



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3RD DAY OF MARCH, 2010** AT 9:30 A.M.

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

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

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

COMMUNICATIONS		Disposition:
263	Request of Teri Lyn Vik to address Council regarding mistreatment of City employees at the Bureau of Emergency Communications (Communication)	PLACED ON FILE
264	Request of Ibrahim Mubarak to address Council regarding homelessness (Communication)	PLACED ON FILE
265	Request of Calvin Martinez to address Council regarding homelessness (Communication)	PLACED ON FILE
266	Request of Ken Loyd to address Council regarding homeless issues, housing, sit-lie and anti-camping (Communication)	PLACED ON FILE
267	Request of John Mohlis to address Council regarding the state of the construction industry (Communication)	PLACED ON FILE
TIMES CERTAIN		
*268	TIME CERTAIN: 9:30 AM – Adopt budget adjustment recommendations and the Supplemental Budget for the FY 2009-10 Winter Supplemental Budget process and make budget adjustments in various funds (Ordinance introduced by Mayor Adams; Mayor convened Budget Committee for hearing, reconvened Council for vote) 15 minutes requested (Y-5)	183571
269	TIME CERTAIN: 10:00 AM – Proclaim March 10, 2010 to be Tibet Awareness Day in Portland (Proclamation introduced by Mayor Adams) 40 minutes requested	PLACED ON FILE

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<p>270 TIME CERTAIN: 10:40 AM – Tentatively approve the proposal for a Demolition Review to demolish the Historic Kiernan Building-Dirty Duck Tavern, a contributing structure in the Chinatown National Register Historic District, in order to allow the construction of a new 3 to 4 story residential group living and soup kitchen building to serve the new Blanchet House of Hospitality at 421-439 NW 3rd Ave (Findings; Previous Agenda 256; LU 09-171259 DM)</p> <p>Motion to amend findings to strike wording on page 22 “deteriorating quality of the Kiernan Building since the district’s nomination” and restructure the sentence. Staff is to modify findings to be consistent with Council’s direction: Moved by Commissioner Fish and seconded by Commissioner Fritz. (Y-5)</p> <p>Mayor Adams asked for a vote on Time Certain Item No. 270: Hearing no objections, the vote was taken. (Y-4; N-1, Fritz)</p>	<p align="center">FINDINGS ADOPTED AS AMENDED</p>	
<p>271 TIME CERTAIN: 10:45 AM – Accept Memorandum of Understanding between Siltronic and City of Portland (Previous Agenda 248; Resolution introduced by Mayor Adams) 45 minutes requested</p>	<p align="center">CONTINUED TO APRIL 1, 2010 AT 2:00 PM TIME CERTAIN</p>	
<p align="center">CONSENT AGENDA – NO DISCUSSION</p> <p align="center">Mayor Sam Adams</p> <p align="center">Bureau of Planning & Sustainability</p> <p>*272 Accept a \$400,000 grant from the U.S. Department of Energy Recovery Act-Solar Market Transformation: Solar America Cities Special Projects to promote market expansion of solar within Portland and select communities in Oregon (Ordinance)</p> <p>(Y-5)</p>		<p align="center">183557</p>
<p>273 Authorize an Intergovernmental Agreement with Oregon Department of Environmental Quality to collect Portland data for the Oregon 2009/2010 Waste Composition Study (Ordinance)</p>	<p align="center">PASSED TO SECOND READING MARCH 10, 2010 9:30 AM</p>	
<p align="center">Bureau of Transportation</p>		<p align="center">183558</p>
<p>*274 Authorize Intergovernmental Agreement with U.S. Department of Agriculture, Animal and Plant Health Inspection Service to prevent bird nesting on the N Vancouver Ave Bridge over the Columbia Slough (Ordinance)</p> <p>(Y-5)</p>	<p align="center">183559</p>	
<p>*275 Extend contract with Bicycle Transportation Alliance for one year, add \$300,000 to continue education and encouragement services through the City of Portland Safe Routes to School program and amend contract terms and conditions (Ordinance; amend Contract No. 38140)</p> <p>(Y-5)</p>	<p align="center">183560</p>	
<p>*276 Authorize Modification of Lease with the State of Oregon Department of Transportation to increase lease premises for improvements to the maintenance and storage facility related to the Portland Streetcar Loop Project (Ordinance; amend Contract No. 51236)</p> <p>(Y-5)</p>	<p align="center">183560</p>	

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<p>*277 Authorize Intergovernmental Agreement with the Portland Development Commission to provide Urban Renewal Funds for the construction of the N Rosa Parks Way Improvements within the Interstate Corridor Urban Renewal Area (Ordinance) (Y-5)</p>	<p align="center">183561</p>
<p>*278 Amend an Intergovernmental Agreement with Oregon Department of Transportation and METRO for the SW Capitol Highway: Multnomah to SW Taylors Ferry Concept Plan Refinement project (Ordinance; amend Contract No. 30000688) (Y-5)</p>	<p align="center">183562</p>
<p align="center">Office of Management and Finance – Financial Services</p>	
<p>*279 Authorize the creation of a recovery zone under the provisions of the American Recovery and Reinvestment Act of 2009 to issue Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds (Ordinance) (Y-5)</p>	<p align="center">183563</p>
<p align="center">Office of Management and Finance – Internal Business Services</p>	
<p>*280 Authorize acquisition of vehicles for use by City Bureaus at \$302,685 (Ordinance) (Y-5)</p>	<p align="center">183564</p>
<p>*281 Pay claim of Foundation Engineering (Ordinance) (Y-5)</p>	<p align="center">183565</p>
<p>*282 Pay claim of Rodney Smart (Ordinance) (Y-5)</p>	<p align="center">183566</p>
<p>*283 Pay claim of Mara Woloshin (Ordinance) (Y-5)</p>	<p align="center">183567</p>
<p>*284 Revise ordinance for settlement of property damage claim of George Simpson to correct payee information (Ordinance; amend Ordinance No. 183506) (Y-5)</p>	<p align="center">183568</p>
<p align="center">Commissioner Amanda Fritz Position No. 1</p> <p align="center">Bureau of Emergency Communications</p> <p>285 Authorize contract with Online Business Systems for Program Management services to the Portland Dispatch Communications Consortium at \$215,000 (Ordinance)</p> <p align="center">PASSED TO SECOND READING MARCH 10, 2010 9:30 AM</p>	
<p align="center">Commissioner Dan Saltzman Position No. 3</p> <p align="center">Bureau of Environmental Services</p>	

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<p>*286 Amend a grant from the Environmental Protection Agency to add \$817,000 and extend the budget period to September 30, 2012 for Innovative Wet Weather Projects (Ordinance; amend Ordinance No. 177010) (Y-5)</p>	<p>183569</p>
<p style="text-align: center;">Commissioner Randy Leonard Position No. 4</p>	
<p style="text-align: center;">Bureau of Development Services</p>	
<p>*287 Authorize an Intergovernmental Agreement with Lake Oswego School District and any other school district within the jurisdiction of the City of Portland and Permit Service Area to collect and remit a Construction Excise Tax (Ordinance) (Y-5)</p>	<p>183570</p>
<p>288 Revise regulations of Floating Structures to improve safety and the permitting process (Ordinance; amend Code Title 28)</p>	<p style="text-align: center;">PASSED TO SECOND READING MARCH 10, 2010 9:30 AM</p>
<p style="text-align: center;">Bureau of Water</p>	
<p>289 Delay the increase of the minimum blend of biodiesel in diesel fuel sold in the City required by City Code 16.60 until the administrator of the biodiesel program deems that the necessary economic and technical conditions exist for implementation (Report) (Y-5)</p>	<p style="text-align: center;">ACCEPTED</p>
<p style="text-align: center;">REGULAR AGENDA</p>	
<p>290 Suspend systems development charges for Parks and Recreation, Environmental Services, Transportation and Water for the construction or the conversion of structures to accessory dwelling units until July 1, 2013 (Resolution introduced by Mayor Adams and Commissioners Fish and Leonard) 20 minutes requested (Y-5)</p>	<p style="text-align: center;">36766</p>
<p>291 Tentatively deny appeal of East Columbia Neighborhood Association against Hearings Officer's decision to approve with conditions the application of Howard Brandwein and Jeri Geblin for a land division with concurrent environmental review and adjustments for a 49-lot subdivision at 9801 NE 13th Ave (Findings; Previous Agenda 250; LU 09-134484 LDS EN AD) Motion to adopt findings: Moved by Commissioner Leonard and seconded by Commissioner Saltzman. (Y-3; Fritz abstained; Adams absent)</p>	<p style="text-align: center;">FINDINGS ADOPTED</p>
<p style="text-align: center;">Mayor Sam Adams</p> <p style="text-align: center;">Bureau of Transportation</p>	

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<p>*292 Amend contract with Stacy and Witbeck, Inc. for construction of sewer system improvements as requested by the Bureau of Environmental Services related to the Portland Streetcar Loop Project (Ordinance; amend Contract No. 30000609) 10 minutes requested (Y-5)</p>	<p align="center">183575</p>
<p align="center">Office of Management and Finance – Financial Services</p>	
<p>*293 Authorize interim financing for sewer system and related matters (Ordinance) (Y-5)</p>	<p align="center">183576</p>
<p align="center">Office of Management and Finance – Human Resources</p>	
<p>*294 Provide for City-paid COBRA coverage for eligible dependents of deceased City employees (Ordinance) 10 minutes requested (Y-5)</p>	<p align="center">183574</p>
<p align="center">Office of Management and Finance – Internal Business Services</p>	
<p>295 Accept bid of Granite Northwest, Inc. for the SE Portland Pavement Preservation Projects for \$1,948,948 (Procurement Report - Bid No. 111218) (Y-5)</p>	<p align="center">ACCEPTED PREPARE CONTRACT</p>
<p>296 Accept bid of Moore Excavation, Inc. for the Walker Creek Culvert Replacement for \$939,625 (Procurement Report – Bid No. 111279) (Y-5)</p>	<p align="center">ACCEPTED PREPARE CONTRACT</p>
<p align="center">Commissioner Amanda Fritz Position No. 1</p>	
<p align="center">Office of Neighborhood Involvement</p>	
<p>*297 Authorize a \$105,222 grant agreement with the Center for Intercultural Organizing as part of the Diversity and Civic Leadership Academy for the period December 17, 2009 through June 30, 2010 (Ordinance) (Y-5)</p>	<p align="center">183577</p>
<p>298 Authorize a \$3,000 grant agreement and Memorandum of Agreement with Portland Community Media as part of their Smart Access partnership with Office of Neighborhood Involvement, Central NE Neighbors and SW Neighborhoods, Inc. for the period January 1, 2010 through December 31, 2010 (Ordinance)</p>	<p align="center">PASSED TO SECOND READING MARCH 10, 2010 9:30 AM</p>
<p align="center">Commissioner Dan Saltzman Position No. 3</p>	
<p>*299 Authorize a grant agreement with the Youth Employment Institute for Spring Break 2010 youth program (Ordinance) 15 minutes requested for Items 299-302 (Y-4; Adams absent)</p>	<p align="center">183578</p>

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*300	Authorize a grant agreement with the Charitable Partnership Fund for Spring Break 2010 youth program (Ordinance) (Y-4; Adams absent)	183579
*301	Authorize a grant agreement with the Immigrant and Refugee Community Organization for Spring Break 2010 youth program (Ordinance) (Y-4; Adams absent)	183580
*302	Authorize a grant agreement with the Journeys Foundation for Spring Break 2010 youth program (Ordinance) (Y-4; Adams absent)	183581
Bureau of Environmental Services		
*303	Authorize contract with CH2M HILL, Inc. to develop the 2010 Combined Sewer Overflow Facilities Plan required by the State of Oregon to define CSO reduction after the completion of the 20-year CSO Program (Ordinance) 10 minutes requested (Y-4; Adams absent)	183582
304	Authorize an Intergovernmental Agreement with the State of Oregon, Department of Environmental Quality for administration of National Pollutant Discharge Elimination System 1200-Z, 1200-COLS and 1200-A General Permits for stormwater discharges from industrial activities (Second Reading Agenda 259) (Y-4; Leonard absent)	183572
305	Authorize the Bureau of Environmental Services to acquire certain permanent easements necessary for construction of the NE 33rd Drive Culvert Replacement Project No. E07154 through the exercise of the City's Eminent Domain Authority (Second Reading Agenda 260) (Y-5)	183573

At 12:20 p.m., Council recessed.

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WEDNESDAY, 2:00 PM, MARCH 3, 2010

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

March 4, 2010

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **4TH DAY OF MARCH, 2010** AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Fish, Presiding; Commissioners Fritz,
Leonard and Saltzman, 4.

At 2:11 p.m., Council recessed.

At 3:02 p.m., Council reconvened.

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

<p>306 TIME CERTAIN: 2:00 PM – Improve land use regulations through the Regulatory Improvement Code Amendment Package 5 (Second Reading 223; Ordinance introduced by Mayor Adams; amend Title 33 and Official Zoning Map) 1 hour requested</p> <p>Motion to adopt Attachment N, Lots in the R5 Zone/PLAs: Moved by Commissioner Fritz and seconded by Commissioner Saltzman. (Y-4)</p> <p>Motion to adopt A, B, C of staff memo dated March 4, 2010 as shaded: Moved by Commissioner Leonard and seconded by Commissioner Saltzman. (Y-4)</p>	<p>Disposition:</p> <p>PASSED TO SECOND READING AS AMENDED MARCH 10, 2010 AT 9:30 AM</p>
<p>307 TIME CERTAIN: 3:00 PM – Appoint Rick Michaelson, Simone Goldfeder, Don Geddes and Maryhelen Kincaid to the Public Works Administrative Appeals Panel (Report introduced by Mayor Adams) 20 minutes requested</p> <p>(Y-4)</p>	<p>CONFIRMED</p>

At 3:10 p.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

March 3, 2010
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.

MARCH 3, 2010 9:30 AM

Adams: Special presentations. Tom, can you come up?

