



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 24TH DAY OF APRIL, 2002 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales, Saltzman and Sten, 5.

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

Items No. 405 and 408 were pulled for discussion and, on a Y-5 roll call, the balance of the Consent Agenda was adopted

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>390</b>	Request of Norman Garrison to address Council regarding poor response of the Police Bureau to a pedestrian accident (Communication)	<b>PLACED ON FILE</b>
<b>391</b>	Request of Bill White to address Council to pray and discuss things to come (Communication)	<b>PLACED ON FILE</b>
<b>TIME CERTAIN</b>		
<b>392</b>	<b>TIME CERTAIN: 9:30 AM</b> – League of Oregon Cities recognition of City Employees awards (Previous Agenda 361; Presentation introduced by Mayor Katz)	<b>PLACED ON FILE</b>
<b>393</b>	<b>TIME CERTAIN: 9:40 AM</b> – Amend the Zoning Code, Title 33, to comply with the water quality requirements of the Urban Growth Management Functional Plan Title 3 along the Willamette River (Ordinance introduced by Mayor Katz; amend Title 33)  <b>Motion to accept the amendments from staff memorandum dated April 30,2002 and substitute map three of six:</b> Hearing no objections Mayor Katz so ordered.	<b>PASSED TO SECOND READING AS AMENDED MAY 1, 2002 AT 9:30 AM</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>		
<b>394</b>	Statement of cash and investments March 14 through April 10, 2002 (Report; Treasurer)  (Y-5)	<b>PLACED ON FILE</b>

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<p><b>395</b> Contract for the annual supply of traffic signal equipment for a total maximum of \$8,300,385 (Purchasing Report - Bid No. 101307) (Y-5)</p>	<p align="center"><b>ACCEPTED PREPARE CONTRACT</b></p>
<p align="center"><b>Mayor Vera Katz</b></p>	
<p><b>*396</b> Authorize Intergovernmental Agreement with Tri-Met and the Portland Development Commission for Interstate Avenue Property Transfers (Ordinance) (Y-5)</p>	<p align="center"><b>176409</b></p>
<p align="center"><b>Commissioner Jim Francesconi</b></p>	
<p><b>*397</b> Authorize agreements with Multnomah County and Albina Ministerial Alliance for youth services related to the We're Here, We Care program (Ordinance) (Y-5)</p>	<p align="center"><b>176410</b></p>
<p><b>*398</b> Authorize the purchase of property in the Far Southwest Portland Neighborhood Association from the Diocese of Oregon for neighborhood park purposes (Ordinance) (Y-5)</p>	<p align="center"><b>176411</b></p>
<p><b>*399</b> Authorize purchase and accept a donation of property from Bit-Tel Investments, LLC (Ordinance) (Y-5)</p>	<p align="center"><b>176412</b></p>
<p><b>*400</b> Authorize purchase of property in the Sellwood-Moreland Improvement League Area from Richard H. and Cheryl A. Sherlock, located at 2210 SE Sherrett Street, as an addition to Johnson Creek Park (Ordinance) (Y-5)</p>	<p align="center"><b>176413</b></p>
<p><b>*401</b> Authorize acceptance of a Perpetual Exclusive Easement and Put Option for the Whitaker Middle School Sports Field and a Temporary Easement and Option to purchase the Whitaker Holdings site from Portland Public School District No. 1J (Ordinance) (Y-5)</p>	<p align="center"><b>176414</b></p>
<p align="center"><b>Commissioner Charlie Hales</b></p>	
<p><b>402</b> Accept contract for improvements for Lents Town Center Phase I Local Improvement District as complete, authorize final payment and release retainage (Report; Contract No. 51593; C-9986) (Y-5)</p>	<p align="center"><b>ACCEPTED</b></p>

