanced cardiac life support training (Previous Agenda 1258)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180500</p>
<p>REGULAR AGENDA</p> <p>Mayor Tom Potter</p> <p>Office of Management and Finance – Financial Services</p> <p>1326 Declare the intent to appropriate revenues from the settlement with Electric Lightwave, LLC to the Public Safety System Revitalization Project (Resolution)</p> <p>(Y-3)</p>	
<p>Office of Management and Finance – Human Resources</p> <p>*1327 Authorize a Settlement Agreement with Portland Fire Fighters Association to resolve grievances regarding benefits provided under Article 18, Section K of the Labor Agreement and continue to provide guidance to the parties on how these benefits shall be administered (Previous Agenda 1261)</p> <p>CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p>180501</p>

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<p>*1328 Authorize a Settlement Agreement with AFSCME, Local 189 to authorize payment to resolve a grievance under Clause 7, 8 and 9 of the District Council of Trade Unions Labor Agreement concerning Nancy Quan (Previous Agenda 1262)</p>	<p align="center">CONTINUED TO OCTOBER 11, 2006 AT 9:30 AM</p>
<p align="center">Commissioner Sam Adams</p> <p align="center">Bureau of Environmental Services</p> <p>1329 Adopt the Bureau of Environmental Services Sewer and Drainage Facilities Design Manual as an Administrative Rule per City Code 17.32.500 (Second Reading Agenda 1273)</p> <p>(Y-3)</p>	<p align="center">180469</p>
<p align="center">Office of Transportation</p> <p>1330 Accept Aerial Tram Project Minority/Women/Emerging Small Business and Sheltered Market Program Construction Subcontracting Program Report (Report)</p> <p>Motion to accept the Report: Moved by Commissioner Sten and seconded by Commissioner Adams.</p> <p>(Y-3)</p>	<p align="center">ACCEPTED</p>
<p>1331 Establish a finance plan for the North Macadam Access Improvements Project to identify sources of revenue for the City local match contribution (Resolution)</p> <p>(Y-3)</p>	<p align="center">36441</p>
<p>*1332 Authorize an Intergovernmental Agreement with Metro for the Lake Oswego to Portland Transit and Trail Alternatives Analysis project for \$50,000 (Ordinance)</p> <p align="center">CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM</p> <p>(Y-5)</p>	<p align="center">180503</p>
<p>1333 Increase the estimated assessment amount for project costs in Assessment Zone D on Marquam Hill in the Portland Aerial Tram Local Improvement District and increase the estimated assessment amount for Auditor's costs including financing in all assessment zones (Second Reading Agenda 1234; amend Ordinance Nos. 178675, 179009 and 179297; C-10009)</p> <p>(Y-3)</p>	<p align="center">180470</p>
<p>1334 Vacate a portion of SE 39th Avenue at SE Holgate Boulevard, subject to certain conditions and reservations (Second Reading Agenda 1278; Ordinance VAC-10030)</p> <p>(Y-3)</p>	<p align="center">180471</p>
<p align="center">Commissioner Dan Saltzman</p> <p align="center">Office of Cable Communications and Franchise Management</p>	

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1335 Extend revocable permit for K. West Enterprises, LLC to install, maintain and operate public telephones on City streets (Second Reading Agenda 1280; amend Ordinance No. 178001) (Y-3)	180472
Parks and Recreation *1336 Authorize the Director of Portland Parks & Recreation to enter into an Intergovernmental Agreement with the Oregon Department of Transportation to pass through \$65,000 to Friends of Trees for Neighborhood Tree Planting (Ordinance) CONTINUED TO OCTOBER 5, 2006 AT 2:00 PM (Y-5)	180504
1337 Authorize Intergovernmental Agreement with Multnomah County to provide Alternative Community Service crews to a maximum of \$104,144 (Second Reading Agenda 1281) (Y-3)	180473
1338 Authorize a grant to Linnton Community Center for operational costs (Second Reading Agenda 1282) (Y-3)	180474

At 10:50 a.m., Council recessed.

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A SPECIAL RECESSED MEETING OF THE COUNCIL OF THE CITY OF
PORTLAND, OREGON WAS HELD THIS **4TH DAY OF OCTOBER, 2006** AT
6:00 P.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard,
and Sten, 4.

Commissioner Leonard teleconferenced.
Commissioner Sten arrived at 6:08 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn
Beaumont, Senior Deputy City Attorney; and John Holly, Sergeant at Arms.

***1339 TIME CERTAIN: 6:00 PM** – Declare a six-month moratorium on
development within commercial and industrial zones on Hayden Island
(Ordinance introduced by Commissioner Adams)

**Motion to accept amendment to add exemption No. 6 “An application
for a final plat approval under PCC Chapter 33.600 for a land
division that has received preliminary subdivision or partition
approval prior to the effective date of this ordinance. If the final plat
is approved, no development shall be permitted on any lot or parcel
unless such development qualifies under one of the exemptions in
paragraphs d.1 through d.4 above. Also the addition of the words "or
parcel” on the third line down of exemption No. 5: Moved by
Commissioner Adams and seconded by Commissioner Sten. (Y-4)**

(Y-4)

Disposition:

180475
AS AMENDED

At 7:23 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **5TH DAY OF OCTOBER, 2006** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard,
Saltzman and Sten, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn
Beaumont, Senior Deputy City Attorney; and Gary Crane, Sergeant at Arms.

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

<p>1340 TIME CERTAIN: 2:00 PM - Tentatively support the appeal of Goose Hollow Foothills League and deny the application of Butler Block, LLC and M David Paul and Associates for The Allegro Condominiums at 1715 SW Salmon Street and 924 SW 18th Avenue based on the Central City Master Plan approval criteria (Previous Agenda 1233; Findings; LU 06-110824 DZM MS)</p> <p>Motion to adopt the findings and support the appeal of the Goose Hollow Foothills League and deny the application of The Allegro Condominiums: Moved by Commissioner Saltzman and seconded by Commissioner Leonard.</p> <p>(Y-5)</p>	<p>Disposition:</p> <p>FINDINGS ADOPTED</p>
<p>1341 TIME CERTAIN: 2:10 PM - Tentatively approve with conditions the proposal of Samantha Dang for Comprehensive Plan Map and Zoning Map Amendments for property at the northwest corner of SE 82nd Avenue and SE Bybee Boulevard and overturn the recommendation from the Hearings Officer (Previous Agenda 1271; Findings; LU 05-107223 CP ZC)</p> <p>Motion to approve proposal for Comprehensive Plan Map and zoning Map Amendments for property at the NW corner of SE 82nd and Se Bybee Blvd. and overturn the recommendation from the Hearings Officer: Moved by Commissioner Leonard and seconded by Commissioner Adams.</p> <p>(Y-4; Recuse-1, Saltzman)</p>	<p>FINDINGS ADOPTED</p>

At 2:10 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

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Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast.

Key: ***** means unidentified speaker.

OCTOBER 4, 2006 9:30 AM

Potter: ...working in the field of youth advocacy. They are here through a u.s. Department of state sponsored professional development program called the international visitor learning program. Their local sponsor is the world affairs council of Oregon. Welcome to Portland and to Oregon. We are very, very pleased to have you here. Thank you. [applause] and next we begin each wednesday by asking a question, how are the children? And we had heard and for our friends from africa, that in some villages in africa, that when two adults pass each other in the street, instead of saying, how are you, they say, how are the children? Are the children well? And so each wednesday at council, we begin our council meeting with that very question. And we have people who come in and speak on issues pertaining to young people. And today, we have -- it's emerson school. Isn't it? Yes. We have a whole lot of emerson school students up there, second and third graders? Good. Why don't you guys stand up and we can all clap for them. [applause] and they have selected two of their classmates to speak today, zeke winchel, age eight and in the second great and lumi baron, age 9 in the third grade. Could you come forward, please. There you go. Just grab a seat in front of one of those microphones. Thank you so much for being here. Kind of pull the microphone toward you so it's pointed towards you. Which of you has decided you want to speak first?

*****: How about me?

Potter: Ok. Zeke, let's start with you.

Zeke Winchell: Hello. My name is zeke winchell. I was born in Portland, Oregon, and live in wood stork. Name neighborhood where the mayor lives. I like my neighborhood because I can walk places. Like the library and the park. I like to ride my bike, skateboard or scooter to all the new year by shops and restaurants. I like my school but we could use more money for the teaching equipment like computers, et cetera. And other things that would help the teachers. I also think the police need more money to keep us safe, especially at my school playground. My friends and I care about the environment and have been worried lately about global warming. And think we need to stop burning so many fossil fuels. And leave nature alone. My favorite thing about Portland is all the public transit. I like to go on adventures around town on the max and the trolley. Thank you.

Potter: Thank you very much, zeke. [applause] amy? It's your turn now.

Lumi Barron: Hi. My name is lumi barron. I am eight years old. My family is from finland but we have lived in Portland for seven years. I like to play soccer and basketball. I go to the emerson school chi really like because there are lots of interesting projects and the teachers are very nice. And they really care about us. I live in southeast Portland in ladd's addition. My neighborhood is great because there are lots of great, interesting places to walk to like a park near my house where I meet my neighborhood kids. Lie I can to go on adventure walks with my brothers and find cool leaves, flowers, and strange insects. I care a lot about trees and nature and I would like it if we used more money to take care of the trees and natural environment. I like protecting the beautiful trees in my neighborhood from getting a disease. Trees and plants are home to many animals. I think there should be more parks for kids to play in with restrooms and water fountains and they should be kept clean. I am concerned about too much pollution in the air from cars and factories. I am also concerned about too many big streets near our house. I think there should be more street lamps

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and bike lane so it will be safer for walkers and bikers. I think Portland is a great place because it is very kid friendly and I hope it will stay that way. Thank you. [applause]

Potter: Thank you both for being here. Now you can go back there. Thank you. Just want to tell you a little bit about emerson school. This is the only elementary school in the pearl district and it makes use of a city park, north park blocks as its playground. The enrollment is just under 130 and it's k-5 and students come from all over Portland and it draws from all quarters of our city. With them today are two teachers, john russell and allegra ruggles. Where are you folks? There you are. [applause] thank you, thank you for being here today. [gavel pounded] city council will come to order. Karla, please call the roll.

Moore: Adams.

Adams: Here.

Moore: Leonard. Saltzman, Sten

Sten: Here.

Moore: Potter.

Potter: Here. [gavel pounded] before we begin with communications, I would like to remind folks that prior to offering public testimony to city council, a lobbyist must declare which lobbying entity he or she is authorized to represent. Let's proceed with communications, please read the first item.

Item 1287.

Potter: Rey ko.

Moore: Rey ko.

Potter: Please read the next item.

Item 1288.

Moore: Come on up.

Potter: Mr. Schwartz? Please come forward, sir. Good morning. Thank you for being here.

*****: Thank you for having me.

Potter: And if you would go ahead and take a seat and when you speak, please state your name for the record and you have three minutes, mr. Schwartz.

*****: Sure. Thank you.

Potter: Thank you.

L. J. Schwartz: My name is l.j. Schwartz. I would like to talk about the political ramifications of the south waterfront project this morning. I am not against development. We have a wonderful, wonderful city. The sexy article in willamette week was a great read, and I am not sure it was totally accurate. My problem is the use of money from the general funds going into a commercial enterprise i.e., \$8 million for that sky ride to be used exclusively for doctors on the hill, for biotech jobs that may or may not be there. Those funds could have been used for s.r.o. units, for homeless shelters, for section 8 housing, but that's throwing our tax dollars down a black hole. P.d.c. uses public funds with no oversight or accountability, without any consideration for a segment of our population. [crying] i'm sorry.

Potter: That's ok.