*****: Yes.

Adams: Tom is going to be giving us a 15-minute speech on the importance of ecoroofs. Have a seat. I'm joking. We have a proclamation and tom is a national expert in green and ecoroof facilities and so i'm very pleased to read the proclamation that proclaims march to be ecoroof month and no, moss on your roof does not count. We're joined by bob sallinger, so the proclamation reads as follows. Whereas, ecoroofs along with urban -- and restoration of natural areas, floodplains, stream corridors are all key elements of integrating the built and natural environments and creating livable urban landscapes for humans and wildlife alike. Whereas, the city adopted the Portland watershed management plan in 2005 and whereas, the long term of the success of the big pipe project is -- and ecoroofs provide benefits including decreasing stormwater run-off and filtering pollutants and preserving Fish and wildlife habitat. Whereas, the city of Portland has created an incentive program designed to promote ecoroof that offers up to \$5 per square foot toward the installation of ecoroof. I do hereby proclaim march 2010 to be Portland ecoroof month.

Congratulations: [applause] would you like to make a few comments?

Bob Sallinger: Yes, i'll be brief. I'm bob sallinger, the conservation director for Portland audubon society. We appreciate you doing this. We have a number of great events during the month, i'll leave a couple of newsletters that outline. The city of Portland is doing a two-day event on ecoroofs and we're having a bunch of field trips and bringing in an expert from europe. And I think we have a tremendous opportunity in front of us to be a world leader in ecoroofs and we need to get beyond the baseline of dealing with stormwater, because it can do a lot more and I think about places that are covered in giant buildings that we could actually create functional habitat on and restore the landscape and I think of equity issues as well where we could perhaps create some innovative green spaces in places that don't necessarily have land-based sites and get the people on the rooftops and let them have a good time. And we're trying to get siltronics in working with us, talking about designing one of the second largest building in Portland, to design a ecoroof for them. And so we're excited about this but our goal is to get the word out. It's an opportunity over the course of the month to engage people and get them excited and I think they are, but get them to a new level.

Adams: Thank you for your advocacy.

Tom Liptan: I want to say thank you very much. It's -- it was march, 1996 when I began to put the ecoroof on my garage and it's a pretty special day and for me to feel speechless is pretty unusual. So thank you, thank you very much.

Saltzman: Thanks, mayor, for this proclamation. And ecoroofs and grown roofs are I think essential not only as bob sallinger said for keeping stormwater out of our big pipes and the pollutants it carries out of our rivers but I do believe a next push needs to be on creating habitat and when you talk about ecoroofs as being new ideas, they're not new. When you go back to the babylonians, they figured it out a long time ago, that ecoroofs, roof gardens made a lot of sense. So it's taking an old idea and giving new life to it when we need new cost ideas to keep our habitats abundant. And the buildings on the north reach of the willamette river, and when we go on the east side, and I know a lot of us are envisioning the day when they have ecoroofs as well. We're having

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the -- the bureau of environmental services is having an eco-event on march 12th and 13th. If your interested in installing your own ecoroofs, experts will be doing demonstrations and will be able to take your questions. Go to the ecoroof blog for details.

Adams: That's the first time i've heard babylonians cited as a justification for good policy. It makes sense.

Sallinger: One thing I meant to mention, very briefly, we're bringing in this expert from europe who works on ecoroofs. And biodiversity and we're excited about that and I called tom to see if he would add value to the city and the city help sponsor that. But as soon as I called him, you have tom here. He's one of the world's foremost experts and his work is a treasure.

Liptan: We have an expert coming in on the 12th who will be at our event from married. Ed snodgrass. And he's written a book.

Adams: Today is wednesday, march 3rd, 2010. It's 9:30:00 a.m. And the Portland city council is in order. Good morning, Karla, how are you?

Moore-Love: Good.

Adams: Please call the roll.

[roll call]

Adams: Quorum is present. Begin with communications. Can you please read the title for communications item 263.

Item 263.

Moore-Love: She called in and has to reschedule.

Adams: Ok. Please read the title for communications item no. 264.

Item 264.

Adams: Mr. Mubarak? Mr. Mubarak? Read the title for council communications item no. 265.

Item 265.

Adams: Mr. Martinez? Mr. Martinez? All right. Can you please read the title for council communications item no. 266.

Item 266.

Adams: Mr. Lloyd? Are you here? Hi, welcome. Come on up. You only need to give us your first and last name for the record and the clock in front of you will help you count down three minutes.

Ken Loyd: Ok. My name is ken loyd. Spelled loyd. I'm a citizen of the boise neighborhood for 11 years and a copastor for friends who live in downtown Portland and also for Oregon center for christian values. I was here four or five months ago when the committee for disabilities was launched. That was a proud day for me as a citizen of Portland. When I think about it, tears just well up. It was such a wonderful thing so see our friends, fell citizens -- fellow citizens welcomed into the full citizenship in city of Oregon -- the city of Portland. It was a wonderful day and we recognized at that time these are good people. But they're vulnerable people and need our help in order to maximize their abilities and functioning in this city. We've done an excellent job and aiming at surpassing, not just equaling, but surpassing state and federal law which is a wonderful thing. I also have a dream of a proud moment when the homeless citizens are -- my friend who's live outdoors are welcomed as full citizens in Portland. And one recommendation I would respectfully make to the city council is that tents be allowed to stay up during the day. Rather than put up and remove, which -- where the winter is almost gone but the rainy season continues for many months. Putting up and tearing down a tent is an experience in getting wet. We know that if we've been camping ever. And i'm looking for a place for friends on public property are welcomed until and unless we provide housing for all of those who want housing, to put up tents and freely be able to keep warm as full citizens, or the beginning of full citizenship in this city. Thank you.

Adams: Thank you, sir, very much. Appreciate your testimony. Karla, can you please read council communications item no. 267.

Item 267.

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Adams: Good morning, commissioner. Welcome back. Glad you're here.

John Mohlis: Good morning, mayor Adams. Commissioners, John Mohlis with the Columbia Pacific Building Trades Council. I first I want to thank you for making Portland a better place to live. I'm here to provide you an update on the construction industry in Oregon. I believe we're in the worst construction downturn since the Great Depression and I believe it going to get worse before it gets better. Unemployment varies from local to local, but the average is 35% of our active members journeymen and women and apprentices are out of work. Some since October of 2008, '08, not '09. And they're being told they can expect to be on the out of work lists for a year to a year and a half. Oregon has been a leader in many positives for many years. The bottle bill, beach access and urban planning. Sadly, we're leading the nation in categories none of us can be proud of. In the top five in unemployment and homelessness and hunger. I read a quote that summed up pervasive unemployment. This is from the March 2010 edition of the "Atlantic." a brief and relatively transition -- and there's unemployment. Chronic, all-consuming. The former is a necessary lubricant in any engine of economic growth. The latter is a pestilence that eats away at people, families and if it spreads widely enough, the fabric of our society. End quote. I would respectfully request that you do everything in your power to move construction projects forward, whether through state or federal stimulus dollars or planned city projects if possible. If there are projects in the hopper, whether a road, a bridge or building, please don't do anything that would impede the progress of anything that would put people back to work. I want to go back to the out of work apprentices. What's tough from an industry perspective, our JTCS and industry partners spend a great deal of time and effort over the last five to 10 years to diversify our workforce. Many of these unemployed apprentices are within the last years of their apprenticeships and I hope they have the fortitude to journey out. But I can tell you some will not. After a certain amount of time, they'll come to the conclusion that the construction industry, that is no future and do something else to put food on the table and walk away. I believe that's sad for the individuals and a loss for the construction industry. In close, do everything in your power to help to move projects forward. Thanks for this opportunity and I'll do my best to answer questions.

Adams: I want to thank you for your service on the Portland Development Commission and tireless advocacy there and elsewhere for the concerns of working people and people trying to get work and the under-employed of which we have an unacceptably high percentage as well. Some of the things that you've partnered with us on the city council to see move forward, the east side streetcar, the construction of streetcars here. Key work from Commissioner Leonard's office. This isn't going to be the right number, but it's up 80% over last year. Pge park. The resource access center. Funding for the Sellwood bridge. The week before last, we found the \$30 million that I didn't know we'd be able to find for the light rail, which is 12,000 jobs and starts next summer. To Milwaukie and then clean energy works through the Emerald Cities you've been a key partner on. Clearly, that's not enough given the magnitude of the problem, we have a lot more work to do but this should inspire us that we should do more.

Mohlis: Thank you very much.

Adams: Thank you very much, John. We have three time certainties so let's move through the first one. Can you please read the time certain title 268.

Moore-Love: Want to do the consent agenda?

Adams: Forgot. Actually, four time certainties. Anyone wish to pull an item from the consent agenda? Please call the vote on the consent agenda.

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

Adams: Aye. [gavel pounded] consent agenda's approved. Now, can you please read the title for time certain item no. 268.

Item 268.

Adams: Mr. Scott.

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Andrew Scott, Office of Management and Finance: Good morning. I'm Andrew Scott, financial planning. We had a work session on the bump two weeks ago so I'm not going to go through a lot of detail. I'll hit briefly the major points being adopted in this ordinance before you today. In terms of the general fund, the winter bump is setting aside \$2.85 million for the fiscal year 2010-2011 process. And that's coming from McCloud communications, pension bonds and small amounts of return funds from the business license surcharge fund and reduces plan and permit revenues by the fire bureau. Because they've declined and reduces towing fees because of some policy changes regarding towing. Finally, approves a cable position, as an ongoing position in the fiscal year 2010-'11 budget. Transfers \$1.9 million of excess obligation bond. But \$1.9 million is being transferred to the EBS fund. Serving as bridge funding for ongoing operations during 2010-11 and then the interagency rates for fiscal year 2011-'12 at BDS -- in the health funds transferring \$3.4 million from contingency into the fund to cover increased medical claims which are up 17%. And finally, a number of position changes which need to be approved by council. We discussed most of these at the work session and I did want to point out in the ordinance language, we mention 41 placeholder positions for the Portland housing bureau. It's a purely technical change and makes it easier for the housing bureau to meet its budget but not creating the position authority. That's going to come during the budget process but we did want to get an official council signoff and it's purely a technical change. We need to open the hearing for testimony and then we'll be good to go. [gavel pounded]

[gaveled in as budget committee]

Adams: I now open the hearing on the proposed winter supplemental bump. We're impaneled as the city budget committee under Oregon revised statutes. Anyone who wishes to testify on the Oregon winter budget?

Moore-Love: One person signed up. Beth.

Adams: Welcome back.

Beth Gansiracusa: I've been watching you on tv for some years now.

Adams: How do we look in person?

Gansiracusa: A little more intimidating.

Adams: Glad you're here. You have to give your first and last name and the clock counts down the three minutes.

Gansiracusa: I'm Beth and I've been sending emails to you for some time about our water system. We have a card going around that we're asking our senator Merkley to sign, to work with us. And in getting a waiver for our water. I filled out -- what's happening is that the EPA is very off. We have things such as I wanted to read this in -- written testimony of Francis P. Griffo, with the union of concerted scientists, scientific integrity program. The scientific integrity and transparency reform of the EPA and he goes on to say that the testimony is presented -- good morning, my is -- the written testimony contains a brief introduction, and a short term recommendations for strengthening scientific integrity at the EPA. Discussions of long-term issues which is what this is. We're dealing with a very long-term issue that this gentleman by the name of Joe Glicker, regardless of what company he's in. He's now in CH2M Hill. He's been behind closed doors with the EPA. And written a rule and found him writing the manual for the closed reservoirs and he's been a 14-year chief engineer here. He's got the inside track to everything and now you've awarded him the water project for the U.V. stuff and that's also under problems. They've got another company. The one that owns the patent has a problem with the U.V. filter. So we have a gentleman by the name of Joe Glicker that no one knows and is pulling a lot of strings back there and I don't know what to do. All I can do is continue to go to our senator. Although, the last meeting we had, everyone would come in April, basically the federal government says we can't do anything unless the citizens get along with Randy Leonard. But people are coming in and falsifying or not bringing in all of the information they got in front of you and did a work session. I don't understand that. I don't understand how that

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could happen when not the other side is being heard. I take these cards down the street and people ask me for them. I stand in lines at the grocery store. Why are we spending \$1.2 billion on a water system that you know we don't need. The state knows we don't have cryptosporidium. We have -- cryptosporidium. That's when joe glicker is putting all of these things and I want to make you're not putting them in the winter budget.

Adams: We don't want to spend that money either, so we agree with your efforts to get a waiver from epa.

Gansiracusa: And new york is asking for a 10 -- and new york is asking for a 10-year extension. I would like you to look into that, randy, I really think you have us in your prayers.

Adams: Thank you for your advocacy. Well done. Unless there's additional testimony, we have to vote while we're a budget committee or as a council? We adjourn now. [gavel pounded] close the hearing. We're now back to being the city council. No longer the budget committee. Karla, please call the vote on the winter supplemental item 268.

[gaveled in as city council to vote]

Fritz: Thank you, scott and your team. Good work and pleased, of course, that the cable -- with the money coming to the general fund and administrative position being formalized. I'm wondering how the police bureau is going to balance their budget by the end of the fiscal year and commissioner Leonard raised that at the work session. But this is a winter adjustment. We're appreciative of the whole team for looking after our finances so carefully and guiding us through this.

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

Adams: Well, I want to thank the bureau of financial planning team as well led by andrew and I want to welcome the new fiscal director for the bureau of police; is that correct?

*****: [inaudible]

Adams: Senior business operations manager and your name? Katherine ryland. And you're days new to Portland, so one of our newest Portlanders. We welcome you aboard as part of the team at the financial group at police. Aye. [gavel pounded] so approved. We have a few minutes, so i'm going to -- before our time certain, so unless there's council objection, continuing or moving item 271 to march 24th. Do we have a time certain slot?

Moore-Love: 2:05 p.m.

Adams: Read the title please.

Item 271.

Fish: Is march 24th that week of spring break?

Leonard: It is.

Fish: Do we know we have a quorum for that meeting.

Moore-Love: I don't have any absences.

Leonard: I need to submit one.

Moore-Love: Pardon.

Leonard: I need to submit one.

Fish: I may or may not. I understood that's one of the reasons we moved something from -- just to be safe, mayor, can we move it beyond that so we give people the option? I need it --

Adams: I need it before the river plan. We can have the same day if you want.