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<p><b>403</b> Accept contract for improvements for Lents Town Center Phase II and Boise/Earl Boyles Park Local Improvement District as complete, authorize final payment and release retainage (Report; Contract No. 51605; C-9987; C-9998)</p> <p>(Y-5)</p>	<p align="center"><b>ACCEPTED</b></p>
<p><b>*404</b> Amend agreement with Fishman Environmental Services to complete construction engineering services (Ordinance; amend Contract No. 32687)</p> <p>(Y-5)</p>	<p align="center"><b>176415</b></p>
<p><b>*405</b> Grant a revocable permit to Oregon Club of Portland/Kingston Saloon to close SW Morrison St. between 20th Pl. and 20th Ave. on April 27, 2002 (Ordinance)</p>	<p align="center"><b>REFERRED TO COMMISSIONER OF PUBLIC SAFETY</b></p>
<p><b>*406</b> Accept an \$8,000 Intergovernmental Agreement between the Portland Office of Transportation and the Tri-County Metropolitan Transportation District of Oregon for the Downtown Light Rail Capacity Study (Ordinance)</p> <p>(Y-5)</p>	<p align="center"><b>176416</b></p>
<p><b>*407</b> Authorize a temporary event entertainment by the Cirque du Soleil (Ordinance; waive Title 33)</p> <p>(Y-5)</p>	<p align="center"><b>176417</b></p>
<p align="center"><b>Commissioner Erik Sten</b></p>	
<p><b>408</b> Accept the Housing and Community Development Commission Fifth Annual Housing Evaluation Report July 1, 2000 - June 30, 2001, and implement its recommendations to further City housing goals (Resolution)</p>	<p align="center"><b>CONTINUED TO MAY 8, 2002 AT 9:30 TIME CERTAIN</b></p>
<p><b>*409</b> Accept an Intergovernmental Agreement with Multnomah County for the cooperation of units of local government to prepare and update the Consolidated Plan to meet affordable housing goals and to receive payment (Ordinance)</p> <p>(Y-5)</p>	<p align="center"><b>176418</b></p>
<p><b>*410</b> Contract with Southeast Uplift for \$62,399 to undertake neighborhood revitalization activities along SE Foster and provide for payment (Ordinance)</p> <p>(Y-5)</p>	<p align="center"><b>176419</b></p>
<p><b>*411</b> Authorize a \$145,000 contract with Gary Fiske &amp; Associates for professional services to develop an integrated water supply model for the Portland metropolitan area to assist the Regional Water Providers Consortium members in updating the Regional Water Supply Plan (Ordinance)</p> <p>(Y-5)</p>	<p align="center"><b>176420</b></p>
<p><b>*412</b> Authorize a contract with the U.S. Fish and Wildlife Service to define conservation and compliance strategies for fish (Ordinance)</p> <p>(Y-5)</p>	<p align="center"><b>176421</b></p>

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<p><b>413</b> Authorize an agreement with Hennebery Eddy Architects, Inc. and provide payment for services for Interstate Facilities Master Plan Project (Ordinance)</p>	<p align="center"><b>PASSED TO SECOND READING MAY 1, 2002 AT 9:30 AM</b></p>	
<p><b>414</b> Authorize agreements with ACE Consultants, Inc., Murray, Smith &amp; Associates, Inc., and Tetra Tech/KCM, Inc., for an amount not to exceed \$25,000 per firm to provide engineering services for miscellaneous professional services in the area of design engineering and provide for payment (Ordinance)</p>	<p align="center"><b>PASSED TO SECOND READING MAY 1, 2002 AT 9:30 AM</b></p>	
<p align="center"><b>REGULAR AGENDA</b></p> <p align="center"><b>Mayor Vera Katz</b></p> <p><b>*415</b> Authorize agreement for Lloyd Business District License Fee Billing and Collection Services (Ordinance) (Y-5)</p>		<p align="center"><b>176422</b></p>
<p align="center"><b>Commissioner Jim Francesconi</b></p> <p><b>*416</b> Approve an Intergovernmental Agreement with Tri-Met for development, joint use and maintenance of a light rail station with two park and ride lots and mitigation site work at Portland International Raceway (Ordinance) (Y-5)</p>		<p align="center"><b>176423</b></p>
<p align="center"><b>Commissioner Charlie Hales</b></p> <p><b>417</b> Consider vacating a portion of SE 98th Avenue north of SE Bush Street, at the request of Tri-County Metropolitan Transportation District (Previous Agenda 195; Hearing; Report; VAC 10000) <b>Motion to adopt the Report and prepare an Ordinance:</b> Moved by Commissioner Hales and seconded by Commissioner Saltzman. (Y-5)</p>		<p align="center"><b>APPROVED CITY ENGINEER PREPARE CONTRACT</b></p>

**APRIL 24, 2002**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 24TH DAY OF APRIL, 2001 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales, Saltzman and Sten, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linda Meng, Chief, Deputy City Attorney; and Officer Peter Hurley, Sergeant at Arms.

At 2:34 p.m., Council recessed.

At 3:30 p.m., Council reconvened.

<p><b>418 TIME CERTAIN: 2:00 PM</b> – Appeal of Maya Emschwiler and Fred Kepler of Portland Development Commission denial of request for Property Tax Exemption under the Single Family New Construction Program (Hearing on Appeal)</p> <p><b>Motion to deny the appeal:</b> Moved by Commissioner Francesconi and seconded by Commissioner Saltzman.</p> <p>(Y-4; N-1 Hales)</p>	<p><b>Disposition:</b></p> <p><b>APPEAL DENIED</b></p>
<p><b>419 TIME CERTAIN: 3:30 PM</b> - Presentation of American Institute of Architects' Intern Development Program Design Charrette 2002 competition winners (Report introduced by Mayor Katz)</p>	<p><b>PLACED ON FILE</b></p>

At 4:24 p.m., Council adjourned.

GARY BLACKMER  
Auditor of the City of Portland

By Karla Moore-Love  
Clerk of the Council

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

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**Closed Caption Transcript of Portland City Council Meeting**

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

Key: \*\*\*\*\* means unidentified speaker.

**APRIL 24, 2002      9:30 AM**

**Katz:** Council will come to order. Karla, please call the roll.

**Katz:** For job shadowing our office for the entire week. Introduce the men if they can stand when I read their names. Nicholas mcwilliams. Holly, and kere, did I mispronounce? I butchered it, right? Okay. Well, they are here from centennial. And they have been placed in charge of organizing a flag-raising ceremony for the children's welfare league of america. And the ceremony and the flag will memorialize thousands of children in this country and unfortunately, I must add in this community. Who have been killed by violence and abuse and primarily, by their parents. The ceremony will take place friday, april 26th, 9:30, at the flagpoles on the 4th avenue side, so you all are very welcome to attend. Thank you. All right. Communications, 390.