Schwartz: That's always a day late and a dollar short. The people do not want to see the one that is we encounter and we look through. I just wish that they would go away. Maybe p.d.c. can solve the problem of that unpleasantness on the cheap for us by using bus tickets to palm springs. It will be a win o-win situation. The homeless folks will spend a winter in a warm climate. We will get a them off the street and shift the responsibility to california. After all, they have been causing us a lot of grief for a lot of years. You will never have to build a homeless shelter. You will never have to build an s.r.o. a very, very bad investment. Who needs it? As far as section 8 housing is concerned, those people who live in single wides and parkrose in knees tin can, they will be dead soon anyway, from breathing to that black mold. Then you can just put them in hefty bags and

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throw them out with the rest of the trash. As our elected officials and keepers of the public trust, we have to hold you to -- i'm sorry. We have to hold you to a higher standard. You have to be the voice for the voiceless, the face for the faceless and you have to be the hope for the hopeless. As elected officials, it's your fiduciary responsibility to represent all the elements of our society whether they are assets or liabilities. The thing that makes Portland the greatest city in the united states is our sense of community and our empathy for people who can't take care of themselves. The late paul wellstone said politics is not about big business. It's about improving the quality of people's lives. But dagnabit, it's not about that. It's about the bottom line. Anyway, thank you for my three minutes of fame and to quote bon jovi, when the world gets in my face, have a nice day.

Potter: Thank you, sir. Please read the next item.

Item 1289.

Moore: She called and will have to reschedule.

Potter: Ok.

Item 1290.

Potter: Thank you for being here, mr. Strong. Please state your name for the record.

Don Strong: My name is don strong. I worked for Portland public schools for approximately 17 years. I loved my job. I love working with the kids. And it's ironic this is about the kids. And one of the main -- one of my main concerns was the safety and the security of the kids. And that's been jeopardized. As you know, our kids are being under attacked. There's been some recent rash of shootings. And there's been a lot of deaths involved. And you got to ask yourself this question. Why is this? Is -- and there's a lot of reasons involved. One of the reasons is because we jeopardizing the safety and security of the kids because of cost. And we can't put cost on the shoulders of our kids, jeopardizing their lives. And that's exactly what Portland public schools did when they kicked the custodians illegally out of the school district. And that was -- and wasn't right. Breaking the law. They broke the law. Putting pedophiles, rapists, murderers, peeping toms in our school, jeopardizing the safety and security of our kids. And i'm talking about p.c.a. and I have a problem also with the fact that my union, seiou, who broke the law when they walked across my picket line and took my job, you know, representing that same contractor and that wasn't -- you know, I have a problem with that. And we're jeopardizing the safety and the security of our kids. The school district has steadfast and they're still breaking the law by telling me that they're not going to compensate me for all the pain and suffering and misery that they have caused me and my family by illegally terminating me. The supreme court, the Oregon supreme court has spoken and they've told that school district, you have broken the law, compensate these people and put these people back on the job and the Portland public schools refuse to do so. They refuse to put me back on the job. And another thing that our union did that is illegal, and this is very important, they have negotiated a contract with the school district stating that if I went back to work, if I went back to work right now, I would be under contract that would contract me out in 30 days and that is not right, mayor. And you've been one who v. Marketed yourself as someone who is supposed to care about the kids. Well, that's why the honorable mr. Bruce broussard has told you to get involved in this because this is not right. It is not right. It's illegal what the school district is doing. It's illegal what this union seiou is doing. And it needs to stop now. Because that's why I am against that tax.

Potter: Your time is up.

Strong: I am against that tax.

Potter: Your time is up.

Strong: This coming november tax, I say vote no.

Potter: Please read the next item.

Item 1291.

Potter: Thank you for coming here. Please state your name when you speak and you have three minutes, ma'am.

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Linda Bauer: Linda bauer. Your city attorney has advised me that it might be awkward if I talked about that issue right now so I just want to say thank you very much for your time and have a great day.

Adams: Thanks Linda. Thanks for all your ongoing work.

Potter: Move to the consent agenda. Pull two items from the consent agenda. 1305 and 1311. Do commissioners wish to pull any items from the consent agenda? We will hear the items at end of the regular agenda. There are no time certain. We will move to the regular of the agenda.

Item 1326.

Potter: Thank you for being here.

Ken Rust: Good morning, mayor, members of the council. I am ken rust, the interim chief administers with the office management and finance and joining me this morning at the podium is the chief of the fire bureau, chief dave sprando. The resolution in front of you is requesting that the amount of money we receive or at least the majority of the amount of money received in a recent settlement with electric lightwave, inc., be dedicated to the public safety projects we will hear more about this morning and to authorize to take the appropriate budget actions to follow the intent of that resolution. Just by way of back ground, the settlement that we are referring to in the resolution is the result of a long-standing disagreement with electric lightwave inc. Regarding franchise issues for their use of the city right of ways. In july of this year, we reached a settlement agreement with electric lightwave inc. And they have paid to the city approximately \$4.5 million to settle that agreement. Those monies are, have been, will be replaced in the agenda fund and are available for general fund purposes. This resolution dedicates \$4.2 million of the settlement money for the public safety systems revitalization project. I would like to have the fire chief talk a little bit that this morning.

Chief Dave Sprando: Thank you, mayor, council members. Public safety revitalization project is one of the city's top priorities. The project is intended to replace the following legacy systems. Public safety radio system, the computer-aid dispatch system, the Portland police data system, Portland fire and rescue systems, and emergency operations management systems. These systems meet critical business needs for dispatch, criminal justice, emergency response, and emergency management. The project will place aging technology that doesn't meet current needs and doesn't position the city to take advantage of many modern initiatives. The public safety revitalization project is one of the most important projects we will undertake in the next five years for the safety of the city. Replacement of these systems will require a significant investment. This resolution provides initial funding to get the city started on this valuable project. Thank you.

Potter: Questions from the commissioners?

Adams: So this would -- I only have three pieces of paper. Should I have more than three pieces of paper?

Rust: I don't know. The only thing that was file the was the resolution and the fiscal impact statement that accompanies the resolution.

Adams: Does this mean you will come back to the city council with an actual plan? This just sets the money aside and come back to city council with an actual plan? You sweated over a lot smaller amounts of money so i'm just concerned that it, one of the statements says that o.m.f. Will make the necessary budget amendments to appropriate the revenue in the fall monitoring process and will hire 3.5 positions in the bump and they will be in place at least through 07-08. So that's three positions that will dig into this money. I am not sure what those positions many do. I am not sure how the money's going to be spent. It's a lot of money. Help me out here.

Tom Feely: Tom feely, o.m.f. We do have preliminary budget of \$4.2 million. It is split between project management, those right positions you are referring to, and also a significant amount, \$800,000 for the cad requirement selection process for entering into a contract with i.e. Solutions for that. We have got an r.f.p. on the street. I don't believe we have received the responses yet for

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ppbs assessment. That's \$150,000. And then we have money allocated for vendor selection for ppds, about 800. And then reinjuring for ppds about a million and then we also have some money set aside to get emergency operations center up and running with management system, automated emergency management system there. And we have netted out about \$106,000 that we already have in this year's budget -- sorry. I was going to say it will show up in the bump report very specifically by account. With the dollars.

Adams: So at the end, good. Thank you.

Feely: And we've in terms of governance we have established a committee, ken and dave are the co-chairs. We also have lisa turley here today, the boac director, sean graph, the director who is here, chief sizer representative matt lamp, and then --

Adams: There's an oversight committee. That's good. I don't have that in front of me either. At the end of the \$4.2 million then do we have new systems or just have --

Feely: Well, no.

Adams: The process in place?

Feely: We have the process in place --

Adams: To know what it will require.

Feely: We will have a better idea of what the future cost. This is just the beginning.

Potter: In all likelihood it will require a public safety levee to fund the entire system because there's so many different components and they are fairly advanced in terms of computers, electronics.

Rust: At one of the charges that the committee is look at is funding plan for all of the particular elements of the project. It may involve some type of a levee or additional support by voters or additional general fund resources. We also believe that there's the potential for quite a bit of grant funding given the interoperability of some of the system components like the cad and the 800 megahertz radio system, things like that. There's a lot of regional work going on with the emergency providers. And it's really too early to tell I think specifically what the funding plan will look like but substantially more cost will be incurred to replace all of these components.

Adams: This is like equivalent to preliminary design in engineering work that you then go out and that will help you figure out what you need exactly? That is plan for a plan?

Rust: I would say it's a good way to characterize it and we are also trying to make sure all the elements will work well together as part of that plan.

Feely: We are also talking to our regional partners because many of them are talking about replacing their cad systems right now. And, of course, the 800 radio systems effective throughout the region.

Adams: Thank you.

Sten: I have one question procedurally. I obviously knew about this from the fire bureau. It seemed to me a little odd to hear the stickler to keeping me to our procedures that the council is having a budget retreat and budgeting the -- the unbudgeted money I will call it, later in the fall and so I found it a little odd this was filed without the context of that budget discussion. I think it would survive those piece. I would probably vote for it but it does appear to me to be sort of putting this ahead of the discussion that sort of your office and had set up to budget this money.

Rust: Well, it's a good question, commissioner. I think the, there had been some discussion about this particular issue, or elements of this issue in the budget process. There was a sense I think that we needed to move forward about this in discussion, in discussing with these items with the mayor, knowing it's a big priority with the mayor's office, when the settlement money came in we thought it was appropriate to another mark this for this purpose knowing there would be another additional year end money available for a general discussion by council for support of other projects. I think that was how we got to this particular point.

Sten: Is it your general practice not to earmark money?

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Rust: Generally it's not. But we believed given the nature of the discussion we had the budget process that if we were going to move forward with this particular project and I think there was a strong sense that these improvements are timely and needed, are important to the public safety of the city this would be an opportunity to take advantage of those franchise revenues and try to move this project forward. But it does, you bring autopsy good point.

Sten: Was there any time pressure given the budget retreat is in 30 days?

Rust: I don't think if there's any time pressure but I think we would like to be able to move this thing forward. We have a lot of effort that has been started particularly well cad systems and things like that that we would like to get vendors moving on and for those reasons didn't want to have to delay the continued work on the project.

Potter: There had been a number of serious problems with the cad system. And that when we discussed it at one the council work sessions this summer, commissioner Leonard brought it up that they wanted to move ahead with the replacement of the cad system. And what we agreed to do is, rather than look at that system alone as to make sure that all of the systems work together, the current phrase is interoperability, and that in order to do that, we needed to have a group of people assess the, where we are and the, in some cases, the soon to be unoperability of cad in some of the other systems. So to me, it's a, it's a critical piece of the city's communication system that is reaching a point where we either have to take some action or it's going to go into failure.

Sten: I just wanted to be completely clear. Incomplete me up to speed on the system. I think I have both publicly and privately signalled my support for this investment. It just appears to be out of order with our typical budgeting patterns. There has not been a budget hearing where citizens can come in and talk about, we have a \$19 million that needs to be budgeted, this is 20% of it that seems to just have been filled and put in. I'm going to vote for it but I had actually expected to hear this morning there was some reason I was seeing this 30 days before the budget process. That there was some reason we needed to move on this outside of the usual budget norms and just given that I tend to be a person who tends to not -- to say let's just get this done and the budget office always tells me you have to follow the budget procedures, have notice, have hearings, public forecast as opposed to ear mark things, it strikes me as a little different procedure and I am still trying to figure out why.

Potter: To me it's very simple. It's a critical issue and if the system fails on any given day, the not just Portland but this region in terms of the cad system is going to be in serious trouble. And all of our systems need to be replaced so it's a -- it's an issue that I believe requires immediate response. We have had this committee work. We are now getting to the stage where we need to start spending money on consultants and other means by which to determine the interoperability of this entire system working together. So that's the reason that it was brought forward.

Adams: We have had -- sorry.

Sten: Is the your office's decision then not omf's?

Potter: Under the direction of the mayor's office. I sent out a memo on July 18 stating that I really wanted to set this money aside. And from electric lightwave and moved this issue forward.

Sten: I think I was in support. I just understood -- maybe misunderstood that I thought your office was planning to take all of the city's unbudgeted money and bring it to us in a retreat and I thought the memo was designed to sort of give enough certainty that -- maybe i'm doing a fine point but I think process is important for budgeting millions of dollars -- that I thought you guys were looking for a signal and that we would go forward with the budget process. Again, i'm going to support this because the work needs to move.

Adams: And I just, you know, the city has, as has other public and private entities, experienced challenges when it comes to technology and i'm very anxious, i'm on pins and needles right now waiting for the ability to get the clean water rewards program going and absolutely understand the intentions here are positive and good. And I am one to always prefer action. However, I will look

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to what is in place in terms of prudence and oversight. I see a very difficult task ahead of us and it's going to take time and it's going to take expertise and you know, lives will depend upon us doing this right. So I have got three pieces of paper in front of me. That's all I have. And i'll vote yes on this on a hope and a prayer but three pieces of paper to spend \$4.5 million is inadequate background information.