Moore-Love: Do you want to give it the 2:00 spot.

Adams: What time is the river plan?

Moore-Love: It's at 2:00. So april 1st at 2:00 p.m.

*****: Basically --

Fritz: The same time.

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Adams: Do them together. All right. No objection. [gavel pounded] 271 is moved. Does anyone have a really quick item? Do we have seconds we can read through? Yes, can you please read item 304.

Item 304.

Adams: Please call the vote.

Fritz: We have a wonderful team of staff at the bureau of environmental services who understand what the national pollutant elimination system is. It was one of the issues I started learning about 10 years ago or so. Aye.

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

Adams: And it provides me great comfort that our commissioner in charge, actually studied these kind of issues in college. Aye. [gavel pounded] 304 is approved. Please read the title for 305.

Adams: Karla, please call the vote. Second reading 305.

Item 305.

Fritz: Aye. **Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye. **Adams:** Aye. [gavel pounded] 305 is approved. Does anyone see any other second readings?

Fritz: No.

Adams: Ok -- are we ready, commissioner Leonard?

Leonard: Let's do one more item.

Adams: Ok. We have a -- I saw something that looked dangerously like a second reading. Where's the one we previously read? I saw it somewhere.

Fritz: Do you want to do the appeal finding will the appeal findings take long?

Moore-Love: Not if you all agree on them.

Adams: We should probably wait to do that one. There's one here that says previous. [inaudible] Can you please read the title for item 294. Thanks, commissioner Fritz.

Item 294.

Adams: This is really important reform that I understand correctly, has the unanimous support of the city council. It is a compassionate and necessary improvement and change that shows to our employees under certain situations that we are going to take care of their family. So I would urge the council support for it. Is there anyone who wishes to testify on item 294? Is there any council.

Saltzman: I would like to thank the mayor for bringing this forward and the police bureau in the last three to four months, we've had two officers who have been killed in -- while off duty, but killed -- i'm sorry, either died of heart condition or killed in an auto accident. And one thing, these are young officers, they're about their mid 30s, they have young kids and family. And the extension of their medical benefits beyond six months is going to be a huge difference in the positive manner for these families so I support this and thank you for bringing this forward.

Adams: Unless there's -- thank you. Unless there's additional discussion, Karla, please call the vote on emergency ordinance item 294.

Moore-Love: No one signed up to testify.

Fritz: It's only for dependents of employees when they have an on-duty death. An unexpected death is difficult at any time, but then having to worry about medical insurance quickly is not a burden we want to give to our employees' family. I'm pleased to support this. Aye.

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

Adams: Aye. [gavel pounded] 294 is approved. We now will move to our second time certain. Please read the title for time certain 269.

Item 269.

Leonard: In a moment, mayor Adams is going to read the proclamation that recognizes the day of recognition for the country of tibet, which is on march 10th. This march 10th will mark 51 years since the chinese invaded tibet and the dalai lama fled with his government and set up a government in india. The original chinese invasion occurred in 1950, and on march 10th, 1959, the

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date that the chinese began trying to abduct the dalai lama, the tibetan people defended him, surrounded his home and prevented him from being abducted. In that effort, 86,000 tibetans were killed and the chinese went on to retaliate by destroying 6,000 monasteries. That were occupied by tibetan monks and nuns. Just since 1996, 11,000 tibetan monks and nuns have been expelled from tibet because they opposed what has been termed patriotic reeducation by the chinese government and I think what most have missed in this worldwide debate is that the dalai lama has not asked for political independence for tibet from china, but rather a respect by the chinese government for the religious and cultural traditions that the -- of the tibetan people. In short, a term most americans hold dearly: Religious freedom. As i've met with the tibetan community and gone to the northwest cultural center and participated in the new year and talked with the tibetan community it struck me as similar this struggle is with a struggle that more than just my ancestors were involved in this ireland to -- who have religious freedom in ireland from great britain to struggle for independence, to struggle for religious freedom. And in that effort, they too, had thousands of catholic churches destroyed and records burned, which forever has destroyed ancestry records of those of us who have tried to find our lineage back to the earliest history of ireland. So it's a proclamation the mayor will read today, but it's a week interest today that we'll actually have a ceremony here at city hall recognizing the struggle that the tibetans have it for over 50 years to establish religious freedom this their country, cultural respect by the chinese government. And i'm pleased that mayor Adams has agreed to introduce this -- this proclamation. And we will have a ceremony here a week from today which will culminate in posting the tibetan flag in my office. So I urge all of you to attend and at this point, mayor Adams will read the proclamation.

Adams: Thank you, commissioner Leonard. Whereas, on march 10th, 2010, tibetans throughout the world will be observing tibetan national day to honor the tibetans who died in their struggle for freedom and to reaffirm the independence of tibet and whereas, the suppression of unique and ancient cultures, human rights and freedom of tibetans to be viewed by freedom loving people everywhere and whereas, the northwest tibetan cultural organization is a nonprofit to continue tibetan cultures and traditions throughout Oregon and southwest Washington. And whereas, today we join the tibetan community in Oregon to commemorate the 51st anniversary of the tibetan national day and whereas, on march 10th, 2010, there will be a commemoration and partnership with the northwest tibetan cultural association at Portland city hall to observe tibetan fat day and, therefore, i, mayor Adams, mayor of the city of roses, do hereby proclaim march 10th, 2010, to be tibetan awareness day in Portland and may this celebration continue to be a tradition of this city.
[applause]

Leonard: And now we're going to have -- I think we're going to have the president of the northwest tibetan cultural association come forward and make some remarks and then maybe others that may want to say something. Welcome very much to the Portland city council.

Kalsang Phuntshoq: Thank you. On behalf of the northwest tibetan culture association, I would like to thank you for this opportunity to address Portland city council. Thank mayor sam Adams as march 10th as tibet awareness day. Thanks to the staff for helping us with this process. Prior to the chinese invasion of 1949-'50. They were able to consolidate the -- 1959. March 10th is a special day. The people of tibet, fed up with the oppressive rule and devious tactics of the chinese, spontaneous went against the forces. They were no match, against the well equipped and entrenched communist forces. Tibet has been under the control of this totalitarian are a region. And it's estimated 1.2 million tibetans have died as a direct result. Centers of learning have been destroyed and our language and culture systematically repressed. The fate of tibet's unique identity is threaten and manipulated by the authorities. The communists have flouted international laws with impunity and violated their own constitution. The veneer of development taking place in tibet is mainly for the benefit of the communists and their cohorts. Tibetans are treated as second-class citizens, lacking the basic human rights of freedom of speech and religion. They're subjected to

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arbitrary arrest and detention. Denied legal representation once in prison and tortured. Even children are not spared. Children have been shot and killed. And disappearances are not uncommon. The brave people of tibet continue their resistance. The widespread demonstrations that took place in 2008 was a thunderous call for reform. Yet authorities continue to dismiss the voice of the people. There's been a severe crackdown and tibet has been under a virtual lockdown. We're dedicated to preserving our culture and sharing it with the greater northwest community and we feel fortunate to be living in the free world. Taking for granted all the rights we enjoy without fear of retribution. At the same time, we also feel a great sense of responsibility to bring to light the atrocities being committed in our home land. With this proclamation, we aim to bring hope to the brave people of tibet and that they're not forgotten and there are people around the world who will speak up for them. There are decent people around the world and in this great city who cherish universal values and will not be cowed to remain silent. We believe that truth will prevail in the end. Thank you.

Leonard: Thank you very much. [applause] do you have people you'd like to have come forward?

Kakma Wangchue: Thank you so much for the opportunity. I'm one of the executive members of the regional [inaudible] in Portland and southwest Washington. Today i'm here representing the great people of tibet who have been suffering under the chinese oppression. I speak on their behalf and i'm sure they'll be immensely grateful to the people of Portland for hoisting the tibetan flag and declaring march 10th. I sand here for them who are in prison for owning and displaying the picture of the dalai lama. It was an independent country until 1959 with a rich culture where people freely practiced out their activities with peace and tranquility. That was until they were told -- declaring to the world, this so-called phrase, peaceful liberation of tibet when there's nothing peaceful about it. Over 1.2 million tibetans died due to starvation and -- and experiencing of a rising middle class with many new [inaudible] the picture of china these days is a -- is a government-controlled -- controlled by a few men, with absolute power who live in constant fear and guilt. They don't have the basic human rights and everything is decided by the few in power. You must be aware of the persecution of the chinese citizens and those who dare to speak up their mind. You must be aware of the falun gong practitioners who are persecuted for their beliefs. We can only expect the tibetans, who are treated as second-class citizens in their own land and fast becoming -- major cities across tibet. The chinese pride themselves in building the highest railroad in tibet, but it's for the convenience of bringing in troops faster. And this railroad line has far reaching implications on tibet, which will subsequently affect the whole subcontinent of asia. We're a believer of peace and nonviolence and I think this is a strength and not a weakness. Man in uniform of this country have given up their life and continue to do so in iraq and afghanistan for those who are fighting for democracy and freedom. And it's high time that the people of united states stand up for tibet and if that means flying the tibetan flag and declaring march 10th as tibetan amnesty. Thank you so much. [applause]

Leonard: Is there anyone else that wanted to testify? Maybe we could have -- if there's more than one, come up at same time.

Choetso Gyalmub: Hello. I'd like to thank all of you for taking your time, your precious time on something that's so important to our community. Section 1, natural rights, inherent to the people. Section 2 -- section 8, freedom of the speech and press. Section 9, unreasonable search and seizures. And 11, the right to be -- these are natural and mandatory. As I and other members of free tibet have realized the importance of this as we participated in the Oregon constitutional law debate about a couple months ago in salem. Despite the obvious importance we realize they serve, one must keep in mind that this type of freedom is not openly available everywhere in the world. Those who choose to speak out, despite knowing the consequences, risk imprisonment, their family's lives and whatever else they have to lose. No political prisoners, a man [inaudible] for making a documentary. And more recently, people who received two-year suspended death

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sentence. Life term. And six-year prison sentence for disturbing social order. Since march 10th, 2008, according to the tibetan center of human rights and democracy, at least 15,042 are serving prison sentences and hundreds held without charge and known to have been sentenced at least by courts at various levels with varying prison terms. The 49th anniversary shook tibet and alarmed china. Sealed off the region from the rest of the world. Tibetan monks are able to get their -- able to get their message heard. Why censorship in tibet was so excessive. During the anniversary in 1959, the chinese government prepared itself and blocked emails and texts and other forms of communication from tibet. If something were to happen in tibet, a protest or clash or anything, the outside world would be unaware of it. Making it insignificant. Despite the efforts of the government, through all of the actions, and the efforts to hide the truth, the basic outcome is that no one can hide the strength of the human spirit. California, virginia, and wisconsin have done, we can now -- we now continue to raise the tibetan flag and announce march 10th as tibetan independence day. The core problems in tibet must be dealt with inevitably which is what tibet awareness day does with Portland and Portlanders collaboratively.

Fish: You mentioned a program you participated in in salem. Is that the "we the people" program?

Gyalmub: Yes, it is.

Fish: Congratulations for making it that far. I had the chance to judge the first round and franklin acquitted itself with great distinction.

Gyalmub: Thank you so much. That program helped us a great deal.

Adams: Thank you, great job. [applause]

Leonard: Anyone else?

Adams: Is there anyone else who wants to testify? This will be our last round. If you want to testify, please come up. We have two other seats. Ok. Welcome.

Namgyal Gyalmub: Honorable mayor sam Adams, commissioner randy Leonard and commissioner Fish and commissioner Fritz and commissioner Saltzman. Thank you for -- our karma, has brought us together here. And my name -- i'm one of the committee members here. March 2010 will make the 51st year of people's republic of china rule in tibet. Began in is the 49 was met with brutal response from the chinese military and at least 87,000 tibetans were killed as a result of this uprising. This tragedy of the tibetan people forced the dalai lama, the spiritual leadership to flee. History repeated in 2008, when people in tibet expressed their wish for freedom from the chinese occupation. But this time, it was international news within hours and days. Yet to no avail. It means we as an international community have failed to act in support. As of late 2009, the total -- 235. Held in other regions which does not recognize as part of tibet. Following the protests, approximately 220 tibetans have died. Nearly 7,000 have been detained and probably [inaudible] have been released. Thousands are missing and reports of executing those are still coming and protests are still taking place. As we speak today, the tibetans continue to live a life deprived of basic human rights. Freedom to receive education, freedom to carry a spiritual leader, freedom to raise the flag and the list goes on. We at as you had citizens enjoy freedom in every form. We belong to the same human community. Why this disparity. The simple answer, they're living under totalitarian regime. At present, in tibet, raising the flag carries a lengthy prison sentence. An 81-year-old person from the capital was sentenced to seven years in prison on suspicion of -- can have endured half a century of human rights violations. Tibetans who do not celebrate the new year this year celebrated the meeting of president obama with his holiness dalai lama. They lit off firecrackers without fear for their life. They were happy and optimistic about the meeting and that the united states of america hasn't forgotten them. To expect those who lost their lives and in remembrance of march 1959 and 2008, we the citizens of Portland, request the council to proclaim march 10th as tibetan awareness day and raise the tibetan flag on march 10th. If the request is granted, we'll join other cities. 356 town halls and 23 schools across the czech republic.

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And throughout austria and where the flag was bravely flown and the historic protests that spread across the region in march 2008. Today's proclamation is no different than believing human rights and building peace and ending discrimination. Therefore, request the city of Portland to take these two steps and these steps will be in conjunction with what Oregon has done so far regarding tibet. Proclaiming march 10th, tibetan national day. And senator gordon smith, bipartisan resolution with senator diane feinstein and other senators. Senate residence 633 produced by senator gordon smith approved by the senate. This bipartisan resolution urged substantial -- substantive denunciations on the chinese government. Senator ron wyden and gordon smith joined a bipartisan group in sending a letter calling on the president to bring about a timely peaceful resolution to the current crisis in tibet and respect the rights of the tibetan people. And thank you all for your time and consideration, thank you very much.