**Item 390.**

**Moore:** Request of norman garrison to address council regarding poor response of the police bureau of the pedestrian accident.

**Katz:** You have three minutes.

**Garrison:** Well, you have seen me before. This concerns the mess that was going on a week ago on thursday in northwest Portland. There was a large-scale police presence there. I contacted the police four times, well, actually, the 9-1-1 twice, nonemergency number once, and a police officer down at, at front and steel bridge. And in almost every case, they were impolite. They didn't seem to care. You know, the usual stuff, you know. I must have said the wrong thing at the wrong time or they were too busy or they just -- they didn't give, you know, we're the boss, right? We employ all of you and you are the, the only person that can tell mr. Kroeker what to do. And now he's going to go to los angeles, perhaps. So the question is -- we got to make our police more accountable. We have got to have -- they need to be better trained. They need to, in almost every area, they need to do what we pay them to do, you know. To say and do the right thing at the right time for the right reason, and so, I guess my protest is addressed to all of you, since you are -- you are responsible. You can tell them what to do and how to be, and what to think. Well, you can't tell them what to think, but you can tell them the guidelines. No prejudice, no discrimination. No unfair treatment. Give everybody the right kind of treatment at the right time, and do it because it's right. And when you do all of that, then you are able to get up in the morning and look yourselves in the mirror and say, you know, I made a difference in this world because, because I believe in the highest of the values, the ten commandments and the certainly -- and the sermon on the mountain and I went out there and I did my job, and I did the best I could. Where I failed? I asked people to forgive me and I forgive them, and it's just a matter of fair treatment. It's nothing more or less than what we already know. So, I am asking you to, to approve a retraining policy for the police or get them to -- and the 9-1-1 operators and the -- they are just -- you know, when you are traumatized by, by violence and so forth, and you are scared to death, you are afraid you are going to get shot, your people are running all over the place, as they were the other day up there by the.

**Katz:** Well, he's here.

**\*\*\*\*\*:** Well, I can better do it when I have, you know, maybe a couple of pages and I can do it.

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**Francesconi:** Sir, I have a personal request, and maybe I shouldn't do this, but you have been here twice now in the past month, and now you just said that you could write a letter. And you should. See, sir, when you do this, and you are not focused, we have an process, we have another process.

**Garrison:** Everybody.

**Francesconi:** So, please, you have a right to come but come when you are ready and you are more focused.

**Garrison:** And I am focused. Thank you.

**Katz:** All right. 391.

**Item 391.**

**Moore:** Request of bill white to address council to address things to come.

**Katz:** Okay, mr. White.

**\*\*\*\*\*:** Good morning. Good to see you again.

**Bill White:** My pleasure. I am bill white with the cathedral prays ministries. Not coming to ask for anything from you. Just wanted to come and ask the blessings of god to be with you and I know that you have to make a lot of tough decisions, and I know a lot of times things come up and it is like, I don't know what we are going to do, for example, the budget crisis, you are not for sure what you are going to do with all different problems that have that you deal with, and I just wanted to ask for just a blessing of god to be on the city council and I am going to pray a real quick prayer and get out of your way so you guys can handle business because sometimes you need super natural help on your staff and help you guys out so real short and simple. Simple prayer. Father, we thank you right now for the city council of Portland. We ask that you bless them, bless the mayor, continue to give her good health, father. We ask that you bless the city commissioner, lord. Give them godly counsel in every decision they are going to make. And we ask you continue to bless the city of Portland. In your name, we pray, amen.

**Katz:** Thank you. When you have communication, separation of, of state and religion doesn't really count. And so, we are very pleased that people want to come here and pray for us, and maybe with many of you. Thank you. All right. Let's do consent agenda. Any items pulled off the consent agenda? I have 405. Commissioner Hales wants that pulled. And commissioner Sten wants 408 pulled so, any other items to be pulled off the consent agenda for discussion? Anybody in the audience want to pull a consent agenda item? If not, roll call on consent agenda.

**Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

**Katz:** Mayor votes aye. 405.

**Item 405.**

**Hales:** I think this needs to go back to my office.

**Katz:** Any objections for referring this back to commissioner Hales' office? Hearing no objections. So ordered. 408.

**Item 408.**

**Sten:** I wanted one of the citizens who did this report to give a brief report to council, but she can't make it today --

**Katz:** This will come forward-a-couple of weeks. Hearing none, so ordered. All right. Time certain. 392.

**Item 392.**

**Katz:** All right, before we do that, we have accompanying david barrenberg's, Oregon city's legislative director. We have three guests from indonesia. Three officials from indonesia. The league, as many of our own bureaus partner with countries around the world, to have them learn about our ways of managing government and our associations, and we, then, go and learn about their ways, and we have three with them. One is from the indonesia association of counties and one is from the association of indonesian states. And we do -- would you stand up, please? I am sorry,

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and you are with? Nice to have you here, and maybe david, did you want to say something about -- why don't you come on up.