Potter: Anybody care to respond to that?

Rust: We certainly have a lot more information we can provide to the commissioner. We would be happy to spend more time with you, commissioner Adams. And the oversight piece of this is extremely important to us as well.

Adams: Do you have outsiders on the oversight committee?

Rust: If I can let me continue, please. We are going to have a quality assurance firm oversee each project element so that it's not just the project manager and ourselves convincing ourselves that everything is going well. There's an independent firm that sits and makes sure that we are paying attention to the things that will make the project successful. So that's -- we think is a very important element. We have learned that in our experience with other technology projects that that helps maintain the focus and leads to success. But we at this point the executive oversight committee that's been formed for this project does not have an outside of the city representation but that's something that if it's important to the council we can consider doing that.

Feely: Especially as we bring on regional partners and the effort, too. So those contacts have already begun.

Adams: I would encourage you to consider that. Thank you.

Potter: Did you supply all the commissioners offices with all the information?

Feely: Sure.

Potter: In terms of a briefing so they can be aware of what the status of the committee is.

*******:** Certainly.

Feely: I have a giant notebook already. I'll be glad to pull it back for a week if you would like some time to consider it, commissioner, and get more information? Comes back on the bump so i'm satisfied with the process will have another chance to get more information.

Potter: Please call the vote.

Moore: No one signed up to testify.

Potter: Ok.

Adams: Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] I see that 1311 -- I assume 1311 was part of the regular agenda but that was one of the consent items. Is that correct? Do you have the staff here to testify on that matter?

Adams: For the hearing date for the --

Potter: 1311, the street vacation report?

Moore: There is someone here. Are they -- ok.

Potter: Please come forward.

Item 1311.

John Dale: Good morning, mayor, members of the council. I'm john dale from the office of transportation. As part of the street vacation process, a public hearing is required to allow the public the opportunity to offer testimony concerning the proposed vacation. And this item is simply a request to set the date for the public hearing.

Potter: Questions? Thank you. This is a report and we need a motion to accept.

Adams: So moved.

Potter: Second.

Sten: Second.

Potter: Please call the vote. Ok.

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Adams: Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded]

Potter: That was commissioner Sten who seconded. Just sounded like it was coming from over here.

Moore: Thank you.

Potter: Please read the next item.

Moore: I'm sorry, mayor. We need to announce that the balance of the consent agenda is being continued to tomorrow at 2:00 p.m. when we have four members.

Potter: We do not have a quorum so we will move the rest of the consent agenda until tomorrow afternoon.

Moore: Did you want to take 1305? The other pulled item or 1327?

Potter: I think there was someone here to testify on that.

Moore: We do.

Item 1305.

Potter: Please state your name for the record when you speak. And you have three minutes.

Stephen Edlefson: Thank you. Excuse me. I'm still freshening up. My name is steven. First of all I recall speak become this last year. And that being is very disorienting. I don't know what to make of it. It's sorts of an annual thing where we talk about a grant each year? Is there a grant each year or what? Actually, I have a lot of feeling about that but I am going to let it pass. Anyway, this is a big problem. Methamphetamine is a really bad drug. It, um, if people go to drug court, and they breathe meth out they have meth in their system, the people who aren't meth users who are falsely accused will drastically suffer. It could be detrimental to them. Methamphetamine is a big problem. The people who make methamphetamine and the people who distribute it -- the people who make methamphetamine may be -- I have in mind -- I had in mind when I said that -- the drug companies who make the drugs methamphetamine is made from. I don't know everything about that drug but I don't know of any real use for it other than to make meth. Those kinds of things are what will help meth be a problem no longer for our world. Drug court sounds like a potentially very good thing. It could speed things, make things less stressful, easier to understand. But i'm really worried it's going to be sort of a dent for people go in, and they sort of get drugged and they don't really recover. [beep] though that very well sums my feelings on the subject. I hope you all understand how important it is and I hope something very good comes. Thank you.

Potter: This is a \$98,000 methamphetamine grant from the office of community justice, community policing services to fund a Multnomah county district attorney dedicated to drug court prosecution on methamphetamine-related cases. I see the police bureau is here. Do any of the commissioners have questions for the police? Is there anybody else signed up to testify?

Moore: No one did.

Potter: Please call the roll.

Moore: That is an emergency?

Potter: Emergency. We will have to wait. Thank you. Please read the next.

Item 1327.

Potter: We received a phone call this morning, the mayor's office, from the union president of the pffa who is ill and not able to be here but says that he fully supports the resolution of this.

Ed Rutledge: Good morning, mayor, commissioners, ed Rutledge, labor and employee relations manager. This ordinance would authorize a grievance settlement between the city and Portland firefighters association and as you noted they would have joined me today here but president finders is not feeling well and the other pffa officer that could join me this morning called me about an hour ago to say that he is on duty. The settlement resolves to two group grievances involving two groups of employees that rose over the dispute of application of hayes the continuing benefits clause in the firefighters' contract. And it addresses benefits for firefighters who incur an on the job injury. The

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settlement clarifies the application of the contract especially with regards to what is the definition of an injury or reinjury. The estimated cost for all of the employees listed in the two group grievances is \$45,980. There is no additional impact to the fpd&r fund with regard to this settlement. The settlement is a result of an ongoing dialogue between the pffa and the city and if pffa could be here they would reinforce that. Pleased to say the bureau supports the resolution. Settlement is firefighters' equivalent to a settlement with the Portland police association that council authorized on august 16. Ph&r recommend council adopt this ordinance.

Adams: An emergency we don't vote today. Do we?

Potter: That's correct.

Moore: We have to read it.

Adams: We read it but then hear testimony again on thursday?

Moore: You don't have to take testimony again on thursday.

Adams: Ok.

Potter: Thank you. This will be held over for a vote until tomorrow.

Moore: Correct.

Potter: And item 1328, the bureau of human resources has requested this be pulled back into their office.

Item 1328.

Moore: That's being continuing to october 11.

Potter: Please read the next item.

Item 1329.

Potter: Second reading vote only.

Adams: Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] please read the next item.

Item 1330.

Potter: Commissioner Adams.

Adams: Rob bernard and our good friends from kiewit. Go ahead, rob.

Rob Bernard: Good morning, mayor, commissioners. Rob we are in other words, office of transportation. There's a substitute report, one of the lines in the spreadsheet didn't print out so we are issuing a substitution. With me is bob elliott from kiewit pacific. This is a record on the minority women and emerging small businesses and sheltered market program. Prior to construction, key pit pacific the contractor for the Portland aerial tram established an aggressive outreach program to procure a large percentage of available subcontractors for the mdbse and the smelted market program. Kiewit developed an outreach program in collaboration with the office of purchases. They identified 108 subcontracting opportunities related to the aerial tram construction.

And they set an aggressive goal of 35% of the total dollars that are going to be subcontracted.

They hired a local firm, fm birch and associates to assist in preparing a program and had different sizes to attract a variety of firms from very small to medium to larger size. Mr. Elliott will tell about their outreach efforts that they conducted.

Bob Elliott: Bob elliott, kiewit pacific company. I am pleased to announce that we went through a very extensive process of trying to organize and understand what support we could reach in the community to support the aggressive plan that we put together with the city for the tram project and the mbesb support on the job. There was four items listed in our report. Basically we went out into the industry and into the local market to solicit interest in the project and to rally an understanding of the scope of work that was necessary to help support the construction of the project. We did I think as a team did quite well. And as unfortunately the project value continued to rise, we tugged a along the mwesb support. We had an aspirational goal of 35% and right now in an interim report we are sitting around 24% of the amount of subcontracted and we are quite pleased with that.

Adams: So the 30% was at what valued amount at that time?

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Bernard: We were at 33% prior to the escalation the project cost.

Adams: What would the 33 and the 20 --

Bernard: The 33 and then it went to 23.5% condominium my question is.

Adams: We put in 33% goal at the time that the value, that the cost of the project was estimated at what amount?

Bernard: We were at 35% when we were at \$17 million. And then when the project went to \$34 million we were at 23.5%. And estimate by the time we are done with project completion we will be between 25 and 30% when we are done.

Adams: So we have managed to get more mvesb cash into pockets, will get more cash from the project than the mvesb contractor projects but the percentage will be less?

Bernard: That is correct. So we spoke about results. The other thing with the excellent participation, we were able to get some larger aspects of the project like structural steel with kenny carr from carr construction, electrical from the electrical company, and the aluminum cladding from aig so even some of the larger pieces we were able to do with mvesb program and smaller ones like landscaping we are also seeking those opportunities and finish work. So at all levels we have participation. I would like to acknowledge the great efforts of the bureau of purchases and an gem what pack who has been a great partner, fay birch from f.m. Birch. She held barbeque, outreach. They had a booth at one of the labor fairs in order to attract businesses. I would also like to give our thanks to bob elliott highways the project sponsor, plus bruce patterson who was the previous project manager from kiewit and the current project manager, jeff won't. They have done an excellent job.

Adams: Look at the numbers through the, and been briefed on this I just want to congratulate the both of you of keeping the number as high as we have been able to keep it in terms of the percentage, given the rapid escalation of the cost estimate. I was really worried that, you know, we would just do sort of the factoring, we could easily be done in the 10% sort of category so you really stepped up and I appreciate it.

Potter: I heard on the radio this morning the price of steel is dropping because there's a glut on the market right now. Will that affect the price of any of this?

Bernard: Most of the steel is already fully complete.

Potter: I was afraid you would say that.

Bernard: Timing is everything.

Potter: Further questions?

Adams: Just for listeners, the tram is, we're tensioning the ropes, even though they are big lines of steel. Starting tomorrow. We do the haul rope starting next week. Cars arrive at port dock 6 the week of october 18. And then we get them on site october 23. So we are on revised time line, on revised budget. [knocking] knock on wood.

*****: Amen.

Adams: Thank you.

Potter: Thanks, folks. A report that needs a motion.

Sten: Move we accept.

Adams: Second.

Potter: Call the vote. I'm sorry.

Adams: Thanks again to the whole team. I really, appreciate it. Aye.

Sten: Great job. Great job, commissioner Adams. Aye.

Potter: Aye. [gavel pounded] please read the next item. Will.

Item 1331.

Potter: Commissioner Adams, did you want to lead in with anything?

Adams: I'm in the building. Doesn't this count?

Moore: This is your item.

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Adams: Oh. The this helps implement the plans the council already have approved, both the resolutions in april and three weeks ago. So go for it.

*******:** This is an ordinance to establish a financing plan for the north macadam.

Moore: State your name for the record.

Greg Jones: I'm greg jones with the office of transportation. Again, this establishes a finance plan for the north macadam access improvements. This is a freeway ramp improvement from i-5 northbound on to macadam. We had previously secured with the Oregon transportation commission \$15 million with the condition that the city match it with \$15 million. This resolution establishes the method and means that we would use to secure that \$15 million in match and it lays out the proposed funding sources for that \$15 million match by the city. With me is john wrist, our finance manager.

Potter: Yes, I did. The 3 million is that one-time general fund we will be talking about in november?

John Grist: Mr. Mayor, for the record, john grist, deposits of transition. These funds won't be needed until fiscal year 08-09 but what this resolution today would, is make a commitment of the city towards those funds in the fiscal year that is needed.

Potter: I see there's a \$10 million gap. What is the plan to fill that gap?

Grist: That's correct. Right now, these are the estimates that we've received from odot, anywhere from a range of 30 to \$40 million. We will sit down with odot as the cost estimates come in and the designs come in to the project. They have not begun the design of this project yet. So we're a couple years away from getting a final design on the project and knowing what the further cost may be. But it would be a partnership more than likely with the state department of transportation if there is a cost exceeding \$30 million.

Jones: Greg jones again with the office of transportation. The real purpose of the resolution is to lock down or obtain firm commitment to the \$15 million in o.t. money, concern is that without that commitment by the city, the Oregon transportation commission would move it to some other project where they do have match available to them.