Leonard: Thank you. [applause] I would just close by, I think, acknowledging what everyone here is poignantly reminded of. We take -- as many problems as there are in the united states, the state of Oregon, and the city, we take for granted the basic rights we have heard articulated here today that some of our young people are very aware of from the tibetan community. Religious freedom, the right to express yourself, those things that often those of us who have been born here take for granted that don't exist in places like china. Thank you for coming. And we're happy to join arms with you in your struggle to have a cultural and religious identity for tibet that's recognized by the chinese authorities and reminding us of our own heritage. Thank you. [applause] we'll see you next week.

Adams: Thank you all very much. Karla, can you please read time certain for 10:40, item no. 270.

Item 270.

Adams: All right. So this is quasi judicial. We tentatively approved the demolition as mentioned in the title. Staff is coming back for findings to allow for demolition and we'll hear from tim. Why don't you come up and sit here. And following presentation of the findings, i'll entertain a motion to approve the demolition of the kiernan building, dirty duck tavern and adopt staff findings.

Tim Heron, Bureau of Development Services: Great. Thank you, commissioners. Tim heron, bds design review. What you have before you and you received this yesterday from Karla, our findings that essentially reflect the comments and testimony that we spoke to back on february 3rd. And what i'm going to do as -- I think what i'll do is read out loud the summary of the findings and then if you have specific questions i'm happy to answer them. Because the summary kind of grabbed -- well, a much shorter job than what the 30 pages does. And in three paragraphs or four. If that's fine, i'll go ahead and do that. Portland city council evaluated the proposal to demolish the kiernan building, also known as the dirty duck tavern. Against the central city -- and five, the home again 10-year plan to end homelessness in Portland. The proposed project is designed to meet the unique and special needs of a targeted homeless and at-risk population while providing a safe and stable environment that encourages workforce training and personal growth. It will update the city's affordable housing stock and enhance the city by returning vibrancy and life to the old town district. Council found a new facility encompassing low-income housing and a soup kitchen predicated on title 30.01, which requires a minimum of 60 year low-income affordability requirement is the best use for the site. Additionally, the council noted the strong public support for the blanchet house's work and a specific plan for this use on this block. Council also found that the deteriorated quality of the kiernan building, since the district's nomination, combined with the lack of asian, ethnic heritage, favored a decision to demolish. And especially so considering the --

Adams: I thought we said we did not want that cited?

Heron: I -- in listening to the tapes, I don't know that I heard a majority of council stating that. But if that's a concern, or -- we can certainly back into this.

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Adams: We can poll council, but I think some of us expressed concern that deterioration of a historic building -- i, anyway, it was for me, a reason and I don't want to set the precedence that deterioration is acceptable.

Heron: We -- I don't necessarily disagree with that either, mr. Mayor.

Adams: Sorry to interrupt.

Heron: No problem. That's a good point. To complete that thought, along with several criteria that addresses preservation and restoration, council found these criteria to be of less significance than competing criteria for the purposes of evaluating this specific application. And in consideration of other comprehensive plan and council does on balance meet the approval criteria and, therefore, the demolition is granted.

Adams: So informal poll of council on the concern about deterioration is that it can be used as a tool to back into pleading to us that it should be torn down plus an owner didn't keep it up.

Fish: I think the term was demolition by neglect. Mayor, I think to get at the sense of the council, we could simply strike the first part of that sentence and just condense it without changing the overall thrust of the finding.

Adams: Can you make that a motion?

Fish: I would delete the reference to page 22 to the deteriorating quality of the kiernan build since the district's nomination and propose that the sentence be just restructured so it's -- so the rest of the sentence makes sense.

Fritz: Second.

Adams: Moved and seconded. Are we ok, so far, ben?

Ben Walters, Sr. Deputy City Attorney: Yes, we're ok so far. It's just that to the extent this is a summary, there may be findings and other elements addressed in the report that would have supported that statement and to the extent that the council is asking that be backed out, that may require some further modification of the tentative findings. I'm not familiar enough with it to be able to state that with any certainty. I would have to defer to staff on that question.

Adams: Could we make a motion in addition to the specific language that commissioner Fish noted, can we make a motion it be struck today, every other reference of it, in the findings?

Walters: The instruction would be that staff modify the findings to be consistent with the council's direction.

Adams: Friendly amendment. Maker of the motion.

Fish: Second.

Adams: Anyone wish to testify on this motion. Karla, please call the roll on -- the vote on the motion.

Fritz: Thank you for catching that mayor, and your amendment, commissioner Fish. Aye.

Fish: Thank you, mayor. I think the record is clear from the first hearing that we do not want to establish the principle of deterioration as a -- this is an important modification. Aye.

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

Adams: Thanks for the amendment, aye.

Adams: Thank you. [gavel pounded] amendment is approved. I don't take testimony at this point, right? Or do i? Sorry, I --

*****: I'm not certain, frankly.

Adams: This is a confirmation the earlier hearing.

*****: And these findings come back for a final approval.

Adams: I thought this was the final --

*****: My understanding this was the final approval. I'm going to happily strike things that i'm glad to have reinforced today. Appreciate it.

Adams: Karla, call the vote on time certain 270.

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Fritz: Well, I appreciate the services provided by the blanchet house and thank them for the citizens of Portland and I want them to be successful in plans for expansion. And i'm concerned about historic resources. They don't come back once destroyed. This strict has a dwindling stock of what is part of the Portland character. Review of this site requires consideration of the impact of the demolition of this -- that the demolition would have on the whole greater historic district as a whole. It's important from the edge of this district and on the corner of the block and so anchors the corner. I found the arguments in the historic landmarks report and bureau's report persuasive. If I had seen a concerted effort that would have replaced the feature of the historic kiernan building and i'm happy that the design will come back to the council in the future. However, for these reasons, I cannot support the demolition of this structure. No.

Fish: This is a quasi judicial proceeding and we've heard from a number of key stakeholders, including the landmarks commission. And have a presentation from the staff and heard testimony from interested parties including folks from the chinatown community. Our job is to under take a balancing test. The narrow test is set forth in the law. In the type 4 approval criteria for demolition review. But it is a carefully written legal document which is a little arid. So I think looking at this more broadly in our role as judges, it's our job to determine whether the benefits of the proposed use outweigh the historic value of the building. That's what we're try doing here. I can't think of anyone on this panel who doesn't -- on this commission, that doesn't strongly believe in the values of historic preservation. And knack, the mayor and I are working on creating a new landmark district around the halprin fountain. I believe in taking consideration all the testimony we received, it's clear that the benefits of the proposed use, by blanchet house, outweighs the marginal historic value of the building and so i'm going to support demolition review in this case. But I want to add one other point, which is the question came up in our hearing about precedent. And I believe that since we are in effect establishing precedent and in interpreting this particular part of the code, it's important to note that each of these is fact specific and turnings on the unique facts presented to us. And I remember someone who testified last time, who express sheepishness about testifying against the permit and that this not appear too adversarial. Well, this is uniquely an adversarial process and it's jot be of the landmarks commission and the staff to come up and make the case. But as judges, we're supposed to consider the totality of the circumstances. But this would not be a useful public process if we were not getting strong inputs from key stakeholders, so I think the people who took the time, including the commission staff in making recommendations, tear thoughtful recommendations, i've -- they're thoughtful. I have concluded that the benefits outweigh the marginal historic value of the building. Aye.

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

Adams: Just to -- commissioner Fish, I think did a really fantastic job of summarizing much of my approach to this issue as well. And just to add a few details for the re-- reaffirm for the record. I'm going to support the demolition, again not because of the neglect of the building. Not because it was cut up internally or remodeled. And not because of the specific tenant that seeks to use the space. I'm going to support it because it is not a master work of a master architect. I'm going to support it because it is not a linchpin historic landmark in this historic district. I'm going to support it because of the development potential as commissioner Fish talked about for alternative uses, for the tenant-specific, but again as he said, weighing and i'm going to support it because this is a very rare -- a very rare action by the city council to support demolition. So those are my reasons. Aye. [gavel pounded] so approved. That gets us to the regular agenda. Can you please read the title for - oh, he's not here. Can you please read the title for regular agenda resolution no. 290.

Item 290.

Adams: Commissioner randy Leonard.

Leonard: We have mike from bds that is going to walk through this proposal. But just in terms of an overview, basically what we're try doing is incent the development of what we commonly refer

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to as adus, which are accessory dwelling units, small living units that would be typically behind a house where a garage was converted or the basement of a house where an apartment is created with the idea in mind of accomplishing two things: Provide increased and appropriate density within the city. And affordable housing. Actually, three things. Affordable housing, for folks who would rent those units and -- and actually equally important, income for people who own these pieces of property that help by having these rentals available to them and pay their own mortgage. Today, more than ever, that's a very important aspect. So we have Mike here to walk us through this proposal. Welcome, Mike.

Mike Hayakawa, Bureau of Development Services: Mayor Adams and council members, good morning. My name is Mike. I'm a supervisor of the land use services. The planning zoning section of the land use services division of BDCS. We -- our section is responsible for the administration of these regulations and so what I've done is collected some data and would like to share some anecdotal information with you this morning. We examined both the regulatory as well as the fiscal considerations and found that Bay Area and large, zoning regulations and building regulations do not deter examination but the CDC that are assessed may be warranted. Adus have been in the zoning since 1981 and address a number of goals and policies which as Commissioner Leonard alluded to, has to do with addressing future population growth and increased housing choice, diversity, affordability and economic development and urban design and infrastructure and neighborhood protection. And when they were first put in the zoning code, the code restricts them significantly and as you can see on the slide, only allowed in structures over -- of certain sizes, owner-occupied structures, structures where additions were not made in the last five years, etc. And in 1998, the city council adopted a bunch of regulations having to do with a livable city project. And they made some major policy changes. So as you see from the slides, what they did was expanded the role that adus were playing in addressing the goals and policies that I alluded to earlier. So currently in the single dwelling zones, what they do, they are permitted in they're under a certain size, height, bulk, square footage and clearly located as secondary structures. The design standards are such that they have to match the existing primary structure. What I did in this investigation is went through the regulatory hurdles and look at what sorts of land use reviews were processed previously and what I discovered was there were several land use review adjustments that you're familiar with but that they were specific to the set of facts surrounding the projects and there wasn't any pattern where there was a one or more set of development standards that were consistently stand standing in the way of constructs adus. They were also -- there was also no evidence there were neighborhood impacts or particular stresses placed on existing infrastructure. And so this was what I was just talking about. This table shows that.

Saltzman: Back up to that previous slide. So that the -- the total, does that mean the total number of adus that were built?

Hayakawa: No, the total number of land use cases that were processed for adjustments, or exceptions to the standards. It distinguishes --

Fritz: What was the total number?

Hayakawa: I believe that information is coming just momentarily.

Fritz: Thank you.

Hayakawa: SDCS, without getting into detail, the following slides show the -- and what they're intended to be used for. Water bureau, bus, transportation development and parks. So they have different purposes and over time, they have gone up and the different bureaus have different policies as to what SDCS. The SDCS in general, again, these figures are I will illustrative in that they give you a percentage of the fee paid when permits are issued that the SDCS cover. So I'm hoping this table will answer the number of permits we've processed since the year 2004 and what we found are -- that there were not that many permits that were specifically --

Fritz: That's per year?

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Fish: No, you add them up.

Leonard: That's to [inaudible]

Adams: That's how many we've legalized? We had an early --

Fish: You had an earlier slide where you referenced anecdotal evidence. Do you have an opinion as to the number of adus constructed outside of any legal framework?

Hayakawa: Yes, I do. That is what happens when people come in to apply for those permits and told about the sdc's. Later in the presentation, I have a slide called the creative solutions and that's what -- that --

Fish: I apologize, we keep trying to steal your thunder in this presentation. I'll be quiet.

Hayakawa: The second row, of course, is just information that I have gathered from the data that shows what percentage of those were for legalizing permits and I think that does allude to some of the things that talking about right here are. The incentives or disincentives that are out there for -- frankly the kind of information that people provide when speaking permits -- when seeking permits. This is just informational for the count. What it does is tells you what sort of permits people asked for. And as you can see, there's a whole slew of different kinds of permits people ask for. Whether it's free standing, put it on top of a garage, a converted basement. This is just informational.

Adams: When was this done? 2004? Just to -- having worked for the commissioner -- the mayor at the time, the adu addition to existing garages, that the closest thing to a garage conversion or is that the one --

Hayakawa: Sometimes it's a conversion, sometimes they'll take the garage and add to it and convert it and make a adu out of it.

Adams: So when you add the -- you know, there's one adu addition to existed detached garage and there's addition to garage for adu is five. New detached adu without a garage is 27. Very low number, right?

Hayakawa: Yes. Meanwhile, this is the geographic distribution of the adu construction and most of the projects were built in the higher density neighborhoods within east Portland. By way of reminder to the counsel, recently looked at ricap 5 which looked at one element associated with adus. Allowed up to 75% of the primary structure but to a maximum [inaudible] and adus playing a more prominent role in the goals and policies I spoke about earlier. This table shows what the total amount of the sdc's were that the bureaus have collected since the year 2004. This is just an aggregate total to give the council a sense of what figures we're talking about. So, what we -- and I have included a number of slides that show what some of these adu's look like and I think it's important for the council to understand what they look like and the fact that the regulations appear to be working in terms of ensuring compatibility, making sure they meet design standards. So sometimes people are creative when they do hear about the sdc's and say it's just a playroom or we're not going to put any -- a second structure in. And so as a result, there is a smattering of permits in there that are not reflected in the data you just saw, where it's possible that as soon as the permit is final, there may be things that may be going on that we're not familiar with, and I think you'll hear some additional testimony about that from some of the industry representatives. Speaking of which, mr. Robertson, who owned the bidding company will be here to testify and I conducted an extensive interview with him so that we on an -- an extensive interview with him. And besides the fact that the building height would be an issue, there wasn't a lot of discussion what other zoning code changes would be warranted.

Leonard: The council may want to know i'm intimately familiar with that particular adu. [laughter]

Hayakawa: Mr. Robertson and an discussed the impacts of the sdc's on business and on -- and i'm sure he'll speak more about that.