**David Barenberg, League of Oregon Cities Legislative Director:** Sure. Just -- this summer, the league was asked to partner with three new associations in indonesia. One for the states. One for the cities. One for the counties, and the interesting thing there was they had, they had never had until a year and a half ago elected local government, every mayor, governor, or county commission chair equivalent were appointed by the central government so as of january of the last year had 3 million employees transferred to local government and created these three associations, which were partnering with them, and it's been he very exciting and we are learning a lot from them, and this summer, we will be hosting a visit of governor's, mayor's and county chairs.

**Katz:** Thank you. And david is here. Why don't you stay here. David is here to recognize city of Portland employees who have had a real impact on the league of Oregon city's legislative agenda, as well as ours. And he's here to say something nice about them, and honor them, so why don't you go ahead.

**Barenberg:** Thank you, mayor, and members of the commission. First, just, I guess, I have three thank yous to say. The first, just background is that 77 years ago, the league was created here in Portland with Portland being one of the founding 25 members. Today, we have 300 -- I am sorry, 238 of the 240 cities as members, and we believe that the cooperation and partnership is just critical, probably best exemplified most recently by the qwest case where an assault upon the city of Portland was really an assault upon every city in the state from the smallest to the largest. And working together and -- in the case, we have been able to reach a victory at the courts, but it was one that fast done by the partnership that we enjoy. So, first I would like to thank just the city of Portland for its continued leadership and involvement in the league, and thank, particularly, commissioner Hales, as our past president, for his work on behalf of the league. Second, to thank the city's intergovernmental unit. Marge kafoury, susan schneider and mark landour for the partnership they express every day and the work they do and the leadership that they show on city agenda items and the legislature, and then third, to recognize five city staff who have really gone beyond what mortals usually give for their job, their work. And especially the uniting factor on the five people that we would like to recognize is that they share a passion for cities, and a passion for protecting the interests of the people that live in cities and because of that, they are willing to take phone calls at night at home to help analyze legislation, to really just work on behalf of cities and provide leadership on complications issues, and so with that, I would like to recognize five staff, and I will grab these plaques from susan. And the plaques, I will just read as I hand them out what they say. First to peter kasting -- the league of Oregon cities recognizes and thanks peter kasting and the city of Portland for service during the 2001 legislative session. Your work on a range of issues affecting a broader way of services has provided a valuable service for the citizens of all Oregon cities. In particular, his work on judicial review, which is an issue that he helped go away. And protect city issues really helped cities, and thank you on behalf of all of us.

**Katz:** Peter, come on up. [ applause ]

**Katz:** Do you want to say a few words to us? Come on up to the mike.

**Pete Kasting, City Attorney's Office:** I don't want to take up much of the council's time, pete kasting, city attorney's office. The only thing I would like to say is it is the league staff that really pulls the work, works twice as hard as anyone else, especially when the legislature is in session, and if anyone deserves kudos success of local government and the state legislature, it's the league staff.

**Katz:** Thank you.

**\*\*\*\*\*:** Thank you.

**Katz:** Congratulations.



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**Barenberg:** Next is mark lear, and I will skip the part that I already read for peter, but just recognizing mark's work in leadership on transportation issues. Where are you, mark? Thank you. I work directly really with mark over the last couple of sessions and he really has just been tireless in analyzing every iteration of transportation funding proposals or policy, of which there are many in our complex, and his technical knowledge has really helped to move us forward and helped mere lay people understand some of the complicated issues.

**Mark Lear, Office of Transportation:** Unfortunately, we haven't been more successful with getting transportation funding, but definitely been one of the more enjoyable parts of my job working with the council and commissioner Hales and david and susan and mark, and I definitely look forward to doing more work on intergovernmental relations and hopefully getting more funding, maybe at the local level, but for transportation.

**Katz:** Thank you.

**Barenberg:** Up next, I would like to recognize steve manton. And okay, there you are, steve. For his work for, on behalf of cities on municipal finance, and in particular, on -- he's one of the few people who actually understand the percent system, and for that -- pers system, and for that, he should have an award --

\*\*\*\*\*: Two awards. [ laughter ]

**Barenberg:** And also to legislators to other local officials, been able to translate the issues into something that we could understand, and now we just have to get the legislature to understand. [ applause ]

**Katz:** Congratulations, steve.

**Steve Manton, Office of Management and Finance:** Actually, the league did much of the hard lifting at the last legislative session. They rounded up the votes and they -- we were able to pass a bill at the legislature that did rein in some of the features of pers, and it helped our employers. We are going to continue to do that, and hopefully we will be able to bring down our cost some more. Thank you.