Potter: I'm still concerned there's a \$10 million gap or possible \$10 million gap. And I haven't heard anything in terms of how you intend to fill that.

Adams: What we are hoping for is to negotiate with odot, couple of things. One w. We hope to negotiate with odot and we might be able to work with them on the match, potentially can reengineer the project to meet the budget. And we also could seek other funds from federal earmarks from the legislative delegation. As the person who inherited this project, what we have been told by the state at this point is, either we give some indication of a commitment three years down the road or they are going to take the money and spend it somewhere else. So we don't have it figured out is the short answer, and our job would be to figure it out if we don't figure it out in three years, then, obviously, the money would go back to the general fund for the council's consideration for whatever they want to put it on. But I feel like we have stayed off the odot for, you know, for me it's been 13 months. I know they've been waiting for many months before that for some sort of indication that there's interest from the city council in three years. And they will keep it in our ledger for now with this action. We've made the rounds to council or council staff, if we couldn't get in to council, to brief them in detail on this. And it's part of, it's a small piece of the \$170 million that we need to come up with from a variety of different sources to put all the needed transportation components in place. So that south waterfront will work from a transportation perspective and we're busy working on how to get to the \$170 million. This is a small piece of that, obviously.

Potter: It's been some time since I heard the discussion on this. What is the purpose of this particular offramp? I-5 --

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Jones: This is the northbound i-5 offramp that connects to macadam. It has really two purposes. People exiting on to this ramp on to macadam are either destined for the south waterfront area or they're destined to downtown. So it's one of the main offramps into downtown as well as the south waterfront area. The purpose of this improvement is to separate the traffic. There's a significant weave and merge problem with a number of accidents occurring in this location. Between those cars that are trying to get to downtown, the through traffic on macadam and the traffic that's trying to get into the south waterfront district. The purpose of this project is to resolve that weave problem.

Potter: So this gives us a couple years to come up with the financial plan for this? This is just, it does commit us to the \$15 million?

Grist: That is correct, mr. Mayor. That is correct. Odot has commissioner Adams indicated, odot needs a strong position from the city to understand that we will be there when the financing is needed to move this project into construction.

Jones: We did receive an ear mark from congress. Odot is obligated those funds is and starting to proceed with a design at this point. In order to try to get a better handle on what those costs really are.

Potter: Further questions? Thank you. Anybody signed up to testify on this?

Moore: No one signed up.

Potter: Please call the vote.

Adams: Well, we have a lot of work to do to come up with a financing plan to the goal -- I mean the requirement or the goal is \$170 million. This matches state money, I wish they would do less -- I wish they would do more giving with less matches. But this is the best deal that we got. And it does not -- it does not absolutely ensure that the project will move forward but it sends the message to odot that we are a serious partner in trying to make it happen. Aye.

Sten: Aye.

Potter: I have a lot of reservations about this. Because it basically commits the city to a minimum of \$15 million, and a maximum of \$25 million. And as commissioner Adams had concerns about lack of paperwork and the plan for the earlier resolution, this certainly meets and exceeds that one. But I also understand the importance of this project and I support the project. And we'll be following it very closely. I have know we have a few years to get everything together and I think that's probably the saving grace for this so I vote aye. [gavel pounded] please read the next item.

Item 1332.

Potter: Commissioner Adams again?

Adams: I'm here. Bring them up.

Moore: Do you have staff here? 1332.

Potter: Before is the staff?

Moore: They may not be here because it's an emergency. And we won't be able to vote on it until tomorrow. We have someone signed up to testify. Steven edlefson. You signed up for this item. 1332, the metro i.g.a.

*******:** Yeah, yeah.

Adams: While he's waiting to get ready I want to clarify, mayor, that this, the characterization this commits us to \$25 is inaccurate. It commits us to \$3. The three is, we have to find it. We are not committed to finding it. That is the gap. So the last resolution only commits us to three.

Potter: Come forward.

Stephen Edlefson: Sorry. My name is steven edlefson. Gentlemen, it's been a nice meeting. I have been able to follow. I am pleased about that. Yes. I can hear myself. I presume you can also. I read a sheet about this. And I presumed I understand what it's about. I presume would it relates to the buildings being built along the river on the east bank south of here near the island. Which I think is really neat, that island. I always wanted to go out to it. Incidentally, that reminds me of the

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island in the tom sawyer and huckleberry finn books. Which I think is very interesting. They are my favorite books, just about. I like -- another I have in mind about pirates. Also quite a bit. So if I have the area right, I guess this is a replacement for the rail that's there, which I think is really neat. The rail. The rail that's there is really very nice. Reading it here and recollecting here, I do get a sense of where this rail is going but I think it's just another max line going to lake oswego. The rail line seems to be important, so important nothing else seems as important and significant changes to it construction is also very important. Important enough maybe a second line should go in to prevent it. I'm not really pleased with the max. I'm feeling that's really what this is going to be. But the words "Portland transit and trail alternatives" they have a lot of possibility. A lot of real bright and fresh potential. I was really excited about that when I first met this. If this can reach that, the world would be a much better place. That's all I want to say right now. Thank you.

Potter: Any other people signed up?

Moore: That's all who signed up.

Potter: This is an emergency vote and it will be held over to thursday to 2:00 p.m. Please read the next item.

Item 1333.

Potter: This is a second reading. Vote only. Please call the vote.

Adams: Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] please read the next item.

Item 1334.

Potter: Second reading. Vote only. Please call the vote.

Adams: Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] please read the next item.

Item 1335.

Potter: Second reading. Vote only. Please call the vote.

Adams: Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] please read the next item.

Item 1336.

Potter: There is someone from the parks bureau?

Dave McAllister: Members of council, dave mcallister, city nature manager, Portland parks and recreation. I ran over here so i'm breathing hard. With me is scott fogerty, friends of the trees. And this is a ordinance to pass through money to friends of trees for mitigation in the i-5 widening. I am going to ask scott to describe the use of the money right now.

Scott Fogerty: Thank you. Good morning, mayor Potter and city council members. My name is scott fogerty. I am executive director with friends of trees and I am here with members of our staff to encourage approving of ordinance of \$65,000 from the i-5 delta park enhancement funds to help funds urban forestry efforts and neighborhood tree plantings in north and northeast Portland. While most major u.s. Cities are looking at canopy cover in their urban areas Portland has been increasing tree cover for many years now. This is largely due to the implementation of 1998 and 2004 urban forestry management plans and the unique public private partnership develop between the city of Portland and friends of trees. For instance, according to a september 4 "Washington post" article, over -- two dozen u.s. Cities have lost 25% of their tree canopy cover in the last 30 years. And in addition september 6 seattle times article reported that since 1972, seattle has lost more than half of its city trees. Which could have provided more than \$25 million in air and water improvements. In contrast, 2004 Portland state university study showed that from 1972 to 2002 the canopy grew in Portland metropolitan area from 21% over 26%, with the greatest increase in neighborhoods where friends of trees had planting events. Further over the past 16 years, friends of trees has planted more than 330,000 trees, naif active plants and shrubs in the Portland metropolitan area and these combined with the efforts of others have led to a growth in the overall canopy cover. This past year

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we planted nearly 1800 street trees and 17,000 native trees and plants and row stored rye pair area events. While our efforts have improved tree canopy, we cannot stop the progress. A national group of american fosters recommended a healthy urban forest has a canopy of 40%. We shouldn't underestimate the value of our multitasks. According to the Washington post federal research shows that by absorbing green house gases, lowering urban temperatures and reducing demand for air conditioning, trees plant inside cities are far more valuable in combating global warming than trees in rural areas are. Additionally a recent article in a united airlines hem atmosphere claims trees clean poot flans from the air including carbon monoxide. And just 100 trees remove five tons of carbon monoxide per year and about 1,000 pounds of pollutants. While environmental benefits of these trees are important probably the greatest good from these planting events from, come from community building in our neighborhoods. Our events attract thousands of volunteers per year, many of whom have never planted a tree before. Neighbors come to these events, often having never met their neighbors and wind up not just knowing their neighborhoods but understanding their neighborhoods a lot better. These events are fun, safe, and rewarding and many volunteers help to return to plant in subsequent years the efforts of this partnership between the city and friends of trees have led to national attention focused on friends of trees and the city of Portland as leaders in urban forestry. Recent recognition came from the u.s. Conference of mayors and the home depot foundation which presented a national award of excellence for community trees to the city and friends of trees. And the national arbor day foundation has selected Portland which will be celebrating its 30th year as a tree city u.s.a. As a site for celebrating national arbor day 2007. So the values and benefits of both economic and social cannot be underscored by today's busy world. Metro predicts of a increase of 1 million people in the area by 2030 as many people move here for the values we hold dear, clean air, clean water and clear streets. As we clearly want to build a accommodate increased population we need to continue to efforts to keep our urban canopy up and growing. No pun intended. So I urge the mayor and the city council to help to continue to fund urban forestry activities and invest in our future by many cushioning tree plantings in our neighborhoods and in the i-5 delta park project. Finally, our 2006-2007 planting season begins with our fun run for restoration and I notice your shirts that you are wearing that we are hosting on october 8 at oaks bottom park at 8:30 a.m., it's a run and a walk through some of the areas that we have planted both street trees and natural area restoration sites and we encourage you to all attend. Information with be found on our website, friendsoftrees.org. I encourage your support for this ordinance. And I also encourage to you express to the public and remember to plant locally but to think globally. Thank you.

Adams: Thanks for all the work you do. It's really great.

McAllister: Thank you.

Potter: And thanks for the six trees I have in my yard.

Fogerty: Thank you for volunteering to help plant those.

McAllister: We have more.

Potter: My yard can't hold any more. Anyway. Thank you so folks very much. Was there any testimony on this besides?

Moore: I didn't have a signup sheet. Did anyone else wish to testify?

Kyla Nero(?): Mr. Mayor, commissioners, kie lean new london trees manager. I firstly want to thank you again for your committed support to friends of trees over the past years. And like scott said I can speak especially to the community building aspect. I have been working with the neighborhood coordinators who are coordinating the specific neighborhoods that the money is going to go to for the past three and a half years. And one of them has been volunteering with us for 12 years. And she's probably helped to put in the ground about 600 trees which is amazing. And these people all have a passion and a fever for urban forestry. And definitely supporting them

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I think bodes well for the community and bodes well for the city. So thanks again for supporting us and continue to support urban forestry.

Potter: Thank you, folks.

Fogerty: Thank you very much.

Potter: This is an emergency vote it will be held over to thursday to 2:00 p.m. Thank you. Please read the next item, Karla.

Item 1337.

Potter: Second reading. Vote only.

Adams: Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] please read the next item.

Item 1338.

Potter: Second reading. Vote only.

Adams: Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] we are recessed until 6:00 p.m. this evening.

At 10:50 a.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast.

Key: ***** means unidentified speaker.

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Potter: The Portland City Council will come to order. We'd like to remind folks that prior to offering public testimony to the city council a lobbyist must declare which lobbying entity he or she is authorized to represent. Karla please call the roll.

Adams: Here **Leonard:** Here [via teleconference]. **Sten:** Here.

Potter: Here. Please read the 6:00 p.m. Time certain.

Potter: Karla, do you have to read the information regarding commissioner Leonard?

Moore: Yes, we do.

Potter: Can we do that now?

Moore: Yes, because commissioner Leonard is participating by telephone, we do have a couple of items to read. Regarding the nature of the emergency requiring him to participate by telephone, pursuant to Portland city code 3.02.05 commissioner Leonard is participating by telephone because the proposed hayden island moratorium ordinance is an emergency ordinance and the code requires the unanimous vote of at least four members for the ordinance to be adopted. Section 2 of the ordinance states an emergency exists because new development in commercial and industrial zone areas of hayden island will negatively affect the transportation facilities serving the island and may compromise the outcome of studies that are currently underway to determine needed transportation improvements to those facilities. Without commissioner Leonard's participation by telephone, there is not sufficient number of council members present to adopt this ordinance as presented. The other item number two, I have contacted commissioner Leonard and commissioner Saltzman to inform them they could participate in council by telephone. Commissioner Saltzman is unable to do so. Commissioner Leonard will be participating by telephone.

Potter: Do any of the council members who are physically present object to having commissioner Leonard participate by telephone? Hearing no objection, I will proceed with the hearing. Did you read the time certain?