Leonard: Much business was conducted on that little porch out there. [laughter]

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Hayakawa: And there is, again, an impact -- an incentive to be somewhat creative on how these projects are represented. To summarize, we found no major zoning code issues that required reexamination, but that as the supervisor of my section -- of this section, we do get a lot of traffic inquiries about it. This is all anecdotal. But it's -- with respect for all my colleagues in the service bureaus that we do support the resolution and there may be a reason for the council to reexamine the sdc's. I'm happy to answer any questions.

Adams: Great presentation. Thanks for the synthesis. Council discussion at this point? All right, commissioner Leonard, you have invited testimony?

Leonard: There are those that want to testify. But i'm not sure at this point --

Moore-Love: Four people signed up.

Adams: Welcome to the city council. Glad you're here. If you're representing a company or you're a professional representing a client, you're required to disclose that as part of your testimony. Other than, that give your first and last name and you have three minutes and the clock will help you count down your three minutes.

Joe Robertson: Thank you, and thank you for the opportunity to seek to you today. My name is joe robertson, the owner of adu building company. I have been building adus in the city of Portland legally for -- [laughter] -- since 1998. Since the planning code expanded a little bit to further promote the building of adus. And in a nutshell, I see the benefit of adus to the community as providing affordable housing in existing neighborhoods without the need for additional infrastructure. And that -- without the need for additional infrastructure ties in with the whole purple, I think, of this hear -- the whole purpose, I think, of this hearing. When I first started promoting adu's, I expected my clients building them as rental units. And many have. A lot of them were expanded family. For adult children that are in transition from college to career or college to marriage and in between jobs and those types of things. I've built handicapped accessible units. Allowing them to rent their primary house to support them and another situation allowed family members to move into the house to care for the elderly people so they could stay in the neighborhood they've lived in for years and loved. One other example on that was parents, finances, the cost of the adu for the children, adult children that lived in the house, so that they were provided, then, with a part-time retirement home where they could be close to their kids and grandchildren. An example of the numbers. The deal with the sdc's and the cost of adus is I can build a one-level cottage style one-bedroom adu on somebody's property for approximately \$65,000. Today's situation, the total city permit fees, connection fees and sdc's and sdc's would be the majority of the number. Would cost \$18,500. That's 28.5% of the total project cost is in city fees and at least -- I added up mike's numbers. 14,000 of that would be sdc's. So to encourage affordable housing, I believe charging sdc's is counterproductive to that. And goes against, I think, what the goal of the city is, is to promote that. So I would encourage to you vote for it. I think it's a win-win situation. I city wins by increased permits and you can see they're low. I'm out of time.

Adams: You can wrap up.

Robertson: Win-win with the city. Increased tax revenue. Of course, the homeowners with whatever use they're going to use the adu for as I pointed out. And, of course, for me, and the building industry in getting us back to work and providing more jobs. Thank you.

Adams: Thank you very much for your testimony. Sir?

Sam Hagerman: I'm Sam Hagerman, I own a company called hammer and hand. And we've been in business for 15 years. Primarily we do residential construction, mostly remodeling but some new homes. And I sat on the ricap committee so I was familiar with the process coming into this. I would like to just second everything that Joe said, he spoke to the benefit that easing the restrictions provided by the sdc charges on adu's would bring to the community great benefit. And I sort of stand at the nexus as the remodeling contractor. I see lots of projects come through my office and was just remarking to a friend of mine in the design profession that I conservatively built 7 projects

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last year that are essentially being used as adu's but were not built that way because of their sdc charges. So they were permitted and they're legal structures, but they're not technically allowed to be rentals. Now, I think that that actually runs counter to the intent of the code, which is a good point to emphasize, because we built some structures that would be used to conform to the original design of the house, which is a separate argument and I think probably the statute or the restrictions as they stand are probably a little too limiting in terms of the point of view of the design community, design professionals who would say they should have a freer hand in the way these things look. I don't want to be a have your cake and eat it, too, and wine about the flavor at this point. I'm just thrilled to be here, having done the work on the recap community, and know that the letters I sent to the commissioners' offices in terms of the sdc fees were heated, and I really just want to thank you for listening to members of the business community that now will get some benefit out of this and be able to serve the larger community as a whole. Thank you very much.

Adams: Thank you very much. Sir?

Alan Armstrong: Good morning. My name is allen armstrong. I'm an architect and co-owner of outpost pdx where our vision is an outpost in every backyard. A little competition for joe over here maybe. And just to add to the list of benefits of adu_s_ that we see as well as the benefits that everyone else has mentioned, we also see them as potential for small scale test buildings for green building prototyping and to promote the awareness of not so big lifestyle. One quick example of numbers that we've run into is we recently drafted a proposal for a northeast Portland couple who wanted to span the size and convert their existing garage office. We estimated the construction valuation at \$27,000. The sdc's were estimated at approximately \$12,000, which is 44% of the construction valuation. This is compared to sdc child support for a new 1200 square foot single family home at 8.6% of the construction valuation and nearly half the construction cost, the sdc_s_ for our potential project, were an obvious deal breaker for the clients who in the end didn't move forward. We thank the council for their work on the size limitations and hope the same good judgment is used on this sdc issue. Thank you.

Adams: Thank you all very much for taking the time to testify on this.

Moore-Love: We have three more people.

Adams: Welcome to the city council. If you arrived late to the chamber, you're required by city code to identify yourself if you're a lobbyist or representing a business or organization. We're glad you're here. You only have to give us your first and last name and the clock will help you countdown your three minutes.

Beth Meredith: Great. Thanks very much. My name is beth meredith. For the last five years, i've been the co-owner of living spaces. We offer design services for green homes, and our specialty is small home remodels and small home design. Our experience has echoed that that you've heard already. We've talked to many clients about small footprint living and small houses being a part of that. In almost every case, it didn't make economic sense, and the risks of doing it illegally were actually very offputting it for many of our clients. They didn't want to find a creative solution, so we didn't do that. There are the creative solutions of additional and accessory structures which are used and quite well-known actually throughout the community. I just wanted to point out something because a lot of points I came with have already been mentioned and there's no need to repeat. When we undertook eli and a group of us who were interested in researching this adu's and what's been sold over the past five years and what was claimed as a living space is that building use shifts over time as the occupants have different needs and that, in practice, all accessory structures are muty use buildings. A garage becomes a first apartment for a son while he gets on his feet and then later becomes a mom studio. Ideally we should be building coding form, the building shape, size, setback, lot coverage, and materials, for a range of acceptable residential uses. I think there needs to be some equity across properties. There really is a bias toward people who live in bigger homes having bigger adu's, which I think is an issue of fairness. Lastly, the point i'd like to make is

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that, while I think I am fairly conservative, I live in a home that runs counter to a lot of green building strategies such as, if you want to use any natural building materials, if you wanted to change the roof angle, so on and so forth. My way, today I want to particularly support what you're doing here. This is a huge leap for the community in terms of making these small homes possible, and I want to thank especially commissioner Leonard and sam Adams and commissioner Fish. Thank you.

Fritz: And thus for fixing the size of the adu's and resizing issue tomorrow.

Stephan Simek: I am a person who is right now in process of planning and designing an adu in the back of our house, and I am very much of course in support of your work right now and this proposal. Just to give you a little bit after background, our neighborhood is a very closely knit neighborhood. We are well known as people who organize the super nights and all that. And when we have presented the neighborhood association with our plans, it has been enthusiastically endorsed. We even have a letter from the president of the neighborhood association who is endorsing our bernie giusto of this adu. As we were planning it, we have noticed that out of the budget of about \$100,000 or over that, we would have paid up until \$18,000 in those fees, and that of course gave us great pause, and we were at one point on the verge of halting that project. It would have gone really grossly over our budget. All we would have, as you have noted, was to redesign the entire project. It would have been maybe not as interesting, not as beautiful as what we had been planning. So that we are very happy to hear that you are picking up this issue, and we are very much in support, because we will be able, in the next two weeks or so, to actually start applying for the permits, and we will be building something that is going to benefit the neighborhood. It's going to benefit us of course, but it is something that I believe promotes what the city council is really interested in, which is strong neighborhoods, beautiful, strong neighborhoods. I'm very much in support of this.

Eli Spevak: My name is eli stevak. I've been working with this group to try and figure out weighs to get more of these built in Portland since 1996 when I realized the adu policy peaked at maybe 250 over a two-year period and has been going down steadily since then. We put together a little letter which is going over to you guys which identity's obstacles we, as practitioners, identified towards building more adu's in Portland. It's thrilling the top two things on the list seem to be happening within a week of each other with the recap 5 and this adu/sdc proposed change. There are some others. They are also low-cost items, and we actually have a meeting next week with residents and staff members of bureau of sustainability, both the green building side and zoning side as long a representatives from metro, solid waste, and the guy who did the study recently showing the decrease in carbon footprint and material use that you get from just going from a 2200 square foot house to a 1700 square foot house, showing that building smaller is the greenest thing you can do. My hope is that the city says, hey, let's look at this and maybe do some sort of build smaller initiative. I don't know what we'd call it. It's a wonderful time, I think, given the city's climate goals and goals of construction waste and to do green building practices. Some obstacles are financing, public awareness, and education, and those are things that green building services element of the osd have made great strides towards. I think this might be an area where we should nudge the market to. By far the biggest carbon outcome is desheeting the place so you have a little bit smaller square footage and use safe carbon. And then it also matches in with the planning side in metro, goals for equal density. It might be an opportunity to think about ways we could at least remove I am pediments to small homes. There are a few of them out there. We're starting to work on that. Hopefully that didn't overlap with what people said before. I will leave it at that and thank you guys for taking the time.

Adams: We've talked about, if this passes, falling onto commissioner Leonard's work and considering it in terms of financing a piece that mite be for the clean energy works Portland program which right now is just focused on retrofits. There might be a piece of that that might help

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with financing the greenest aspects of these adu's. When you meet with the bureau, you can expect them to bring some ideas like that up. And the name of your group is tiny what?

Spevak: It's an informal group of volunteers, some good ones, though. The tiny house society Portland chapter. There already is a national group, I gather. And one thought to try to get a little help is that we're just an informal group of volunteer and done some good stuff, but there's a limit of what a group of people can do without using the system a little bit.

Adams: Thank you all very much. Anybody else? Any other council discussion required? Any final thoughts? Please call the vote.

Fritz: I'm very supportive of this resolution. I helped write the updated 1995 regulations when I was on the planning commission as the neighborhood land-use chair. It was one of the most satisfying projects that I was involved in during my time on the planning commission. And I'm very happy with the way that this is working out. Only 172 legalized over the past few years, there's some reasons for it. Another good thing that the planning bureau did was a few years later mark bellows did a study to go around neighborhoods to find out how many had been built and whether they truly were affordable. I think it must have been in 2002, which was only four years after the code was adopted, there were three in my neighborhood which I hadn't known that any of them existed. I don't know that it's necessarily a bad thing that people don't they that they exist, because they do blend in with the neighborhood and that's generally seen as a good thing. But if there was three in my neighborhood and 95 neighborhoods, that means there were several hundred in the first four years and now we're only down to 172, so clearly we need to do something to allow these truly affordable homes to be built. And it does expand the living options for family members, for renters, for elder care, and it blends in with the existing neighborhood. I agree that we want to look at some of the design standards but be careful not to lose what we have worked so hard to achieve in terms of the way that they blend in with neighborhoods. Hopefully lending institutions will take note of the city's actions and step forward to provide financing that's needed in this sector, and so we can only do so much as government and we do need to look at the private partners. I hope those who said you had clients who decided not to do these you will be on the phone with as soon as you get back to your office and say, well, now you can move forward and have at it, because the construction trade certainly needs all the assistance it can get. And for people to be able to do these small dwellings that help them as well as help us in meeting our housing goals is certainly a good thing. Thank you so much, commissioner Leonard and mayor Adams, for supporting this, and I'm pleased to vote aye.

Fish: I'm the housing and parks commissioner and very pleased to be a co-sponsor of this because, while it in the short-term will result in some small decline in sdc revenue to the parks bureau, that is greatly outweighed by the benefits that we will have to our housing stock in terms of affordability and in terms of something that was mentioned by a couple people who testified which is the generational aspects here of providing housing within an existing footprint for older adults. We keep talking about wanting to be a more older adult-friendly, senior-friendly city. There are limits of what we can do to back that up, but this is marvelous in terms of people being able to build smaller units in their existing homestead that are places where older family members can age in place with dignity. That's a tremendous dividend of what we're trying to do here in addition to the housing affordability piece. I appreciate all the other values and qualities that people called out from meeting our density goals, climate action to the 20-minute community, green building. I would also say it is important to this council that we find a way to jump-start jobs in the construction industries, in the construction trades. To the extent this will help people, encourage people to build more units of this kind and create good jobs, that's a plus. This council has been very creative about looking at every opportunity to jump-start these kinds of things, looking at the zoning codes, existing tools with the idea of how do we encourage development which not only meeting our most compelling social goals but has the additional dividend of creating work

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opportunities for people. I think this is a particularly creative response. I know this has been on the player's radar for a long time. I appreciate commissioner Leonard really driving this home, and i'm very pleased to join with him in attacking this piece. As eli alluded to, there are many other opportunities that are in front of us particularly around smaller footprint and removing the disincentive that currently exists so people can build smaller. Thank you for the good work on this and the good staff work, and i'm pleased to vote aye.

Saltzman: Well, i'm, too, pleased to support this. I think this is a good piece of work. I think i, like a lot of people, reacted with sticker shock when you mentioned what percentage the sdc's are of a relatively small project, so we need to try something different here, and this is an experiment to see if we can jump-start more construction of adu's. I do particularly feel sympathetic for how adu's are used at both ends of the age spectrum. Young people are increasingly shut out of the job market and need someplace to live until they do find a job and can support themselves and also for people who desire to age in place in their own neighborhood and in their own home, which to me is the ideal way for people to age and grow older, to maintain independence while they're doing that. I support that for all these reasons. Aye.