**Katz:** Now --.

**Hales:** Just a quick footnote about steve, like me, steve is a noon-time runner, and a much faster and better runner but I can attest that steve thinks about pers even when he's running. [ laughter ]

**Katz:** Thank you, steve. Okay.

**Barenberg:** Next is, I would like to steal your city attorney from his seat there, is for ben walters, and recognizing his work on telecommunication issues. And as you well know, that's quite been the hot bed, and he's really been one of the master minds and strategists of our successful strategy there, and before that, really helped us in the legislative session defeating some of the bills that would have limited city authority and taken away our franchise fee authority. And one thing to say about ben, but for all of the people who preceded him, that they are all tenacious. They all appear to be nice folk, but they really are fighters on behalf of cities --

**Francesconi:** Look at that pose. He's ready. Look at that pose.

**Katz:** He's ready to go.

**Barenberg:** We debated whether we should have the award --

\*\*\*\*\*: Still ready.

**Barenberg:** To ben for having the best collection of bow ties.

**Hales:** Congratulations. [ applause ]

**Ben Walters, City Attorney's Office:** I would just like to echo what pete said, and to carry his metaphor forward, I sometimes perceive working with the league as helping them to bail out the boat as the water comes in, but sometimes I don't wonder if they don't see me as sometimes throwing water back in the boat. [ laughter ]

**Walters:** But, it's a pleasure to work with them. I was somewhat taken aback when I learned that they were going to be issuing these awards for what I think is noted in the council materials as

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exceptional service. I don't see what I have done as being exceptional. I see what they do as being exceptional. They put in much longer hours and I make myself available at odd times and give them the material that allows them to go forward and carry the day. So, it's a pleasure to receive this, but I would thank them for their hard work.

**Katz:** Thank you, ben, and your work isn't over yet. [ laughter ]

**Walters:** I understand that. [ laughter ]

**Barenberg:** And then last is mary beth henry, and unfortunately, she had an illness in her family and is back in minnesota but she really also on the telecommunications issue has been just a real leader of the coalition that we have put together, and just has been a tremendous ally and resource, and with that, I would like to, again, thank the city for making your staff available and for your participation.

**Katz:** Thank you, david, and thank for you your work and working cooperatively with us. I would like to recognize marge and susan and mark. Would you stand up, if you are here? Because they are the glue that holds a lot of this together for us, and appreciate all the work that you have done. Thank you. All right. Item 393.

**Item 393.**

**Katz:** Let me introduce this. Somebody said, don't introduce it by saying, metro made us do it. So I won't do that. [ laughter ] we try to be in compliance with the goals that have been outlined in the Oregon statute and our land use laws, and this one is the water quality compliance project that planning has been working on, and metro has asked us to complete it and get it done. We were not in full compliance a while back. We are today, and so let me turn this over to gil. There may be some amendments that need to be made, and so we can talk through that. All right.

**Gil Kelley, Director, Portland Planning Bureau:** Thank you, gill kelly, Portland planning bureau and with me is chris, the project manager from the planning bureau. As the mayor mentioned, you may recall that we had a work session here a month or two ago that included representatives from metro, when we talked about the broad range of issues where the city has had to come in compliance with the, the urban growth management functional plan, and we were happy to report at that time that we were about 95% compliant. The one area where we remained, that remained with work needed to be done was in the water quality area of title 3, one of three components of title 3. And within that water quality component, we divided our work between the main stem of the willamette and the, the stream corridors in the city. And we are here to talk about the main stem issue today, and your action will bring us into compliance with that part of it. I would just say, um, that the, the main stem water quality compliance regulations have limited applicability, and that is primarily because metro exempted many properties from these regulations at the beginning of the process. Nevertheless, even though there are a broad range of exemptions, there were issues in this process, and things that needed to be resolved at the planning commission, and that work was definitely done by, by chris, who will give you a brief presentation now to explain what those issues are. We will be doing the other compliance piece through the healthy streams project.

**Katz:** Okay. We have amendments that you want us to adopt, okay. You will talk about it? All right.

**Chris Scarzello, Bureau of Planning:** Chris, bureau of planning. Mayor Katz and council, I am here to give you a brief -- I am going to try and keep it very brief because we have a couple of folks who want to testify, and there's going to be some discussion on what they talked to you about. But, I want to tell you what the project is not, to reiterate a bit about -- a little of what gil just said. This is not the rewrite of the willamette greenway plan. That work is about to start, and we will address title 3, goal 5, esa, clean water act and other applicable federal state and local rules. The project is not a fix of the greenway chapter of the zoning code. Although, it's in dire need of repair. That will happen with the greenway rewrite, and it is not the city's response to the endangered species act, or the clean water act. Again, that work will happen with the greenway rewrite, and through other