Moore: Yes, I did.

Potter: Commissioner Adams.

Adams: Thank you, mr. Mayor. Tonight we have the opportunity to avoid a bad transportation situation from getting worse, and to realize a long neglected but great opportunity on Portland's northern border. The bad situation I refer to is the traffic gridlock on i-5 near hayden island. Gridlock that puts at risk our regions trade dependent economy, the third most trade dependent economy in the united states. Gridlock that endangers those that work, live, shop and visit on hayden island, gridlock that is injuring folks who use i-5 near hayden island. The great opportunity before us tonight is a chance to revision a town center on Oregon's only urban island. It is a great opportunity for city government to make up for 20 years of neglect of this island. It is a great opportunity to complete our plans for a new link with our friends in vancouver, clark county, and beyond to the north. On july 13, this city council gave its direction for us to explore the possibility of a temporary moratorium on development on hayden island until they had a process for planning for the island's future. Over the past six weeks, we have conducted an analysis of multiple aspects of the transportation system serving the island, i-5, and the on and off ramps, transit service, land use capacity and public safety access. Each of these analysis support the case that the hayden island

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community has been trying to tell us for quite some time, that the island does not have the transportation capacity to absorb new development without a plan. It's true I have been a vocal critic of wal-mart of business practices and in a press release today wal-mart has chosen not to locate on hayden island. As a proponent of living wage jobs and of locally owned small businesses, I consider this good news. Wal-mart's proposal got my attention, no doubt. However, the threats facing hayden island remain with or without a proposed wal-mart. And let's be clear. A temporary moratorium on development potentially delays an owner's right to develop when they want and where they want to develop for a period of time. It must be carefully and prudently considered. And we have done that. The moratorium proposed tonight is based on facts. Many facts from outside experts. But when adequate public services to support additional development are not available and there is no plan in place to provide them, we need to pause, a pause in development to figure out how we are going to provide those services in this case, it's a question, serious question about transportation services. And this ordinance is was my intent to delay development that increases vehicle traffic, not to delay development improvements and under this ordinance, tenant improvements with the same use would be able to continue. For example, if another grocer moved into the former zupan's store without expansion of the building they would be allowed to complete that project. And also under this moratorium, anyone will be able to do the usual things they need to do to maintain or upgrade a commercial or industrial site. They will still be able to obtain permits for electrical, plumbing, heating, mechanical and similar trade work to their sites. And if you already have been approved for a building permit we will not postpone your ability to build. This transportation commissioner there is no doubt in my mind that hayden island sits in the middle of the artery of our region's transportation system. It's not surprising that because of hayden island's regional significance in the transportation system that there is a regional support for enacting a temporary moratorium. You have already heard in july from leaders like metro councilor rex burkholder, vancouver mayor royce pollard, the director of Portland of Portland bill wyatt and they have asked me to express once again their support for this moratorium. Last week the columbia river crossing task force passed a resolution in support of the moratorium without opposition. It is a significant fact that they passed this without opposition because the task force includes regional representatives from the public and private sector, from both sides of the river including freight and business and all have an interest in a safe and efficient transportation system serving our region. So today we will present the findings of our analysis as well as give you a sense of the next steps in this process if the moratorium is enacted. If I could have staff please come up to the bench. And we will have some invited testimony, and then open to the public.

John Gillam: Thank you, commissioner Adams. Mr. Mayor, commissioners, i'm john gillam with the Portland office of transportation. To my immediate left is joe zehnder from the bureau of planning and to his left is david parisi of parisi associates and david evans associates and we will be presenting the technical findings - -

Leonard: Excuse me but I'm having a hard time hearing. Can you this speak right into the microphone?

Gillam: Ok. We will be presenting the technical findings from the moratorium ordinance. And as an overview, we will first give an overview about the moratorium process and a findings will consist of policy context, traffic issues, transit, land use, and next steps. And to begin with, in terms of the moratorium process, we are we will turn its over to Kathryn beaumont, city attorney to give an overview of the moratorium process.

Adams: Having just recently been in the situation of commissioner Leonard, it is really hard to hear on the phone so if you could speak louder than you normally do and as close as you possibly can to the mic.

Leonard: Thank you.

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Kathryn Beaumont, City Attorney: Mayor Tom Potter, members of the council, I am Kathryn Beaumont from the city attorney's office. I would like to give a brief overview of the moratorium process and then more specifically of this ordinance. State law, ORS 197.520 subsection 2a allows the city to adopt a moratorium of limited duration when it is needed to address a shortage of key infrastructure facilities. State law spells out the procedural and substantive requirements to do so. There are several steps the city must take in adopting a moratorium. First, the city must give the department of land conservation and development notice of the proposed moratorium. The notice must be given at least 45 days before the date of the hearing on the moratorium. In this case, notice was mailed to the department of land conservation and development on August 3, 2006. Second, the city council must hold a public hearing on the proposed moratorium and finally, if the council is going to adopt the moratorium, the council must make findings supported by evidence that identify the problem justifying the moratorium, the geographic area in which the problem exists, and to which the moratorium applies, and the anticipated steps to be taken toward addressing the problem. The council must also state the initial duration of the moratorium. The moratorium ordinance you will be considering this evening applies to commercial, CG and industrial IG 2 zoned areas of the Hayden Island shown on the map attached as exhibit A to the ordinance. It's based on a shortage of deficiency in key transportation facilities, the I-5 freeway and the internal street system in particular. Purpose of the moratorium is to avoid exacerbating existing deficiencies in the transportation system and to allow time for completion of studies that will take steps towards addressing those deficiencies. As the city's transportation staff will elaborate tonight the findings discuss existing applicable comprehensive plan policies, constraints on the I-5 freeway and internal street system, transit and pedestrian issues, land use issues, and a preliminary corrective program. The duration of the moratorium is six months. The moratorium restricts development during this six-month period. This means that the bureau of development services will not accept applications for land use reviews or building permits during this period of time. The ordinance includes a limited set of exemptions from the moratorium. These include applications for land use reviews and building permits that were submitted and accepted as complete before the effective date of the ordinance, applications for trade or technical permits like plumbing or electrical permits, applications for building permits for work on existing buildings if no new vehicle trips or additional parking spaces will be added as determined by the city engineer, applications for land divisions and an amendment will be proposed to include for final plat reviews as well. Additionally the ordinance extends the expiration period for land use reviews that were approved before the moratorium became effective and for preapplication conferences that are still valid. That's a brief overview of the moratorium process and the ordinance before you. I will be happy to answer any questions.

Potter: Questions?

Adams: I guess I just wanted to underscore the land use applications that have been approved and for the potential moratorium area that they would be frozen in terms of their expiration date and then the clock would start ticking again on their expiration date when the moratorium is lifted. Is that correct?

Beaumont: That's correct.

Adams: Ok.

Sten: Commissioner Adams, I think you looked at this, the owners of the Jantzen Beach shopping mall had submitted a potential amendment that would allow them to move forward on some plans and I wanted to get a sense if you had a chance to review that. I brought the language and I don't have position on it but wanted to see if you had a chance to review that.

Adams: We have and since we are in the area of language and legalistic, I think I am going to defer to Kathryn, if you could respond to the proposed amendments from representatives of Jantzen Beach Super Center.

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Beaumont: I have reviewed the proposed amendment with transportation staff. And my recommendation is not to include it in the ordinance. There are some difficulties with the language and I think the net effect of this amendment could be to undermine the purpose of the ordinance. And potentially transform the permitting process of the transportation staff level into a land use review. For those reasons I would recommend that you not include it in the ordinance.

Sten: Thank you.

Adams: Why don't we, on that vein, if you could also, there was also amendments proposed by representatives of the former proposed wal-mart site. And if you could maybe describe those and give us your assessment of those.

Beaumont: I have reviewed those amendments, and also reviewed them with the transportation staff. Those amendments would exempt from the moratorium a proposed development of mixed use development of significant size and height. And would also essentially have the council directing the city staff to amend the zoning code by, in a sense, lifting the various provisions of the noise, the Portland airport noise overlay zone. We think that this proposed amendment would allow, during the moratorium period, a development of significant size that would generate a significant number of vehicle trips and, again, would undermine the purpose of the moratorium ordinance and for that reason we do not recommend that you adopt that amendment either.

Adams: Thank you.

Gillam: First we would like to provide a brief policy framework regarding hayden island.

Potter: Closer.

Gillam: Regarding the city transportation goal, goal 6 transportation, it calls for the creation of a transportation system that provides adequate accessibility of all planned land uses and a safety and efficient movement for people and goods while preserving neighborhood livability. There are also goals related to land use and transportation. Comprehensive plan, policy 6.17, coordinate land use and transportation. Calls for implementing the comprehensive plan map and the 20/40 growth concept through long range transportation land use planning. Yet no plan has been developed for hayden island and traffic has increased significantly on i-5, resulting to frequent and prolonged congestion which we will talk about a little bit later. Policy 6.22, pedestrian transportation, calls for a complete pedestrian network to increase opportunities for walking, to shopping and services and other destinations, yet hayden island lacks sidewalks on many of its streets, both public and private. Policy 6.24, public transportation, calls for a network of bus, lightrail, and street light corridors to accommodate neighborhoods for trips yet hayden island is served by one bus line, number 6, which connects vancouver to downtown Portland. There is also a couple of district policies that apply. North district transportation, policy 6.34, and northeast district transportation, which is policy 6.35, and hayden island is part of its in north Portland, part of it's in northeast Portland in terms of transportation districts. Regarding street connectivity, policy 6.20, connectivity supports development of the interconnective multimodal transportation system to serve mixed use areas and other activity centers. Hayden island has been identified as an area not meeting the regional or city connectivity, street connectivity standards. Parcels tend to be large and do not connect with adjacent parcels. Therefore it's not available for most general travel needs. There are also policies related to transportation, economic development. Policy 6.29, multimodal freight system calls for a freight system that's safe, reliable and efficient within and through the city. I-5 is, however, currently a very congested corridor. That would become increasingly congested. And which will impact economic development on the island. Hayden island is designated as a station community on the 20/40 growth concept. And the long range plan, and as such, the area would comply with policies for transit areas as stated in the city's comprehensive plan. Such as transit oriented development. Also there is a -- the metro's regional transportation plan and the Portland transportation system plan. Identify that a major plan is needed for i-5 north and this part of the freeway experiences some of the region's worst congestion. Average 125,000 daily vehicle trips are

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made across the i-5 bridge. Also there has been a Portland-vancouver transportation trade partnership that was developed as comprised of Washington, Oregon citizens and leaders to meet -- met to respond to growing concerns about congestion on i-5 and recommend a strategic plan. In 2003, the Portland city council adopted a resolution endorsing the strategic plan and recommending that the Oregon department of transportation, tri-met and Portland work together on a hayden island land use and circulation study. At this point I would like to turn it over to david parisi.