Leonard: In addition to all the benefits everybody has heard, the part that i've focused on that mike alluded to in his testimony, are those that are built without the benefit of permit after they find out the cost of the sdc's. Most people don't realize -- and i'm certainly with no ill intent -- the potential tragic consequence of not having a permit of adu's in general. Basements have been a place where people have placed bedrooms without the benefit of permit a number of times, more often than we like to think, and I am familiar with some incidents in the past 30-plus fires where fires have occurred in basements, particularly adjoining to furnace rooms, and the basements had been remodels without a permit, and people, including children, have been trapped and died in those fires. People don't want to put themselves in that position, but they don't think about that. Put yourself in the position of have a situation like that, be put in the place of having something tragic happen and then, one of the first things that fire investigators do is make sure permits were pulled for wherever the area was that the person died. And if one wasn't, even if it was done legally, it's a not pleasant experience. So i'm hoping that, in addition to invoking new ones that be build, those that haven't got permits for dwellings get a permit, whether they're renting the space or their children or the family members, that they're safe. I appreciate the work of the council on this and am pleased to support it. Aye.

Adams: I want to thank commissioner Leonard for taking this on and making it happen approximate is key for all the reasons that have been mentioned already by those that have testified and my colleagues up here on the city council. Just to underscore the point that it couldn't happen at a better time given the significant hardship faced by the development builder and construction industry and the unemployment that exists in that industry, and it couldn't happen at a better time in terms of meeting our goals for sustainability here in the city of Portland. So i'm real excited and would not thank you for your work in this effort. Pleased to vote aye. Approved. Good work. That gets us to item number 291.

Item 291.

Adams: This is to affirm findings that were tentatively approved at the last council session. Do you would not quickly summarize the findings in front of us?

Rachel Whiteside, Bureau of Development Services: Sure. The hearings officer approved a type 3 land revision review for a 49-lot subdivision with concurrent --

Fish: Could you move the mic a little closer?

Whiteside: With concurrent environmental review for storm water outfall and approval of an adjustment to reduce the size of the required recreation track so that it's 10% of the area proposed for development rather than 10% of the total site area and approval of an adjustment to waive the requirement for a track over an existing wetland area that was approved by the division of state

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lands.

Fish: Council, discussion?

Fritz: I wasn't here for the hearing, and I haven't had time to look at the testimony so I should have a question for the city attorney. Am I allowed to abstain on this?

Ben Walters, Sr. Deputy City Attorney: If you haven't had a chance to review the record, yes.

Fritz: Ok. So I'd just like to ask a follow-up question. It's concerning to me that we've got a beautiful wetland which the findings say we can develop essentially, and I'm wondering if there was any discussion or if there could be some future discussion about the decision that the council made to waive or just say that the metro title 13 standards are now fully incorporated into city code, because it seems to me there's a mismatch, that we could have had more protection under title 13 with metro than we currently have in our zoning code.

Whiteside: Last June city council did adopt a resolution in compliance with metro title 13, but that compliance only covers material review types. Those particular review types to be comprehensive plan map amendments, zone changes, and conditional changes.

Fritz: This might indicate a further deficit if I don't think that it's adequately protects the resources, then it's a fundamental question of what's in our code.

Whiteside: Correct.

Fish: Other questions? Karla, I think we're ready to move to a vote.

Moore-Love: Motion?

Fish: There is a motion to adopt the recommendation?

Leonard: So moved.

Saltzman: Seconded.

Fish: So we have a motion to adopt the recommendation which is to deny the appeal of the east columbia neighborhood association. Please call the roll.

Fritz: Abstained.

Fish: I had a chance, when the hearing was held, to make my comments at that time. Thank you for great staff work. Aye.

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

Fish: The appeal is denied. Thank you very much. Please call item 292.

Item 292.

Fish: Welcome. We have 10 minutes set aside for this matter.

Vicky Diede, Bureau of Transportation: Good morning. For the record, I'm Vicky Diede with the bureau of transportation and the city's project manager for Portland streetcar. The item before you is the fourth amendment to the construction services contract with Stacy and Whitback. There will be one more coming to you. I believe that's scheduled for next week. This particular amendment has to do with the fact that, in addition to the sewer system work that's being funded by the streetcar project for direct conflict kinds of issues, the bureau of environmental services has also identified additional work that they would like our contractor to do since they're out there. As you know, the system on the east side is old, and there are many places where improvements that are being added to our projects will help the system over the long-term. Bes has approved the scope of work for this. They have approved the pricing and are providing funding to the project to do this. Of the \$3.6 million project, 14% or almost \$500,000 of the total cost is for work to be performed by disadvantaged business enterprises. While this is a little lower than our other contract amendments, the next one that will come in, you'll see that where the DBE participation will be over 40%, the entire project will be around 16% by the time we get to it.

Adams: Anyone wish to testify on this matter? 292. We'll have a momentary silence. While we ponder the importance of streetcars. Anyone signed up? This is emergency ordinance, so we'll proceed with the vote. Please call the vote.

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

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Adams: Aye. 292 is approved. Please read the title for emergency ordinance item number 293. This is perhaps the most straightforward council item title of the day.

Item 293.

Eric Johansen, Office of Management and Finance: For a somewhat complex item. Good morning. Eric Johansen, city debt manager. As you may recall, you approved 450 million of sewer revenue bonds in a previous council action. We're currently working with bes staff to implement that bond issue. Congress approved, I believe it was, last year a new financing tool called build america bonds which may provide an opportunity to reduce the debt service cost on the proposed revenue bond issue. Now, the city's existing bond indentures don't work very well with the build america bond program, written at a time before this program was contemplated. We're currently in the process of amending the second lien ordinance to better accommodate the use of build america bonds, in particular accommodating the intersubsidy payment we would get from the federal government if we issued these kinds of bonds. The amendments to that bond indenture requires the existing bond insurers approve or consent to those particular amendments. We expect that it's going to take longer to get those consents than the timing that bes needs the bond proceeds. The reason we're here today is to request authorization for interim financing probably in the form of a line of credit that will allow moneys to continue to flow to bes for their capital program while we implements the concepts to the existing bond documents. We expect that's probably going to take about another two months. It's a little bit of a wild card. I'm not quite sure how quick live the insurers will respond, but it's going to take a little longer than we expected. Therefore we're asking for interim financing approval up to 450 million. I don't think we'll get a line of credit in that amount. We're also asking for authorization to approve the amendment to the second ordinance.

Fish: I have a question about the build america bonds. What was our allocation?

Johansen: There is no allocation for that program. It's unlimited. As opposed to recovery zone bonds which were another item on the agenda this morning. These have no limit.

Fish: Am I correct that they are available to us as a financing tool as well as, say, to Multnomah county?

Johansen: They are for governmental purpose projects, which are most of what we do and what most of the county does.

Fish: I learned Multnomah county was thinking of using build america bonds to provide financing of some multifamily housing projects. Have we done an assessment of whether these bonds could be used as a financing tool for housing?

Johansen: I am not aware we have done that. We would have to meet certain requirements. It's possibly they could be used for that purpose, but we haven't done that analysis.

Fish: Could we talk about that afterwards? Perhaps there's something we could learn from the county if they're thinking of using it for that purpose. I don't think we have a real deep understanding of it at the housing bureau.

Adams: In our bureaus, we're using them as, I think -- as long as they are public projects, you have access to them, so it might be an opportunity. Commissioner Saltzman?

Saltzman: This \$450 million bond issue, this is the largest ever by --

Johansen: This is the largest new money issue that we've ever issued as a city.

Saltzman: As a city.

Johansen: Yeah.

Saltzman: Kind of a general one-on-one question. Revenue bonds are backed up by sewer and water rate payers or whatever.

Johansen: Correct.

Saltzman: But are they always back stopped or whatever that phrase you like to use?

Johansen: Water, revenue bonds, sewer revenue bonds are not backed by the full faith in credit in the city. They're solely backed by the revenue system.

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Adams: Any other questions? Anyone wish to testify on emergency ordinance item 293? All right. Please call the vote.

Fritz: I appreciate the entire team that's gone looking for ways to protect the revenue payers' money, and that's what this is intended to do, to save us money. Aye.

Fish: Aye.

Saltzman: Good work. Aye.

Leonard: Aye.

Adams: Converting higher interest payments to lower interest payments is a good thing. Thank you. Aye. Please read purchasing procurement report 295.

Item 295.

Christine Moody, Bureau of Purchases: Christine moody, procurement services. In front of you is the chief procurement officer report recommending a contract award to the low bidder in the amount of \$1,948,948. The bureau of transportation entered into an intergovernmental agreement with the Oregon department of transportation to provide funding for this project as part of the american recovery and reinvestment act. The city's good faith effort program does not apply to this project as odot requires contractors to comply with the federal db e program. The db e goal for the project was 4%, and granite northwest has db e subcontracting participation at 5.13%. I will turn this back over to council. If there's any questions regarding the bidding process, we can answer.

Adams: We have to use state approach to certify minority, women contractors.

Moody: Yes.

Saltzman: I'm just curious, given we had six bids, several bidding climates, how much the actual bid came in low or above the engineer's estimate of the cost.

Adams: It is 3.4 and came in at 1.9.

Saltzman: Did I miss that here?

Adams: Did I intuit that correctly?

Saltzman: You're right. Sorry. It's right in front of me.

Adams: You've made me look smarter than I am. Anybody else? Please call the vote.

Fritz: I'm very happy to support this. We do have a dire need in many of our neighborhoods for better streets. I recognize why sidewalks can't be in this particular project. I'm hopeful, as we continue to target this funding, that we will prepare a foundation for attachment of sidewalks. I commend the mayor and all the folks involved in this for making sure that it happens. I'm glad to see that the bids are coming in underestimate. However, it does show how desperate the community firms are for work. My understanding most of the bids were way under the estimate also, so it's good for the taxpayers and means we can get more projects done. Aye.

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

Adams: Aye. 296.

Item 296.

Moody: Christine moody. A contract award to the low bidder in the amount of \$939,625, the city identified eight divisions of work for potential minority women and emerging small business subcontracting opportunities, participation on this project at 24%. And work is being performed in the areas of hauling services and corrosion control. So i'll turn this back over to council if you have any questions about the bidding process.

Adams: Questions on this matter? Anyone wish to testify on procurement report item number 296? Please call the vote on the procurement report.

Fritz: I don't know who walker creek was named after, but I have to note that betty walker, a long-time activist in the neighborhood, passed away recently, so I wanted to honor her work in the city by mentioning her when i'm voting aye on this.

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

Adams: Aye. 296 is approved. Please read emergency ordinance item 297.

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Item 297.

Fritz: Office of neighborhood involvement and enter cultural --

Jeri Williams, Office of Neighborhood Involvement: My name is Jerry Williams. Office of neighborhood involvement with the city of Portland. We're here to present the leadership academy to authorize this grant agreement. The project is in its third year and it's created many great opportunities for communities to engage with the city in a way they had never had before. It has been both a privilege and honor to support this work and to be one of the people who get to stand at the door of city hall and welcome folks in. Through these dcl projects, hundreds of people have become leaders and advocates in their communities. They have met elected officials and have contributed their valuable input through the processes that the city of Portland performs. In the last year and a half, 28 new leaders from the dcl projects have joined many of Portland's boards and commissions and work groups and are currently working with the staff of the mayor's office and the planning department to get their input into the Portland plan process. They know how important it is to incorporate their visions into our collective future. The goals of the project are to support efforts to build organizational capacity and leadership skills, of community organizations of color, immigrant refugee communities to be more effective advocates for the advancement of policies to achieve economic and social equity. Some recent successes have the leadership academy include the city of Beaverton, currently working with CIO to replicate this program for the city of Beaverton, and their large participation in the planning of the future of the Memorial Coliseum. They actually put forth a plan that scored fairly high. We wanted to thank you for the continued support to increase the voices of all Portlanders.

Adams: In fact was selected at an alternative if any of the three drop out.

Kayse Jama: Good morning. It's a great privilege also for me to speak on this particular grant. A space where immigrants and people of color can be at the table in our city and can be active residents of the city of Portland, city affairs, for the last two years, about 67 graduates graduated as part of the contract with the Center for Cultural Organizing and Latino Network, we are also part of the dcl program which we are now at the table and collaborating with the organizations such as Urban League of Portland. Not just to create a space for the immigrants of the community but it also allowed us to build a strong relationship with people of color and immigrants. Many of the graduates, we formed relationship with the neighborhood associations and coalition leaders, and I think we are coming to the point where we are right now where both the neighborhood coalitions as well as our leaders in this program, we both understand the importance of collaborating and supporting each other. So although the program is a long-term goal, we do believe we have some importance of what we can celebrate and will continue to build the leaders in our community.

Adams: I want to thank you both as well for your help. Goodness knows there's a lot more to do on the Portland planning efforts. Thank you. Thanks for your testimony. Anyone else wish to testify on the matter?

Moore-Love: No one else signed up.

Fritz: This is an example of our 2010 office of neighborhood involvement where we are including new folks, old folks, folks who have been here for a long time, nearly coming to the century end. I'm very excited about the program. The Center for Intercultural Organizing has granted 67 new immigrant and refugee leaders to this program, and we now have 28 new leaders involved in city boards, commissions, and committees. It's a program I'm very happy to be involved in and very proud to be a leader in. I want to thank Mayor Tom Potter for his legacy in promoting a vision we're now putting into implementation and thank Mayor Adams for your commitment to continue to do this and indeed expand on our program. It's not only the Newport Landers, immigrant and refugee communities. It's the established Portlanders, particularly the Native American folk and African-American community members who have been here a long time. They're not new members. They're valued partners. In the budget the last two years, we have held harmless the diverse

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community leadership program, recognizing that it's been too long and we're not yet at the point where we have full inclusion, full equity, but we're certainly all committed to that, so I am very excited to bring this to you today. It's one example. Sometimes it's difficult in the office of neighborhood involvement and perhaps in the office of human relationships to explain what we do and how we do it and who we do it with and for. This is an example that comes with numbers of what the program funding does and who it helps include. Aye.

Fish: Thank you for your testimony. Thank you for your leadership on this. The academy is a terrific program that commands our respect and our support. Aye.

Saltzman: Thank you for great work. This is proven to be a very successful avenue to get more diverse people involved in city government. You're to be commended. Good luck with beaverton, too. I'm sure they'll be a beneficiary of this program as well. Aye.