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river renaissance projects this. Project is not just a willamette river title 3 water quality compliance effort, though. While we have tried to keep it focused just on title 8 the package now also includes a small but signature zoning code change that will prevent conflicts between deq-required cleanups along the river, and the greenway regulations. And I am going to give you those details at the end of the presentation. So, this project is the city's compliance effort for title 3 of metro's urban growth management functional plan and as such is narrow in scope. The planning commission has blessed the project after two hearings, and it is our goal to get your approval today so that we can meet the metro compliance deadline for this portion of the title 3 compliance work that the city is doing. I want to tell you a bit about title 3 first. It is the environmental portion of the urban growth management functional plan adopted by metro in 1998. Title 3 provides performance standards for the protection of the beneficial water uses and functions and values of resources within the water quality and flood management area by limiting or mitigating the impact on those areas from development activities protecting life and property from dangers associated with it, and working toward regional coordination program of protection from fish and wildlife habitat areas. That's directly from title 3. Basically, what that boils down to are erosion control standards, flood plain regulations, and protection for fish and wildlife habitat and water quality areas. The city has already complied with the erosion control and flood plain regulations. Metro is still developing the standards for fish and wildlife component. This project is just the water quality portion of title 3. Cities and counties were required to comply with title 3 by january 2000. The city of Portland was granted an extension to july 2001, and an additional extension to april of this year, this month is pending. The greenway chapter of the zoning code is the best fit for application of title 3 to the willamette. The greenway review currently requires that applicants determine where the top of the bank is located in relation to proposed development and the review provides a balance between development and protection of natural features and native plants. On sites that have river frontage, uses not river dependent have a greater hurdle in approval. The planning commission recommends implementation of title 3 with the addition of a fifth greenway overlay zone. The river water quality overlay represented with a cue on official -- with a "q" on zoning maps and regulations for nondependent river development. Application of title 3 performance standards means more stringent approval criteria and an alternatives analysis requirement. For proposed development close to the top of the bank, applicants have to demonstrate that there's no better location on the site for the development. Site plans will need to be more detailed and mitigation is required for resources that are destroyed. Title 3 has limited application to the willamette river, as you can see on the map on the right, but first, the map on the left shows the original metro adopted title 8 map. The green portions indicate the water quality areas that they identified. The areas that show no green were excluded from the map because they reflect areas with existing water dependent uses or areas with existing plans or agreements for water dependent uses. Or are areas with mixed use centers such as the central city regional centers or town centers. When the project began, we received a lot of feedback from the industrial property owners north of the downtown area, who are river dependent but somehow missed the metro mapping process in 1998. Upon review of the metro criteria for map exclusion, the bureau of planning proposed, to the planning commission to exclude river industrial properties as shown on the map at the right. The river industrial greenway zoning designation, which is most of the north area north of downtown requires that all development and use of properties with river frontage be river dependent. So by definition, should be excluded from the map. The planning commission approved the map modification and the two maps are in your report as maps a and b. I just wanted to tell you a bit about some issues you may hear and talk about the amendments that we are bringing forward. We have had some discussion with ross island about the implications of title 3 regulations on their ongoing remediation work and their change to say their proposal, so they are here today to add, address some of those concerns and bring forward a proposal. Which we support. We have heard from individuals that there's a

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concern that this project is the start of something new on the willamette river. So, you will hear some of those concerns today, as well. And then amendments. I have given a package of the amendments to the clerk for you. On the top of the list is the deq exception to greenway review. The office of planning and development review is working on a memorandum of understanding with deq to exempt deq required cleanups on sites within the greenway roof procedure. There are code changes to assist in the implementation of that memoranda, and basically, it -- it would take a double process away from those properties so they don't have to go through both deq on the city's review process. The planning commission has agreed to remove the university of Portland property from title 3 maps after the second planning commission hearing. The university of Portland is basically exempt from the title 3 requirements until their conditional use master plan expires in 2008. And they wanted the clarity that comes with not being zoned. However, metro expressed concern about the university of Portland's property along the river that is not within the boundaries defined in the conditional use master plan, and it's a stretch of land between the railroad right-of-way and the river. After some discussion, university of Portland has agreed to allow the city to apply the "q" overlay zone along that stretch. And then lastly, on map 3 of six in your report, or quarter section, 25-24, there is a spot of land that has been erroneously called out as a wetland, and at the property owner's request, the staff made a site visit and found no wetland on the site so we are proposing to modify the map --

**Katz:** Thank you. Questions.

**Francesconi:** You're good. All those nice commence about new these letters, and it's good that you clarified the issues ahead of time.

\*\*\*\*\*: Good.

**Kelley:** I wanted to make one other comment, too. We have been clear with owners and others throughout this process that because they may have been exempted early on in, by metro from this title 3 compliance effort, that it doesn't exempt them from a future look under the river plan, and particularly, with an eye toward balancing natural resource protection with industrial and other economic use of those properties. So, wanted to make that --

**Francesconi:** At the end, but not right now, after the testimony, if there is time, a brief paragraph about kind of where we are going from here would be helpful.

**Katz:** Okay. Further questions by the council? All right. Let's open it up to public testimony.

\*\*\*\*\*: We have steve, christine, and jeff.