David Parisi: Thanks, john. Mayor Potter and members of council, i'm david parisi, a professional traffic engineer, I represent the david evans team that conducted the technical analysis. Tonight I am going to explain some of our findings related to the items the city asked us to look at including the capacity, congestion levels on i-5 in the vicinity of hayden island. The capacity of i-5's ramp terminals for the i-5 ramp intersections at hayden island as well as other key intersections and find out how congested and limited capacity affects safety. First thing we wanted to take a look at was a congestion levels and capacity of i-5 itself in the vicinity of hayden island. Doesn't take a traffic engineer to know that i-5 experiences recurrent congestion, several hours in the morning, and in the afternoon, every day as well as on weekends. Currently, i-5 in the vicinity of hayden island operates what is called a level of service f. That's the lowest grade of traffic facility can perform at. Level of service f is a situation that's at capacity. It's based on the density of vehicles in a lane. So the more dense a facility is, the worse the service level is. Another way to look at the performance of a facility instead of level of service is look at volume to capacity on that segment itself. Often when you get buy-ins on that approach that capacity of a facility or demand or exceed that capacity you also have a breakdown conditions or level service f. That's why today we have several hours of congestion. Our demand does exceed the capacity during both the morning time and evening peak periods. This chart here shows a photo of northbound traffic near hayden island during the evening peak period. We only looked at four hours but during those four hours northbound direction, i-5 does operate at level service f or break down conditions. During the morning time we also only looked at three hours. But for -- or for four hours but for three of those hours the facility experiences level service f for breakdown conditions. For a total of seven hours each day. Based on metro's regional transportation plan, as well as the city's own transportation system plan, one hour of level service f conditions are allowable but not seven. And not two. So there is an existing issue with congestion today. This next slide is showing the midday conditions that occur on hayden island with respect to vehicular queuing at key intersections near the hayden island interchange. Interestingly enough the traffic volumes on hayden island are highest during the midday period, both on weekdays and weekends as compared to during the a.m. or p.m. periods. The red lines here show how far ramp queues or vehicular queues can extend along the traffic lanes. If you look for instance in the southbound off ramp that queue of cars can often extend 550 feet or more, in fact, into the deceleration lane of the ramp itself which would be a very unsafe situation as cars exit the highway or these cars can actually extend on to the main line of i-5 itself and again cause a dangerous situation. As a matter of fact, we conducted a collision analysis using information provided by the Oregon department of transportation and within the last five years, just within .2 of a mile of this offramp, of the southbound off ramp, there were 100 vehicular collisions reported with most of those being rear ends and many those having injuries. There are five other intersections. Let's go back, john, please. Besides the southbound offramp we looked at five other signalized intersections, some maintained and owned by the state, some owned and maintained by the city of Portland. To understand their vehicular queuing capacity, and you can see at those five intersections as shown in red during midday period there's not enough capacity to store the vehicular demand at those intersections. Again what that can cause is will spill back into the middle of the upstream intersection or beyond. Causing again some additional safety concerns. As a matter of fact I do have -- and this is also verified by, I was just handed a report by dks associates which has a statement, vehicular queuing impacts are a significant issue for hayden island, given the

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lack of i-5 capacity. So this is not just knowledge based on the field and on our professional judgment in analysis but also other traffic engineers as well. Thanks next slide. This is the last slide I am going to present. It's about some of the crash history. And what we have recognized on i-5 and in particular in the city of hayden island is that as congestion levels increase and get to the point of capacity or overcapacity conditions, the incidents increase as well. The number of commissions exacerbates. The columbia river crossing project which commissioner Adams referenced early did a comprehensive accident analysis of about six miles of i-5 from main street in Vancouver all the way down to lombard in Portland. That's 6.4 miles. Over the course of five years there were 2200 accidents reported. However, if you just look at about one-half a mile within hayden island there were 429 accidents which is very disproportionate when you think about the collisions that happened in this segment compared to the rest of the Columbia river crossing corridor area. Which by the way that whole six mile area is about two and a half times the state average for urban interstate freeways. Most of the accidents in this area, 75%, were rear-end collisions, 30% of them resulted in injuries. And finally, the state of Oregon has identified the i-5 in the vicinity of hayden island as what's called one of their top 5% accident locations in the state. We did a query today and we determined that i-5 in the vicinity of hayden island within just .3 of hayden island is the highest accident location of i-5 in the state of Oregon, according to state's data. That concludes my presentation. If you have any questions, I would be happy to answer those.

Gillam: Next look at our findings of transit that hayden island is served only by one bus route, trimet bus line 6. And the number of transit trips to and from the island is below the number of transit trips of other designated town centers and station communities. And while the bus line 6 is a frequent service, it has below average reliability, and the buses arrive only about 77% on time. Also the pedestrian access to the bus is poor. The bus stops are near i-5 freeway. There's no transit service providing internal circulation for access to the island. The street system has poor street connectivity. And there are a number of barriers including the freeway itself, lack of sidewalks, and the bus operates on private streets. There is also an imbalance in the number of bus stops serving both the inbound or southbound and northbound riders which creates some confusion and can impact transmitted ridership. Transit mode is only 2.4% of the total daily trips. And this is relatively low compared to other designated station communities and town centers. Also tri-met is not in a position to increase bus service or provide additional bus stops. And then also the poor street connectivity and substandard pedestrian facilities and facilities that are can accommodate americans with disability act requirements. This is a map of the 20/40 growth concept. And the red arrow points to the hayden island station community. So hayden island is envisioned in the long-range regional plan as being a station community and having high capacity transit service. At this point I would like to turn over to joe zehnder.

Joe Jehnder: The bureau of planning is part of the analysis of the moratorium issues. Conducted a survey of existing development and land use on the island. Estimated based on current zoning, what additional development could take place on the island and to develop a couple of scenarios of that possible additional development that were used to project traffic impacts of, that would be related to the additional development. In items of existing conditions, on the 530 acres approximately of east hayden island, about 77% of the island is in commercial or industrial uses. The remained are is in residential uses. In terms of residential uses there's approximately 1453 units, 290 of those are floating homes. 430 of those are manufactured or mobile homes on the island. In terms of commercial development, over all there's about 1.6 million square feet of commercial development, and of that, 1.2 million is in retail development. The other parts of the commercial development are primarily hotels or marinas. Next and the land use map here shows you the distribution of those uses with red and the orange being the commercial uses and the blue being the residential. The large concentration of commercial uses around the i-5 interchange including jantzen beach and the hotel uses on the north side of the island. On the east side they are

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largely commercial marinas. The -- next. In terms of development potential, the residentially zoned lands on the island is virtually built out. So there's no significant additional residential development potential on that, on residentially zoned land. The development capacity on the commercial zone land, the cg and on the industrial lands is significant. In the next step of this we went on to estimate how much additional development might be possible. Next. Looking at industrial land, we estimated that between approximately 400,000 square feet of additional industrial development or industrial infill could be located on industrial land on hayden island, and the assumptions here looking at how densely developed other typical industrial sites are in the Portland area, and taking that amount of additional development and projecting on it to the associated trips gave us an additional number of trips that might be trying to access i-5 ranging from 240 to 1119 additional vehicle trips. In terms of commercial development, assuming a style of develop that was just retail with service parking, like the jantzen beach shopping center now. Were able to project a range from 1.6 million additional square feet to 500,000 square feet of additional retail depending on how much parking you provide per square foot of retail. And here the projected trips related to that amount of development range from from over 26,000 to over 80,000 additional vehicle trips to and from the island. In the commercial zones on hayden island, there is a potential for some additional residential development as well. But we did not estimate that. Just finding enough significant potential impact and just looking at retail development. And the net impact of this is, as you can see, a significant, a potential significant number of trips added to the i-5 interchange over and above the condition f levels of use that were just presented to you.

Gillam: As far as next steps from this point forward, the recommended preliminary corrective program includes several steps. One is continued participation in the columbia river crossing project. This project is being done in compliance with a national environmental policy act. And it is a cooperative effort between Oregon department of transportation, Washington department of transportation, the city of Portland, other local jurisdictions, regional governments and transit agencies. This work is expected to be completed in a locally preferred alternative identified by spring of 2008. In conjunction with the columbia river crossing project there is a traffic circulation of high capacity transit location study currently underway and that's a cooperative work effort also between the city of Portland and the columbia river crossing project. And this study will occur over the next six months. And we will provide greater insight than we have today about what are the opportunities of constraints of different alignments and footprints of the freeway and access streets and transit access. And then thirdly, the city is going to discuss exploring a neighborhood planning process for hayden island. And since annexation there have been significant changes on the island including new land uses and new residential development. During the moratorium period the city will explore initiation of a neighborhood planning process for hayden island. And that concludes the staff presentation.

Adams: Mr. Mayor, we do have an amendment to make that Kathryn would now be a good thing to put that on the floor and into the record? And for commissioner Leonard, this would be an additional, an additional exemption labeled number 6 that reads as follows. An application -- so this is an exemption - - another exemption criteria -- an application for a final plat approval, under pcc chapter 33.600 for land division that has been received preliminary, that has received preliminary subdivision or partition approval, prior to the effective date of this ordinance period. If the final plat is approved no development shall be permitted on any lot or parcel unless such development qualifies under one of the exemption in paragraph d.1 through d.4 above.

Leonard: Thank you.

Beaumont: Commissioner adams there's an additional technical amendment in number five.

Adams: Thank you. Also the addition of the words on the third line down, the addition of the words "or parcel" so that now exempt number five reads an application for a type one roman numeral one, roman numeral two x or roman numeral three land use review for a land division

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under pcc chapter 33.600 period. If the land division is approved, no development shall be permitted on any lot and this is the addition or parcel unless such development qualifies under one of the exemptions in paragraph d.1 through d.4 above.

Leonard: Got it.

Adams: I move the amendment.

Sten: Second.

Potter: Call the vote.

Adams: Aye. **Leonard:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] any further questions of these folks? Thank you.

Adams: Thanks for your presentation.

Potter: We will move to the signup sheet. Folks, if you wish to, just as a matter of order for this, if you wish to express approval, you can put your hands in the air and wave them. But please no clapping. It delays the process and we'd appreciate that. Thank you very much.

Adams: So the first three signed up are connie hunt, rick gill, and steve welch.

Connie Hunt: Hi. Mayor Potter, commissioners, my name is connie hunt. Thank you very much for giving me the privilege to speak to you today. I have lived on hayden island for 29 years. And i've seen it change tremendously. In 1995 and 1996, I had the honor of serving as the president of high noon, having served on the board from 1990 shortly after the island's annexation into the city. We on hayden island have oftentimes felt, and I believe deservedly so, somewhat neglected. My very first exposure into the public process was when just after annexation the city attempted to close fire station 17. We for the long and hard to keep the station on the island. And have had to continue to fight for every single service we can get to keep us afloat. Most of you know me more as a business advocate rather than a neighborhood activist. My husband and I have owned the east bank saloon in the central east side for over 28 years. My business relationships run deep in the city and the state. I am the former president of the central east side industrial council. I am the past chair of the Oregon restaurant association and I am the current vice chair of pova. I was a founding member of the small business advisory council. Although I only represent myself today, I believe these relationships in the business community give me a good insight into the pulse of a healthy business environment in our city and region. The business community has long been concerned about the regional impacts of the i-5 corridor and the traffic congestion there. Please send a pro business message to the business community by voting for this moratorium. Ensure that all businesses have the adequate infrastructure to get customers and products to their doors. Hayden island is needed a good comprehensive neighborhood plan for a long time. Development has literally gone wild with the lack of one. The time he is now to give that plan a shot in the public process. We are looking at a columbia river crossing project that will impact not just hayden island, but the entire region. Hayden island will be the most critically affected land mass in Oregon with this bridge reconfiguration. We owe it not only to the island but the entire state to make the gateway into our beautiful state the best it can be. Please help the community represented out here today stop and take a deep breath and do the right thing for our city, the state, and our beloved island. Please vote yes on this ordinance and give us the time to plan for hayden island's future. Thank you.

Rick Gill: Mayor Potter, commissioners Leonard, Adams, and Sten, my name is rick gill. I am the current president of hayden island neighborhood network, also known as hi-noon. Hi-noon is an organization of 14 homeowners and renters associations representing condominiums, floating homes, mobile homes and houses. I am asking each of you to vote in favor of the temporary moratorium for hayden island because I see it as being good for Portland in the long term from two perspectives. First, from the view on the ground. It provides a reasonable period of time to complete a neighborhood plan for hayden island that makes sure the maximum development allowed by the zoning codes is in balance with the capacity of the road system. Second, from the

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view at 30,000 feet and looking towards the future, it protects businesses and residents from property owners and developers that may not know, realize, or acknowledge the impacts of the alternatives being considered to replace the interstate bridge. Voting against the temporary moratorium is taking a laissez-faire, caveat in tore position that could result in larger problems for hayden island and the columbia river crossing project. Finally quoting from "the Oregonian"'s august 27 editorial hayden island residents are right to seek some breathing room to develop their own plan for their own neighborhood which has never received the attention it deserves. I think the businesses and property owners deserve a neighborhood plan, too. Please vote in favor of the temporary development moratorium for hayden island. Thank you.