Leonard: Thank you very much. Aye.

Adams: Great work. Aye. Please read 298.

Item 298.

Fritz: This is a \$3000 grant which some would think was a small amount. Indeed it is. I'm pleased to welcome brian hoop and cece Noel to tell you just how much we can do with \$3000.

Brian Hoop, Office of Neighborhood Involvement: Brian hoop, office of neighborhood involvement. Why are we establishing this partnership? It's our goal to help build the capacity of our community partners and their staff to utilize social media and video production for better documenting one's programs, their performance, and helping to tell the story of their successes. Who are these partners? It's the seven neighborhood district coalitions, the 95 neighborhood associations. As you heard in the last item, the diversity and civic leadership programs we fund, urban league, latino network, nyity american youth family center, elders in action, and resolutions northwest are groups that we're trying to help give new capacity, new resources for using social media and video production skills. We're wanting to build our capacity, especially with the neighborhood groups, to also better engage and work with a more diverse range of constituencies they've historically not worked with. In this project, they've been successful at already engaging lower income residents and a number of -- I think a large percentage of participants are native-american individuals who took part in some of the initial workshops. This is a great match between the office of neighborhood involvement and Portland community media. It meets p.c. M's goals as an approach to community outreach, intended to serve the technology and multimedia needs of underserved and undersupported individuals and communities. It matches oni's goals and strengthened neighborhood and community capacity to build identity, skills, relationships, and partnerships. This grows out of the recommendation for five-year plan to increase community involvement in Portland that passed about four years ago. Specifically promotes effective communication tools to keep the community informed about issues, opportunities for involvement, ways to plug in, specifically strategies from that report speaking to promoting dialogue and communication through new tech nothing gees and promoting culturally appropriate outreach and communication strategies. And we find that this ties into our efforts to better develop our capacity to measure our performance through narratives and story telling, a method doll gee we've heard from our community partners. While we're still developing more quantitative measures, better quantitative measures, story telling still is probably the best tool we have for talking about civic engagement work. Lastly, what will this grant cover? Oni will take the lead and will operate as a smart access center by cohosting multimedia training workshops in partnership with central northeast neighbors and southwest neighborhoods, inc., and we're hoping this will be the first of several years. It's a three-year grant. Portland community media will provide trainers, curriculum, terms and equipment to support the trainings. Some examples of the workshops that will be provided, do it yourself city -- citeo, using facebook, et cetera, to promote your group, social media, getting your videos on the web, so learning how to compress and upload your video onto websites

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such as youtube or flip, digital story telling such as how to effectively use your camcorder to produce the best video results and lastly multimedia for your community workshop, how to produce video, editing, final cut. As commissioner Saltzman has suggest inside the past, for oni to consider creating what we call welcome packets. We're going to work with p.c. M to develop an outline or curriculum to, in the future, hopefully next year, to do digital packet workshops for neighborhood and business associations to learn how to use dvd packets.

Cece Hughley-Noel: The smart access program will bring technology training to different locations with our community partners, as brian said. We're hoping to expand our geographic and demographic region, developing these services. Smart access means shared mobile applications responsive technology, the ability to leverage technology in our communities as well as to be more responsive and collaborative and flexible in adapting to changes in technology and the needs of our community. The smart access program was the vision of sylvia m_c_daniel, our ceo, who wanted to ensure that Portland community media could increase its capacity to serve its entire catch man area, which is the entire city of Portland, with technology and multimedia services. We've been inundated with requests from people wanting to learn new technology skills. The primary goal is to help reduce the barriers and bridge the digital divide amongst those that are underserved and people of color. A multiplatform media center that promotes multimedia, new media, and technology, education, and training, more than just cable access, although we're very proud to be providing the service to the city of Portland and have city council on our channels. Funding continues to be an issue for a lot of nonprofits in town, including pcm. Funding came from the mount hood cable regulatory commission. It's a capital grant that we have used those funds to purchase production and other capital equipment to serve the program, but we are working in partnership with our community partners to bring this training and access to the production equipment to our partner sites. We're pleased to be working with oni to provide this to reach people of color, immigrants, refugees, and seniors among the groups we hope to reach. We were very successful in our approach at 87_th_avenue. We were overfilled in the classes that we provided. I wanted to share some statistics about what we discovered in the first fade of the -- phase of the program. 56 participants in the orientation in late october. Registrations for the workshop series that we offered in november were full or overfull. We really reached into -- to the community with cnn, and we were able to exceed our demographic target goals. We had participants who were members of latina corazon, neighborhood associations, community and parents for public schools that participated this fall. We had five participants that required language translation, and we were able, along with cnn, to offer simultaneous interpretation of the orientation and information that was offered as well as written translation of our course descriptions, and we were very pleased to offer that through our partnership with tiara who offers spanish language training. In addition to that, our demographic survey of the participants this fall was really reflective of our community and who we're trying to reach through this program. 28% of the participants described their race or ethnicity as native-american who participated, 3% hispanic, 6% as black or african-american and 63% as white, which is pretty reflective of the community we're serving and helps to us reach our targets of reaching the underserved.

Fritz: That's a very significant number for native-american folks at 28%.

Hughley-Noel: I'll have to say that commitment is really owned by cnn, who has established really deep partnerships with the communities in their area. We have been very pleased to work with cnn and are very excited. We reached across the digital media divide. 31% of participants last fall described their income as earning less than \$20,000 annually. Some people might not think that's poor, but we had the brackets so didn't go deeper than that, but I think that's significant. Technology is out of the reach of a lot of our community, and that program is designed to really help provide the training to use these new technologies so people can function in a modern environment. It will help increase their skills so they can be more competitive when they go to look

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for work. It helps them learn how to work together in teams and brings them into the majority culture and into the mainstream to begin to effectively communicate across these platforms. This winter, we offered a couple of more classes at cnn, going a little bit deeper in terms of the skill set, producing multimedia for your community, our smart access version of our field production class and digital story telling, which really is, I call it, the ken burns model of documentary making. It gives us the opportunity to utilize media that they already exist, still photographs, in some cases audio recordings, whatever, music, to tell a compelling story. And what we expect to come -- we're in the homestretch for those classes this term at cnn -- a couple of the projects that are in the pipeline are a showcase of haitian relief efforts in Portland and a video that's interviewing the elders at the native-american youth and family center, so we're really excited to see the products in that. We're really pleased to enter into this partnership with office of neighborhood involve and their diversity and civic leadership partners because it can help us meet our goals of reaching deeply and broadly to the entire city of Portland geographically but also because of their partnerships with the district coalitions and dcl we're really reaching those target populations that have been underserved in civic media in the past. We're very happy about that. The statistics that are coming out of the community after the study that the mount hood regulatory commission is current wrapping up in preparation for our franchise renewal with comcast really indicates that there are some significant disparities amongst people of color and their access to technology. We are really pleased to enter into this agreement to bring multimedia training and access to this fairly expensive equipment to more and different people in the city of Portland, and I would be more than happy to answer any questions that you have at this time.

Adams: I would just note that, according to the numbers that i've seen -- and I think this supports what you're doing -- is that the digital divide is never in terms of communication a commune divide -- has never been more narrow than it is right now in the history of this nation when it comes to cellular, text. Not necessarily smart phones but text. That when you look at the numbers that among races and actually among incomes, more people have access to simple cellphones and text than ever before. So if you could look at opportunities for communication on the simple sort of text platform, that would be great. And I also think it's fantastic that the commissioner in charge of oni has signed up to get on the bandwagon with things like twitter and facebook, and I just want to publicly acknowledge this commitment of yours. It's wonderful.

Fritz: Good. I'm glad you said that, because I was just about to comment on your brilliance to assigning me to the office of communications and franchise management and the offices neighborhood involvement. Happily I have wonderful staff in both those bureaus. I also have staff at home who are really tech nothing gee savvy, and my son and my husband are both good on the whole video, facebook, twitter, goodness knows what else. Therefore I will not be signing up for those. Thank you for your concern.

Adams: Oh, no. I think it's important you try. We'll keep working on her.

Saltzman: Maybe you can get me involved in that texting platform.

Hughley-Noel: Absolutely. Anyway, I just wanted to say that you're doing a lot for \$3000 here.

*******:** Mm-hmm.

Saltzman: Brian hoop mentioned something i've always been saying we should do, which is bring back the welcome wagon concept. When somebody moves into a neighborhood, they get something that lets them know what neighborhood association they live n when the neighborhood meets. I have to think maybe local merchants would be providing some kind of coupons or discounts. You described something that obviously sounds great, sort of a digital welcome wagon is what we're talking about.

Adams: A template so that all 95 neighborhood associations can have access to developing something that is dynamic enough for them to be able to update it themselves and have it be current and distribute table -- distributable in whatever format they want.

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Saltzman: I guess the only -- this sounds great. I'd like to see the template when it's ready, but I guess the only thing I was thinking about, you can find out when somebody moves into a neighborhood usually, because there's a change of address or something like that. I'm not sure how you get somebody's e-mail address necessarily unless they already come to a neighborhood meeting and sign up.

Hoop: It wouldn't be an e-mail. It would be a dvd disc that then has digital resources on it, like you said, potentially. I hadn't thought about electronic coupons yet. I admire your continued reminding us of this type of resource that we should develop so just want to acknowledge that we remembered that and hopefully will start to develop that.

Hughley-Noel: We know it's not very much money, but it will really leverage what it is that we're able to provide. We actually have offered the multimedia training through our partnerships at an extraordinary deep discount in order for us to reach out to those people who are living in poverty and make access to this training and technology more affordable. The amount of money that we're paying has taken into consideration the nonprofits and their budgets but also our major goal is to reach out to these populations. Part of the funds goes to offset some of our costs but also what it does is the community-based partner, covers the cost of what would normally be a community producer's activity seed, which is \$50 a year, which is pretty phenomenal for access to all of this equipment.

Fritz: Thank you for your work.

*******:** We've got to move on.

Adams: Commissioner Fritz has to run out and sign up for twitter. Unless there's anyone that would like to testify on this matter, please call the vote.

Moore-Love: A nonemergency.

Adams: Moves to a second reading next week. Please read emergency ordinances 299 to 302.

Items 299, 300, 301, and 302.

Saltzman: Given the time, i'll dispense with my 30-minute introduction of this topic.

Adams: Darn.

Saltzman: Keeping kids busy and engaged when they are not in school, the key to keeping them safe and preventing them from getting involved in negative activities. The Portland office of youth violence prevention is funding four small grants for spring break activities for at-risk youth. Rob Ingram is the director and tom peeve see, and they'll give us quick highlight of the programs we'll be supporting over spring break.

Rob Ingram, Director, Office of Youth Violence Prevention: Excellent. I want to start by saying thank you for your continued support of the work of office of youth violence prevention. We're been able to establish 10 outreach positions, been able to strengthen partnerships with the police bureau as well as our community service providers and have more of an impact on the safety of our community. The spring programs will run from march 20_th_ through the 28_th_. Grant funding dollars amount is a \$20,000 grant total divided up into four organizations. Four grants will range in the amount of \$4000 to \$2000. We have representatives from all four of those programs. The purpose of the grants is to provide structured and engaging activities to Portland's at-risk youth. The specifics for those programs are youth between the ages of 13-21, youth who have had contact with the justice system, youth who are pregnant or parenting, in foster care or have aged out of foster care, youth not engaged in g.e.d. or diploma programs or youth not engaged in current programming. Our most targeted population is really going to be those who are most at risk, really any young person that's not engaged in any type of a program, because we understand out of school time is crucial for young people. 35 at-risk youth between the ages of 13-21, multicultural leadership training, first aid, financial literacy, job readiness, resumé, and certification training as well as first aid certification and food handlers training. Community service, college, and business exploration through everything coprovide programming for 80-plus at-risk youth between the ages

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of 15-21. Five days of activities to include recreation, community service projects, college and career exploration, and we may actually have them swooping around your office for career exploration. The arts will support 30-40 high school aged youth. One week of film making with emphasize on cultural brokenness and violence prevention, professionally guided resulting in production and screening. That will actually include a finished project we'll all be able to share with each other. Instruction and mentoring, 29 at-risk youth identified with immeasurable barriers, lack of supervision, poor grades, economic hardship. Five days of training, including college-level instructors and special guest speakers. What I like about this one is that it actually blends sports as well as sports careers and other things to teach our young people such as team work and leadership.

Fish: Questions or discussions? Thank you for your ex length presentation. These are all -- oh. Anyone signed up to testify?

Moore-Love: Veronica bernier did.

Fish: And she's not with us. These are all emergency items. Let's take them one at a time. We have the requisite forum.

Fritz: Thank you for your work on this, and it's really cost-effective for the youth that are involved, the amount of money that we're paying. Some people might say it's only a few youth involved in these programs, but it matters a lot and we help them one at a time. Thank you for your work. Aye.

Fish: I want to once again acknowledge our partnership around teen programs in the summertime as an add package for a half million dollars, vitally important perhaps, and also your stalwart support of the youth conservation corps which gives young people not only work skills but the opportunity to become good stewards.

Ingram: The program is up and running. They've had two Saturdays of instruction so far. Those young people will actually serve right into the summer and become summer employment opportunities thanks to the work of the two commissioners to my right.

Fish: Thank you very much. I'm pleased to vote i've.

Saltzman: I want to echo what commissioner Fritz said. These are small grants for maybe 150 youth, but these are youth that are at risk of getting involved in gang activities. This is a constructive activity that we need to make sure is in place to serve as many kids as possible over spring break. And I just wanted to also acknowledge Rob Ingram and Tom Peavey and, for a two-person office, their fame is growing every day. Rob Ingram was awarded the drum major of justice award, and Tom Peavey's son, Greg Peavey, was on the front page of the sports section this week for pitching a three hitter for the Oregon state beavers in their 1-0 victory over Tennessee, I believe.

*****: Correct.

Saltzman: Their fame grows every day, but their work matches their fame. It's good, high-quality stuff. I'm pleased to vote aye.

Leonard: That's very great. Thank you, both Rob and Tom. Aye.

Fish: 299 passes. Please call the roll on 300.