**Katz:** Come on up.

\*\*\*\*\*: Good morning, mayor Katz, members of council, steve --

**Katz:** Steve, grab the other mike, as well.

**Steve Pfeiffer, 1211 SW 5<sup>th</sup>, Suite 1500, 97210:** Steve here, address 1211 southwest 5th, suite 1500. Here today on behalf of ross island sand and gravel. With me is jim, the environmental manager for ross island, primarily to answer any questions you may have about the specifics of their activities and operations on the site that we know across the river -- in the river. At the outset, I will address a very specific piece of property, and I have been over this issue with both chris and Kathryn, so they are aware of it, and we will be prepared, I think, to give you their thoughts in response what I say, to what I say at the close if I could call your attention to the proposed zoning maps at the he back of the book. Map 2, specifically, or rather, sheet two, about five pages from the back shows ross island. The long elliptical shaped piece has a black line, obviously, in the middle of the river, that, essentially, begins about 50 feet or so inward from the end of the island, creating a, an area within the middle of the island, again, included within that black boundary. That boundary, if your eyes are better than mine, you will be able to see there is no current small initial for any of the four existing overlay zone within the boundaries of that line. Outside that line, you will also see the river industrial natural or other overlay zone designations for the -- where the greenways don't exist. That's the property only within the black line on the island, itself, which I

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will speak to very quickly. The reason there is no overlay zone today, the green overlay zones, any of the four on that piece is language which exists in the 1987 greenway management plan, which, again, was adopted as part of the comprehensive plan, which reads as follows -- all land within the greenway -- on page 13 of the plan, with the exception of the interior of ross and hard tack islands have green overlay zoning. The interior are presently subject to the ross island management plan and will receive green overlay zoning upon expiration of that plan. The ross island management plan is a unique document applying only to the area within those black lines. It flows from a 1979 conditional use permit granted to ross island. The condition of that permit, indeed, the guts of that application are the management plan that was, again, imposed and adopt and had remains in effect today. Chris has a copy of the plan and I will leave it with you just so it's in the record for reasons I will mention in a minute. That plan, again, remains in effect, and as I know commissioner Sten knows well, and others of you, as well, there was a dsl permit process a year ago or so ago, which will result in an updated version of that plan, likely to be substantially different and certainly substantially improved, given the environmental regulatory issues that we are aware of today. We anticipate that we will be bringing that plan back to the city for an amendment of the conditional use to include that new revised plan as part of that. Never leaving a gap or break in time when that site isn't subject to the management plan.

**Katz:** Go ahead.

**Pfeiffer:** I suspect the city may be a co-applicant with us in that process for the reasons you are aware of. All of which gets me to our point. What we would ask of you today is that pursuant to that language in the existing plan, which again, is an element of the comp plan, we refrain from imposing the "q" overlay at this time, and defer that decision for consideration at the time we come back and modify the conditional use to include the new and improved plan. My best understanding of when that might be is probably about a year out from now, given the progress made on the plan, and commissioner Sten can fill us in if there is a better thought there. Again, it's not that the "q" overlay isn't warranted. I think it's premature at this time to say that it is until we know how it fits with the final product of the management plan, what it adds, and at that time, again, I can assure you on behalf of the company, that we will then welcome entertainment of the "q" overlay at that time. The second reason, aside from the policy points, is that technically speaking, you do have comprehensive plan language in the form of the greenway management plan, which says that there won't be any "q" overlay within the boundaries as I showed on map 2, and I think that technically, you would need to, because one of the criteria for application of an overlay zone in 33-855 is compliance with the comp plan. You need to go back and amend that language in the plan to do so.

Final point, you still, I am very mindful, need to be able to demonstrate to metro you are complying with title 3, as mayor Katz pointed out. There is a process in title 3 and title 8 that allows substantial compliance, and one of the reasons I gave chris a copy of the '79 plan, and I will insert it today into the record, is so that you have that document in the record, so effective today, and with the idea that if you were to refrain from mapping the "q" at this time, you could, then, use that plan as a basis for findings, which again, I readily agree you must adopt to, show metro that you are in substantial compliance with title 3 given the provisions of that plan, and they will remain in effect until amended. With that, any questions of myself or jim?

**Katz:** Jim, did you want to add anything? Steve, this is the -- Kathryn isn't here. Ben is here, but this has been agreed to by our city attorney and staff.

**Pfeiffer:** I met with Kathryn and chris a day or two ago, and as I would have expected, they listened to me and agreed to get back to me. Kathryn called me yesterday and said that it wasn't her call, of course, it is rather, yours, but the staff would be willing to address my proposal as a follow-up. I will admit I asked them to initiate this request, and I would follow them, but they, instead, for reasons I fully appreciate, asked me to initiate t that's a long way of saying, I am not sure and I am not about to commit Kathryn to that.

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**Katz:** Good, all right. [ laughter ]

**Katz:** Is Kathryn here? Ben, do you -- oh, she's not here. Ben, do you have any information? Okay. And staff does, so we will ask staff. Further questions of steve? Thank you.

\*\*\*\*\*: Thank you.

**Sten:** One question, steve. Do you -- you know, I understand ross island's point of view and I think it makes sense. I mean, nothing is going to happen on this island. I am chairing an advisory committee that doesn't have any power, but will be making recommendations to deq and the city council and others and clearly nothing will happen on the island until that plan is done. And at this point, there's a stated agreement between dr. Paplin and the city, so, I have a hard time seeing what would happen that wouldn't be in the spirit of the greenway. I guess, the one -- so, I think it makes sense to have a final plan put together and then the regulations should, should meet whatever the plan says, and clearly, we are going to have something that's, that fits what people are trying to do. In terms of being in compliance with metro, you know, I had thought it might make sense to put the "q" in place, and then defer actually, I don't know what the right term would be, but designate it as a "q" zone but not actually make it effective until after the plan is done. We can still amend that when we put the plan in place, but I thought that that would be a little clearer that we had met the requirements. Does that sound right?