Steve Welch: Mr. Mayor, commissioners, thank you for hearing our pleas for planning. The sole purpose of the proposed time out moratorium is to allow sufficient time for the city agencies to plan the island properly. This proposal is truly pro development done right. Hayden island was incorporated into the city 20 years ago and not much has changed in the last 20 years. All of a sudden, here in the last 125 days there's a mad rush to push through this development. We need a little time out. Just to work on that plan. If for no other reason to call for a time out the fact the new i-5 bridge that is planned to ease the west coast's single largest freeway traffic bottleneck is still 24 months away from being announced the site. Coincidentally 24 months is the time frame necessary to draft a comprehensive neighborhood plan. And 24 months is the maximum length of time allowed for the proposed moratorium. All we are ask going to delay development for 24 months and allow the entities to plan for hayden island's future. We thank you very much.

Adams: Thank you, all. Next is brad houghten and walter valenta and the first name on the list.

Potter: First name?

Moore: That would be lloyd wisensee. Then tim helser.

Brad Houghten: Mayor, commissioners, my name is brad houghton, I'm a general manager of a company called columbia crossings on hayden island. We have about 125 acres in ownership there that includes three boat moorages, two floating home moorages, two large storage facilities, 13 marine-related retailers and we provide services to roughly 2,000 customers to the island facilities. The health and value our business is dependent on simple dependable access to our properties at all hours and we have been watching it decline. A potential customer for any of these businesses will consider traffic and access issues in their choice of locations. We know that this has been become an increasingly important consideration in selecting mainland competitors over us. You have heard plenty of testimony today regarding the failure of the island's infrastructure and I don't think it's necessary for me to add anything to those facts. Increases in traffic on the scale that's been described in the resulting reduction and access could mean disaster for us and for a number of other island businesses. This growing congestion and gridlock is a real threat to our business community. The approval of any new large scale commercial projects at this time would take us another irrevocable step away from the opportunity to create a unique, vibrant, mixed-use community. Now is the time to plan for hayden island's future. We have heard repeated concerns from government and business leaders outside of our area that this proposed moratorium would appear to reject the interests of new businesses who want to enter the Portland marketplace. I believe a choice to do nothing in respond to this request for development plan for the neighborhood will be seen by our local business community as a rejection of their interests. Our hayden island residential and business communities deserve an opportunity to enjoy a carefully considered, healthy vision for the neighborhood's future. I hope you will vote in support of this ordinance. Thank you.

Walter Valenta: Hi. My name is walter valenta. I am an area resident and I also serve on the Columbia river crossing task force as the neighborhood representative for this part of north Portland. This is my backyard and I try to keep a close watch on it. It's a really interesting time there right now because not always do all these things come together. We have a place that needs help. We have a lot of people that want to redevelop their property. Lots of redevelop able

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property. We have a group of citizens who want to be involved. The public process on this has been two large hearings here and three large hearings on the island. More people that usually come to these things, in fact, I would like to actually suggest that the people that are here to support this who don't want to testify now just raise their hand to let everybody know who's here in support. But the other thing that happens in this that doesn't always happen is, you have all these ideas and you do a neighborhood plan, and you are missing one important part, which is how do you have the money to pull it off? And that's where this is different. The island needs real help and it needs expensive help and we have a large public works project right in the middle of this that will help defray those costs and we will have mitigation. And it's all lining up in a way that is -- I know as we have tried to figure this out in the past, that I don't think there would be any other way to solve the island's problems as it wasn't for the bridge and the new light rail station and also the all this property and all these developers that actually want to redevelop their property. All happening at the same time. So now the last thing is just the will to pull it all together and do what Portland does the best which is a community plan. It's what we are the best at. So please give us this time. I think the people here want this and you will have us all the way through this community planning process. Thank you for your support on this ordinance.

Tim Helzer: Good evening, mayor Potter and city council members. My name is Tim Helzer and I am a resident of Hayden Island. You are now receiving copies of my testimony. Thank you for the opportunity to address the council this evening in favor of a commercial development moratorium on Hayden Island. As a long-time business owner in Portland, I am definitely not anti-business. But as a former chair of the Hayden Island Comprehensive Neighborhood Plan Committee I am enthusiastically in favor of responsible planning. From my work on phase one of the plan, I have learned from four emerging situations to be very concerned about the current and future transportation conditions on the island. All have one thing in common. They are all coming together as the perfect storm of transportation planning, heading directly for disaster on this island in the near future. First of these four is the Delta Park widening project and evolving Columbia River crossing project. The Interstate 5 freeway conduit between Oregon and Washington without a lift span. The widening project will tear up the interstate highway from Columbia Boulevard through Delta Park for several years, and the Columbia River crossing will be at least 10 years in the planning and construction, heavily impacting Hayden Island's already crumbling infrastructure. Second, is the rail-freight transport and switching and container storage project on West Hayden Island, now currently planned by the city of Portland to support the port of Portland's terminal 6 expansion. A circumferential rail transportation spur off the north-south Union Pacific railway line is planned by the city for the natural and undisturbed two-thirds area of the island known as West Hayden Island to be paved over and used for storage of shipping containers handled through terminal 6. This will have a significant impact on the wildlife of this region's Columbia-Willamette wetlands ecosystem as well as the quality of life and property values of the area. The third project is the north expansion of the metro area express, MAX, for short. Construction required to bridge the Columbia River channel by light rail then cutting through residential and commercial properties and connecting with the plans to cross the Columbia River will disrupt local and regional transport. And nothing to close the rezoning and traffic patterns will be significantly changed as a result of these four. I encourage you to take a serious look at this moratorium because if these four projects come together simultaneously, they will wreck this island community. Thank you for your consideration.

Moore: Next three are Steve Abel, Wayne Kittleson and Ruth Bellkenbury.

Steve Abel: Good afternoon or actually I'm so used to saying good evening. My name is Steve Abel, I'm an attorney here in town. 900 SW 5th. I submitted materials with my address on them. Tonight I represent the Jantzen Beach Dynamic Corporation which owns the Jantzen Beach Shopping Center. And as you know a moratorium is a very significant governmental act. It has deep ramifications for property owners. Those ramifications are financial and they are very practical and it's a very

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serious imposition, if you will, of the government act on local property owners. In light of that, and my limited time before you I have submitted a series of materials I hope you review. But I have offered a modification of exemption number 4 and that modification arises from the espoused purpose of this moratorium, which is transportation systems and the adequacy of those systems and I take right from commissioner Adams' mouth his words which say that the moratorium is intended to allow everyday business improvements, as well as delay congestion causing development. The amendments that I've proposed do just that. The only amendment that's within that package is the amendment to allow a property owner not to just redevelop within the existing shell of a building, but to perhaps go further in the redevelopment to create a more esthetic series of buildings or other configuration but, and this is the important point, not allow additional vehicle trips. That's the standard in exemption four, and, in fact, that's the reason for the moratorium. I heard the city attorney express some concern about the language that language concern goes to what lawyers look at which is technicalities of language. You folks are the policymakers. You're the ones that make the decision about whether that particular language and that policy of protecting against vehicle trips and still allowing businesses to operate is an important policy. We can all work on the language at later point but it's the policy decision that you make. I also think that the state statute on moratoria demand this sort of amendment. The statute requires that economic development needs of the area affected have been accommodated as much as possible. And in the context of a moratorium being a serious step, as much as possible means to the maximum extent possible. And the amendment before you goes right to the core of protection of business interests at the same time as achieving the requirements of the moratorium or solving the problems that the moratorium alleges to solve. With me tonight is wayne kittleson and before I take any questions I will let wayne speak. Wayne is with kittleson associates and he can talk about the technical elements of the proposed amendment. Thank you.

Adams: You hit it right on three minutes. I'm impressed.

Abel: Practice.

Adams: I'm impressed.

Wayne Kittleson: Good evening. For the record again my name is wayne kittleson. I speak to the section d4 amendment that's being proposed. And our proposed additional language in section d4 is designed to clarify your intent so that the exemption clause can be applied without ambiguity. Toward this end, we recommend three modifications. The first is to replace the words "vehicle trips" with "weekday morning or evening peak hour vehicle trips." the reason for this modification is you need to make sure everyone is clear on what measurement yard stick you intend to use. Options for how we might count vehicle trips include daily vehicle trips, weekday peak hour vehicle trips, saturday peak hour trips or trips during the development's individual peak hour. We have recommended that you use weekday morning and evening peak hour vehicle trips because this is consistent with the congestion time periods as identified in the technical analysis that accompanies the ordinance. The second modification we recommend is to add the words net increase on any critical segment. Vehicle trips from any individual site can travel in many different directions and on many different roads. And in some cases they may not even go out on to the external road system. The purpose of this modification therefore is to confirm that the focus of the moratorium is on avoiding the addition of any new vehicle trips to the segments of the interchange area that are failing. So, for example, a development that sends a lot of new trips on to or off of the island would be prohibited while one that just promotes more internal trips would not. The final modification we recommend is to add the words "supplemented with local data" to the requirement to use the i.t.e. trip generation manual. There are many different types of business activities that are not even represented in the i.t.e. trip generation manual. In other cases the manual contains only one or two data points collected in parts of this country that are quite dissimilar to Portland or hayden island. This additional phrase just allows your city engineer to exercise good judgment and

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knowledge of the local area in ensuring that the measurement yard stick you use is as accurate as it reasonably can be. We believe that these three modifications will eliminate a lot of confusion, and will help you and your staff apply section d4 of the ordinance in a way that's consistent with the spirit of the moratorium as you have proposed it. Thank you.

Ruth Falconbury: Mayor Potter, council members, my name is ruth falconbury. 440 N.

Tomahawk island drive. On september 15 a truck dumped some pipe near the marquam bridge and traffic was backed up for the interstate bridge and beyond. I had an appointment over by providence hospital and it took me an hour and three quarters to get there. As a business owner in northwest Portland, and a resident of hayden island for 16 years, I am faced with that traffic gridlock every morning and every evening. I request that the city council support this temporary moratorium so that a comprehensive neighborhood plan can be developed. Thank you.

Potter: Thank you.

Adams: Thank you.

Potter: Thank you, folks.

Moore: Our next three are jan swerts, chris christiansen and ed garen.

Potter: Thanks for being here, folks. When you speak, please state your name for the record. Go ahead.

Jan Zweerts: Thank you for allowing us to speak before you. My name is jan zweerts. I am a residents of jantzen beach moorage on hayden island. I am also currently serving as the vice president but I'm here representing myself. I also work as a locomotive engineer for Portland and western railroad and have been attending many of the columbia river bridge crossing meetings. The island has no zoning, has had no zoning up until the 1990's, when the Portland - - city of Portland took it over. Currently, the island's a mishmash of public and mixed private right of way. And there's only one way on and off the island. The fourth of july fireworks is a military type exercise in traffic control. And christmas shopping quickly overwhelms the local traffic system. The bridge building will affect traffic flow and should be planned for the next, planned for and we also need more transit on board the island. Specifically I would recommend some kind of a feeder bus going into the high capacity in the central and the island. So I am definitely for the moratorium. And hope that a lot of this can be planned out to make it work. Thank you very much.

Chris Christensen: Good evening, mr. Mayor, commissioners, and city staff. My name is chris christiansen. I am also a resident of hayden island. And I am here to ask for your support of the moratorium. But looking beyond that, I would like to ask that you do everything in your power to accelerate with the political will and the support that you can get and garner for the development of this very unique parcel. That is gateway to not only the city of Portland but the state of Oregon. There's been a lot of discussion tonight about the bridge and the traffic. But it's not just about making a wider bridge and making room for more cars to pass through. It truly is a world class destination, an opportunity for tourism but beyond that it's a very unique area for recreational activity, and for ecological preservation, it's an avian corridor, a wildlife corridor, it's a place where people live, businesses thrive and you have perhaps no more unique area this in I the city that you have to really give a world class solution to the competing interests of commerce, housing, transit and infrastructure here. So I ask you to use the advise of the able body consultants with david evans and the community groups and really come up with a world class solution that will continue to make Portland both a leader in planning and transit but also something that brings people to the region and serves the residents very well. Thank you.