Fritz: Commissioner Saltzman, you do so much good work, and a lot of it is plugging away at things like this, and I just wanted to read who is affected by this particular grant. Youth with contact with the juvenile justice system, youth who are pregnant or parenting, those who have dropped out. These are truly the youth who are not being served by anybody else and who are most at risk, and this grant will help them. Aye.

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

Fish: Aye. 301.

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

Fish: Aye. Please call the roll on item 302.

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

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Fish: Aye. Item 302 passes. Thank you, gentlemen. We have one additional item. Karla, please call -- please read item number 303.

Item 303.

Saltzman: This ordinance authorizes the city to enter into an agreement with ch2m hill to develop our 2010 cso facilities plan. We're building the big pipe project but as essential to building the big pipe project is making sure our system operates efficiently and effectively and that we continue to make sure our investments in green infrastructure be actually doing what they're supposed to do, and that's what we're hiring ch2m hill to do here. Ch2m hill is using a sub consultant e p.c., which is a minority business enterprise. Since we have to submit this by september 1st of this year, that's why it's on an emergency basis. The total contract will not exceed 200,000.

Fish: Is there any reason you can think of why we should not adopt this matter?

Saltzman: None whatsoever.

Fish: Council discussion? Seeing none, please call the roll.

Moore-Love: No one signed up to testify.

Fish: Would you like to testify on this matter?

Beth Meredith: I am a citizen. I don't belong to any group. I'm saying right now to you all that every research I have done with ch2m hill has pulled up nothing but things that makes me angry. How about that? I don't want to say things that I don't absolutely know, but I also -- I know that joe glicker, who is president of ch2m hill has been involved with the epa. The epa's having problems with their scientists, and their scientists aren't supporting a lot of the political oversight. We have oversight here that's political, is not being done by the scientists. They're in their testing for *Cryptosporidium*, basically a conflict of interest, because they're also wanting to build the plant or do all the work on that. I think we have to put a distance between us and ch2m hill because I think they'll be looked at in the longer run. Our water system, as you all well know, is a good water system, randy Leonard. You have that. We've been 110 years. Joe glicker wrote let's cover the manuals for uncovered reservoirs. Everything he said to the epa on that was from closed reservoirs. The bird poop that was in it and everything was from closed reservoirs. It wasn't from open reservoirs. We have great open reservoirs, new technology that needs to be explored, not this old stuff. We have stuff going on in spokane where they're all up in arms on what happens over there with the epa. This stuff really needs to be looked into and not just blanketed. Ok, let's let ch2m hill do this because of poor joe glicker. I don't know who joe glicker is to you other than maybe a charming person that gets everything done, but to me this is not to the benefit of our city, not to the benefit of our water system. Why do we keep going back to this man? Why is that he's in every document from '02 when you had the water bureau and you said no, you don't have anything to do with watson who he used to work for, but now he's working for ch2m hill. Here we are with an epa agency where they're all going transparency. We're having problems with all this stuff that's going on with the water. We want to get a transparency thing going on, and now we have this over here. We need to stop this. And i'm not the only one that's holding this.

Fish: Thank you. Your time is up. Give us your first and last name.

Veronica Bernier: Three-minute warning. I guess the middle chair is the best one for me since i'm kind of middle of the road, so to speak. Perfect. Good morning. I guess the mayor stepped out for that other meeting down the hollywood. That's good. So you almost have a complete quorum for this discussion. I am reminded of the support of old bull run and water efforts in the past in order to be an expert witness about water problems and pipes and to wants -- not sewage but pipe treatment in certain areas, I would have to quote somebody from the past, and that is former commissioner erik sten. Former mayor vera katz -- mrs. Katz. I call her mrs. Katz. Vera. Former mayor vera katz and erik sten had a unique relationship as regards any building and piping and anything being done with the city. Their regard for the city structures and water and piping and all the things along the continuum of the city were taken in a certain perspective. This is for city growth. Whenever we

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approach anything about water or piping or construction or even destruction or demolition, they always had a big quorum and the expert witnesses. In the past, my uncle, bob, was part of the u.s. Navy water bureau for a reservoir in san francisco. If there were ever any problems with water piping or whatever, he was one of the first to go in, get a sample and analyze it so you knew what was coming out of your water sample. In regards to that, there is some planning that is going on in the future that we know is there, and it regards pipes. It regards water, position, and also topography of the land. When we get to this point, I have to look at former women in history like former mayor vera katz, because she had a firm stand and grip on this town you wouldn't believe. I mean, you have to know. We used to call her the red queen. [laughter] not to her face of course. But she did have -- [laughter]

Fish: Veronica, you can count on us to keep it in this room.

Saltzman: She watches us, you know.

Bernier: I know she's around here somewhere. You know, take every step wisely. There is no city with a bull run water source or piping quite like ours. I wanted to mention across the street they're having the women's kickoff for women in history month. You can join that for a brown bag. Get to know those ladies, too.

Fish: Thank you for your testimony. I think I speak for my colleagues when I say you made our day today. Please call the roll.

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

Fish: Aye. The matter passes. There are any other additional council items? Hearing none, we are adjourned. Thank you, Karla.

At 12:20 p.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.

March 4, 2010 2:00 PM

[roll call]

Fish: The mayor is absent, he's home sick, and we wish him well. Karla, please read the 2:00 time certain.

Item 306.

Fish: Would our friends from planning please come forward and walk us through this?

Sandra Woods, Bureau of Planning and Sustainability: Good afternoon. I'm Sandra Woods from Bureau of Planning and Sustainability. This is a continuation of a hearing on February 11th, where RICAP 5 was discussed. There were several items on the table at that point. You made the decision on most of the items. At the last hearing you asked us to return for the discussion about lots in the R5 zone. The big question at the time was whether we should allow for attached and detached houses on corner lots in the archive zone for existing replatted lots. We're not talking about new land divisions, we're talking about the old 1920s platting of the city. At the -- there was a question of whether to allow attached and detached and what size limits to put on those lot sizes. We have before you a memo dated March 4th, which walks you through what is still on the table today. So we have item number one, which is lots in the R5 zone, and items a, b, c, and d. The shaded boxes reflect the motions that Mayor Adams recommended at the last hearing. But have not been voted on. And the main difference between what you saw on February 11th and what you -- what's before you today is an item d, and the latest recommendation on how to address corner lot provisions is to allow for both attached and detached houses, allow for the lot sizes to decrease, to go further out of conformance with minimum lot size standards and allow them to decrease to 1600 square feet and 36 feet wide, provided those -- the new lot line is swivelled and is perpendicular to the streets, that adjustments to setbacks would be prohibited, but modifications through design review for those standards would be allowed. And to clarify, that the design standards that were passed in 2003 for the skinny lots would still apply to these lots. So we codified that, and that is in your packet as lavender color. We're running out of colors. As attachment n, we ran this by several developers who were pleased with the compromise and thought that this was a good solution. As a matter of fact, yesterday they said oh, could we make this table a little more user friendly, and do these tweaks? So I've incorporated that, and that's what's before you today.

Fish: Council discussion.

Fritz: I'm very pleased with the work that the planning bureau staff has done and the various offices. I appreciate the good faith effort that everybody has put in, and I think we've come to a good conclusion. Do I need to move the amendments in order --

Fish: Why don't we move the amendments and we'll see if there's any testimony.

Fritz: I move attachment n.

Saltzman: Second.

Fish: Karla, please call the roll. Excuse me. Council discussion? Karla, please call the roll.

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

Fish: Aye. [gavel pounded]

Jessica Richman, Bureau of Planning & Sustainability: We also need motions on 1 a, b, and c.

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Leonard: So moved.

Saltzman: Second.

Fritz: We're moving to adopt the recommended shading?

Woods: Yes.

Fish: Counsel, are you ok with that? I saw you grimace?

Leonard: He just looks like that. [laughter]

Fish: Karla, please call the roll.

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

Fish: Aye. [gavel pounded] ok. So we now have adopted the motions and Karla, has anyone signed up to testify?

Moore-Love: No one signed up.

Fish: Boy. Would anyone like to testify on any other matter? Are there any birthdays we can celebrate today?

Leonard: You're just enjoying running this, aren't you?

Fish: I should note in the mayor's absence that this -- we had set aside some time because we thought there would be an extensive discussion and debate --

Leonard: You laid awake all night thinking about it.

Fish: It's a function of the great work of our team and the staff at the bureau. They've been able to reach consensus. So thank you very much.

Woods: Thank you.

Fish: Let's proceed to -- we're going to vote now on the -- or are we done?

Richman: Pass to second reading.

Fish: Passes to a second reading. Thank you very much.

Richman: Thank you.

Leonard: Any proclamations you'd like -- .

Fish: I understand he was going to read the declaration of independence into the record. The time certain isn't until 3:00, so i'm going to adjourn this meeting --

Leonard: How about recessing it?

Fish: We'll recess and reconvene at 3:00. [gavel pounded] [recess]

At 2:11 p.m., Council recessed.

At 3:02 p.m., Council reconvened.

Fish: This is a continuation, we're back from a recess. Karla, will you please read time certain for 3:00.

Item 307.

Fish: Mayor Adams is home sick, but he's asked me to present his report. The public works administrative appeals panel sell part of the 2009 development permitting reforms colocation. Development permitting reforms put more surety in turnaround permitting times and fees. In the past, it was difficult for an applicant to know they could appeal public works decisions, now there is one location for public works and it is easier for someone to bring their appeal. There will be quarterly and annual reporting on public works appeals. There will be no change or modification to -- these reforms do not change or modify building or land use appeals, but rather this is where these comments get a little convoluted. Let me just say if -- sam, if you're home, would you please call me? Of course it's a five-person panel, three city and two appointed members. Four community members are appointed to the panel working side by side with water, transportation, and environmental services managers, two are alternates who attend in place of the primary member. The advisory committee drac members were nominated by drac, and they are rick michaelson and the alternate is don geddes. The city at large persons with land use and development interests were

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nominated by the chair of the citywide land use group, that's bonnie mcnight, and they are simone goldfeder and the alternate is maryhelen kincaid. The panel will be acting as public officials and no quorum Will be required, and panel decisions will be based on submitted written materials. Less do the the formal part first. If we could swear in ms. Simone and -- simone and maryhelen, because the drac members have already been sworn in, if we could take care of that piece first.

Fish: Where would you -- would you like us to sit? Would you take a seat for a moment? I apologize. This may be the undoing of my presidency. We know how busy you are and we're very grateful that you've chosen to take on this site. Would you like to say a few words?

Maryhelen Kincaid: No. [laughter] The only thing i'd like to comment, I think this process is a good one, and I think it's going to benefit everybody. Bonnie has to pay for this one.

Fish: That's not in my remarks.

Simone Goldfeder: I concur with maryhelen.

Fish: I'm going to acknowledge commissioner Fritz.

Fritz: Thank you both for serving. Thanks to rick and don also. This is really a very exciting moment for me, because this is something i've been hoping for for a very long time. And many of the neighborhood folks -- I think many of the developer folks have been hoping for a streamlined process to get appeals heard, resolved, and moved along as quickly as possible. So thank you so much for Stepping up to serve. Thanks to christine and the rest of the staff and commissioner Leonard and the bureau of development services for putting this all together and -- it's exciting. I think it's one of the first in the country where citizens are empowered and empanelled on the appeals board as a very front line level. Which is the best place for that to happen. To have those discussions early so they can be taken care of, and further administrative remedies if the panel can't come to agreement. We greatly appreciate your service and your having gotten to the point of having enough expertise as citizen volunteers to be able and very capable of participating on this appeals board. Thank you very much for serving, and thank you to the others.

Fish: Any other comments?

Saltzman: Thank you.

Fish: Karla, this is a report, so do we vote to adopt the report and then swear in the two members?

Leonard: Somebody else swears them in in the auditor's office.

Fritz: I'm very happy to see this panel put into place. And used by -- streamlined permit process, and it will provide a useful and hopefully effective means for builders and developers to discuss problems they might have with the permit process. I'm very pleased that you're willing to serve. Aye.

Saltzman: Again, thank you for your service on this brand-new committee. Appreciate it. Aye.

Leonard: Thank you. Aye.

Fish: I want to thank rick, simone, don, and maryhelen for agreeing to take this on. Thank you for your service. Aye.

Moore-Love: We should have asked for public testimony also.

Leonard: Could we have a more complete breakdown in the public process --

Fritz: Does anybody wish to protest -- .

*****: Maryhelen forgot her protestor at home.

Fish: If we weren't dealing with the regular obstruction of this process and outburst from at least one member of this panel, I think we'd be -- it would be smoother sailing. We would welcome of course any testimony if anyone wanted to testify. On any matter, including commissioner Leonard's behavior. The word "disgraceful" comes to mind. Hearing none --

Leonard: I can at least run a hearing.

Fish: Hearing none, sue, do we -- do we have something they need to sign?

Parsons: This can occur after the meeting.

Fish: I see.

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Leonard: Commissioner Fish is bound and determined to have them sworn in or sign something -- [talking at once]

Fritz: I think it would be instructive for the folks at home to know what the oath is that they're sworn in by.

*****: do you know it, nick?

Leonard: You're on, nick. What's the oath?

Fish: It's a cliché. I will let amanda take this piece. If you'll both stand, we'll take the oath.

*****: Repeat after me. I -- state your name -- do solemnly affirm.

*****: Do solemnly affirm.

*****: I will support the constitutions of the united states --

*****: I will support the constitutions of the united states.

*****: And the state of Oregon.

*****: And the state of Oregon.

*****: The charter of the city of Portland.

*****: The charter of the city of Portland.

*****: And its laws.

*****: And its laws.

*****: I will faithfully, honestly, and ethically.

*****: I will faithfully, honestly and ethically.

*****: Perform my duties.

*****: Perform my duties.

*****: As member of --

*****: As member of --

*****: As a member of the public works administrative appeals panel.

*****: The public works administrative appeals panel.

*****: During my continuance therein.

*****: During my continuance therein.

*****: There you are. [applause]

Fish: Thank you both. We're done. You're dismissed. Are there any other count matters? Hearing none, we're adjourned. Thank you, Karla. [gavel pounded]

At 3:10 p.m., Council adjourned.