Ed Garren: Good evening, mr. Mayor, commissioner, I'm ed garren. I am a resident of hayden island. I am also the representative to the community environment and economic justice group for the columbia river crossings project. I have brought you our new newsletter. You probably have it but i've also passed them out to folks here in the galleries. Lots of good things have been said. I want to particularly express my appreciation to your planning department for so graphically

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showing the traffic that all of obvious to deal with in order to go to work and in order to come home. I would also like to remind you that that same traffic is the traffic that an ambulance has to get through if someone has a heart attack or needs emergency medical services. We don't have an ambulance on the island 24/7. It has to get there. The neighborhood that I live in has an inordinate number of seniors, disabled people. During the 1996 flood most of my neighbors were unable to get off the island because the traffic was so bad. More importantly, as walter valenta pointed out earlier, we have a critical mass coming together here in terms of planning. Because we have a lot of people who want to do a lot of things in the middle of our community. We have the columbia river crossings project that wants to cut up to an 800-foot-wide gash through the middle. No matter which plan they take, they are going to take out our little neighborhood strip mall which includes a couple of local pubs, four restaurants, the only liquor store on the island, and possibly, if they go with two scenario, they will also take out the only grocery store and pharmacy we have on the island. So any planning in the jantzen beach super center really should consider accommodating the displacement of all of our smaller neighborhood businesses which provide the intimacy and quality of life that make the island livable. I really want to thank commissioner Adams for bringing this to the city's attention and all the work that he's done. I want to thank you, mr. Mayor, for making sure that this process proceeds. The other commissioners as well. I know you are going to do the right thing because this is Portland. Thank you.

Potter: Thank you, folks.

Moore: Our next three are don gire, carolyn newman, and roger staver. Thank you. Then steven edelson and that's all who signed up. Don gire, carolyn newman and steven edelson.

Stephen Edlefsen: My name is steven edelson. It's nice to see you this evening. I have one grand idea. About traffic. Trucks. Trucks should be restricted based on the size of the company. Its economic assets, capabilities. Something like six or seven so they can mix in the traffic early. People are able to see them and then as traffic wanes they mix out. It does seem to be a very real problem, traffic. I have heard many times of it as standstill. I love the bridge dearly. The thought at all of the bridge being gone is devastating. The thought of adding a bridge to the west or to the east, they seem to encourage monumental growth that shouldn't be. I don't know what else. It doesn't seem sufficient to restrict trucking. I would like to see the traffic flow even better than I imagine such a trucking restriction would cause. My other thoughts are about the plans I have heard for the bridge that would replace it. None of them are good at all. I think it would set a precedent for a very good traffic structure which could grow and develop and be well loved, something I imagine in a picture. Traffic growing and dwindling and with awe and love. I very much hope it is not destroyed, the bridge, and I will be sad if it is.

Adams: Thank you.

Din Gire: Good evening, mayor Potter, sam Adams, eric stein is and it randy who is on the phone? My name is don gire. I am a resident of a floating home on hayden island. I am a past board member of tomahawk island floating homes and co-founder of the condominium operation that actually bought the water down there five years ago. I am an alternate on the board of hi-noon. I am looking forward to the future. I am looking forward to joining with my friends on hi-noon and the moorage and other neighbors to work with the city and plan this community. I moved here 10 years ago from missouri, of all places, just because I visited a person that lived on a floating home, I quit my job, my wife and I came here, our children followed us, and we live in this wonderful maritime community. I spend a lot of time in my boat. A lot of time at the local safeway. My daughter lives in the apartments. It's a wonderful community. One of the big deals, if you live on the island, you say to your buddies, i'm just going to do whatever it takes never to leave the island. Well, watch out what you wish for. Because now I can't. About seven hours a day. [laughter] another issue, and another issue is that this young man up here, the youngest member of our division tonight and thank you, sam, again for the nice truck for anekin, he goes to school -- he is

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the longest commuter in the city, I think. He's proud to be a member of the faubion elementary school, 31st and Portland. I am on the p.t.a. And the only thing wrong with that is he's consistently late for school. Because his bus can't get off the island. And I don't know when -- I pick him up at 3:26 -- laidlaw brings him in today at 3:50. So he's late for school and he doesn't know when he's getting home. That's a very little known fact of what the traffic does to the folks on hayden island. So I certainly hope that you will take the spirit in which the speakers and the other attendees here have taken their time out of the day to come down here and ask for this moratorium. Give us a chance to plan the future. If you've ever been to san diego or to oceanside, california, have you seen the maritime shops and lighthouses and the like? What an opportunity we have to change the gateway to Portland. Wow. Thank you.

Potter: Thank you.

Moore: That's all who signed up.

Potter: Ok. I would like to have gil kelley come up, please, the director of planning. A lot of work for this will fall to the planning bureau and to pdot. I would like to have you discuss what you need do in order to accomplish this next phase.

Kelley: Thank you, mayor. Again, gil kelley, bureau of planning director. My comments here are preliminary in nature in the sense that I'm understanding part of the directive will be given this evening as to return to council with a specific scope of work for the activities that are contemplated going forward. But I would like this opportunity to make just a couple of cautionary notes about the implications of the action and these are not intended in any way to speak against the moratorium or the need for a plan. I think a plan is needed. That's highly indicated by the columbia river crossing, for example. So we know we see that coming and I am always thrilled as an urban planner to hear citizens come poured and talk about the value of planning and the connection between planning and livable city and a vital economy. I am really here, though, speaking to you as a manager and letting you know that the intended plan here is not in the current work program and would have a cost. So when we return to you, I don't want the council to be surprised that there will be a request for resources. And as we have discussed with commissioner Adams, it may be possible to have the columbia river crossing project bear some of that cost or share in the cost for the planning work that would need to happen. But just so you are not surprised, the scale of effort here is pretty substantial to do an area plan that's outside the current work program. And we estimate that roughly speaking, the costs over two fiscal-year period because this is probably an 18 to 24-month effort with the community, would be, for both bureaus, planning and pdot together something on the order of \$750,000 spread over two fiscal years. So something like \$350,000 to \$375,000 for each of the next fiscal years. In order to start that, to ramp up to really effectively engage the community, shortly after the first of the year, we have some preliminary tasks that we need to get going with now in order to staff up and get consultants in place so that right after the first of the year we can go so that's one reason for laying this out tonight. Because we need to come back subsequently and ask for the money if we wait to start those gears rolling until it's actually funded, we would have a probably delay until the spring. The other piece that I wanted to alert you to is that when we, when you see the final scope of work here, it will have some geographic limitations along the lines that commission are Adams has laid out, which is that the planning efforts would really be centered on the center and east end of hayden island. It would not include land use planning for the west end where there's a whole lot of other issues involved, although we could consider that option if you are so inclined that would add to the time and cost. And while it would consider the transportation connections to area south of the island we wouldn't engage in a land use planning effort for areas south of the slough and in the hayden meadows for example in that area. I wanted to let you know that. And finally, that when you enter these processes, there are limitations through a land use or a zoning process to get at some of the big box retail issues that are concerning people on that side of the equation. That's not to say there aren't things that can be done

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but they are in this situation where there's a heavy presence of large retailers existing and in the measure 37 environment, I just want to put out a little bit of a caution that they are going to be some limitations to what we can achieve through zoning to limit those kinds of uses.

Potter: Questions from the commissioners?

Adams: Just a note to add a request to the columbia river crossing task force for financial contribution to help underwrite this has been made and we should be getting word back, if not this week by next week.

Kelley: At the request of the mayor's office I should ask that I did look at our existing work program to see if the council were not inclined to fund this effort with new one-time money, took a preliminary look at our existing work plan and the implications of deferring for two years any of the major items in our work program is not pretty and if you want us to go down that road we could return with specifics but they're -- they're pretty major implications of really projects that are of a lot of concern to the council and constituencies that are counting on those areas.

Adams: Boy, you are a big wet blanket, aren't you? [laughter]

Kelley: Yeah, I know.

Adams: Anything else you want to tell us is not possible? You are the planning director. You are supposed to inspire us dog gone it.

Kelley: We will be back with lots of inspirations and I am speaking to you as a manager.

Adams: He's very, very good and inspiring. Tonight he's doing thinks due diligence in terms of keeping expectations under control and I do appreciated that.

Kelley: Thanks, sam.

Potter: Thank you, gil.

Leonard: I'm sorry I didn't here if there was a cost associated with this

Adams: The estimated two-year cost is \$750,000 for both planning and for pdot and we have made a request for, with the columbia river crossing task force to pay for a significant amount of that.

Potter: That's over a two-year period. Any further -- call the vote.

Adams: I am going to vote for the moratorium. It should be of no surprise to anybody. And in doing so I wanted to thank some folks. First, I wanted to thank all of you for being here. You have got lots of choices on what you can do with your evening. But you are here and you have been at a number of community meetings I have had the privilege to go to and I will tell you that your interest and your work, which will continue, I know, is incredibly inspiring. And I want to thank each and every one of you. I want to thank the very diverse interests of columbia river crossing task force. That, those decisions could have gone a number of different ways but without opposition they support what we are doing here. Some individuals I want to thank, rick gill for his continuing leadership, eugene rogers for his early leadership, connie hunt for all of her enthusiasm and really seeing right away as does steve welch and brad howten and walter valenta, the economic consequences of not taking this, yes very unusual action, one that we must do prudently but as business people they saw immediately sort of the consequences of not taking a development time out. I want to thank mayor royce pollard and the folks from vancouver and clark county. I can't think of a more robust partnership between the cities of vancouver and Portland and clark county and Multnomah county on this project. I really appreciate it. Rex burkehalter, representative gary hansen and then some great staff, kathryn beaumont, paul smith, john gillham, joe Zehnder, bonnie morris, kurt krueger and my great team that worked very, very hard on this, warren jimenez, especially, roland chlapowski, and jesse beason and tom miller, my chief of staff. It takes a whole village to get me off the bed in the morning and keep us doing this kind of work. So thank you there. Aye.

Leonard: Aye.

Sten: Aye.

Potter: Aye. [gavel pounded] meeting is adjourned. [applause]

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At 7:23 p.m., Council recessed.

October 5, 2006
Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast.

Key: ***** means unidentified speaker.

OCTOBER 5, 2006 2:00 PM

Potter: Call the roll

Moore: Adams.

Adams: I'd like to welcome back randy "sparky" Leonard. Here.

Leonard: Here. **Saltzman:** Here. **Sten:** Here.

Potter: Here. I would like to remind people a lobbyist must delay which entity he or she he is authorized to represent. We had a number of items yesterday that require a veto today and so we are going to go back and vote on the consent agenda from yesterday. And so the first item is to call the vote on the consent.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] the following items, we heard testimony on yesterday, and we will vote on them individually. First read item 1327.

Item 1327.

Potter: Please call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] please read item 1305.

Item 1305.

Potter: Please call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] was that your pacer that just went off, randy? [laughter]

Adams: That's good.

Potter: Please read the next item.

Item 1332.

Potter: Please call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] please read item 1336.

Item 1336.

Potter: Please call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] please read the 2:00 p.m. time certain for today.

Item 1340.

Potter: Do any commissioners have any ex parte contacts that have occurred since the august 23, 2006, council hearing on this matter or any contacts that were not disclosed previously?

Saltzman: I do. A member of my staff met with representatives of allegro and the details of that conversation were related to me. The conversation did not deal with the matter before us today did deal with a future application to build on this site.

Leonard: Same circumstance with my office.

Potter: I did meet with a representative of allegro but there was no conversation regarding this issue.

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Adams: And I met with representatives of allegro, represents of property owners of the adjacent property, we had discussions what conversations have been taking place since the last council vote. But not specifically on this issue before us today.

Saltzman: I and my staff met with the same folks.

Potter: Council has before them findings. I need a motion to adopt the findings that support the appeal of the goose hollow foothills league and deny the application of allegro condominiums.

Saltzman: I would so move.

Leonard: Second.

Potter: Karla, please call the roll.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] please read the 2:00 p.m. time certain.

Item 1341.

Potter: Council has before them findings I need a motion to approve with conditions a proposal for comprehensive plan map and zoning map for the southeast 82nd and bybee boulevard and overturn the recommendation from the hearings officer.

Leonard: So moved.

Adams: Second.

Potter: Karla, please call the roll.

Adams: Aye. **Leonard:** Aye.

Saltzman: I am going to recuse myself because I have had no prior involvement with this matter.

Sten: Aye.

Potter: Aye. [gavel pounded] that was the last item.

Moore: Yes, it is.

Potter: Pardon?

Moore: It is.

Potter: Good. We are adjourned.

At 2:10 p.m., Council adjourned.