**Pfeiffer:** My sense, and I did explore that with katherine and chris. I can tell you that still gives ross island a considerable amount of pause because in effect, what you have done is almost created what some would say would be a foregone conclusion that the "q" will be there. I actually believe at the end of the day, ideally we would step back and see what the "q" adds, if anything, to the plan. It may add a process. You will be subjecting every activity to greenway review, which may or may not be what --

**Sten:** Believe me this, property is going to get a review so much beyond what greenway review would be, it's going to get a political review. It's going to get a financial review. It's going to get a citizen review that, you know, I understand ross island's point of view of flexibility, but I think that it's a moot point, to be blunt.

**Pfeiffer:** I think if you put the "q" on now and delay the effectiveness, you are going to be back into this ordinance one way or another to trigger it, the timings, the changes and all, and again, with our assurance that we consider it at the time, about the only issue that you would have is whether you would have to pay the cost of a quasi-judicial map change to "q." and as I mentioned to chris prior to the meeting today, one other thing that you could do is waive a filing fee as part of this ordinance for that later quasi-judicial application. [ laughter ]

**Sten:** The filing fee is the least of ross island's problem, let me tell you.

\*\*\*\*\*: Yes. [ laughter ]

**Katz:** Good try, steve.

**Pfeiffer:** You will be a co-applicant.

**Sten:** Again, I think, you know, what I want to be clear on is that, you know, I think that there's going to be just a dramatic public discussion of how to -- of what's going to happen with the island. The doctor demands that the city is going to need that, so I don't think that it's a particularly critical issue whether the "q" goes on now or not because of this much bigger scrutiny that's going to happen.

\*\*\*\*\*: And last, you may include elements of the "q" as you get further along in the plan. You may take some of the elements of the text or regulations and fold those into the management plan, itself.

**Sten:** But just to be blunt, if we are trying to show we are protecting the river, not putting a "q" zone on a park doesn't seem to be the -- that we are really, you know, establishing a ton.

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**Katz:** Let me bring staff up but Kathryn is here, and Gil is here, so come on up and let's, let's try to get to some closure on this one before we move onto university of Portland and other issues that have been identified.

\*\*\*\*\*: Well, I was just conferring with Kathryn, and I think --

**Katz:** Identify yourself for the record.

**Kelley:** Gil Kelly, planning bureau. I think as commissioner Sten noted, the fate of the island is really a matter of ongoing discussion, and it's, it seems fairly likely this will become -- or fall under the city's domain. We -- I am not sure, but given preference, we would express a preference for what commissioner Sten outlined a moment ago, which is that we would essentially map it, in preventing us from going through another legislative process in the future, but have a provision in the regulations which say that as long as there is an active management plan, that the, the requirements of the "q" won't be enforced or pertain.

**Katz:** Kathryn, do you want to address this issue? Grab the mike and identify yourself.

**Kathryn Beaumont, City Attorney's Office:** Kathryn Beaumont, city attorney's office. If I understand the two proposals before the council, one is to defer imposing the "q" overlay until such time as Ross Island has come back through with a revised amended conditional use and a revised reclamation plan or management plan. The other alternative is to map the "q" now but adopt some text that says that the, the regulatory provisions of the "q" overlay don't apply, as long as there's a management plan in place. I think you could probably -- I think you can do either alternative, and I think it really boils down to a question whether from a policy perspective you prefer one or the other.

\*\*\*\*\*: I frankly don't think --

**Francesconi:** I think we are arguing over very little, to be honest here. In fact, I think they are almost identical so let's -- I prefer going with commissioner Sten's approach. When we actually get to the issue of, if it's a park and it's probably going to be a park, then we are also going to be talking about what kind of park it's going to be, and it's going to have a heavy natural area component to it, so I think that, that let's just go with that and move on.

**Kelley:** I would also say that we have applied the "q" to other city-owned property so it would be consistent with that.

**Katz:** Okay. Ben, why don't you, since this is a nonemergency ordinance, and I would like to get it approved next week, can you kind of read the language for us so that we can have that and adopt it today, adopt the amendment that the "q" overlay -- is this the will of the council? Okay.

**Francesconi:** But it doesn't apply now as long as there is a --

**Katz:** Just a minute, just a minute. Apply the "q" overlay but it doesn't come into -- into play as long as there is a management plan in place. Or something to that effect. And read it back to us before we close the hearing on that so we can adopt it. Okay.

\*\*\*\*\*: We still have public testimony.

**Katz:** Yeah, I know.

**Christie White, 5000 N Willamette Blvd, University of Portland:** Good morning, I am Kristy White, 101 Southwest Main Street, Suite 1100, representing the University of Portland. We testified before the planning commission on the "q" overlay because the "q" overlay went from the water to the Willamette Boulevard, and covered all of the University of Portland. That raised some concerns for us, and we submit some testimony into the record at the planning commission that laid out really three reasons why that should be adjusted. One is that the University of Portland is committed to other uses under a recognized metro exception consistent with their May 1999 conditional use master plan. We thought that it strained credibility to think that there was a reasonable relationship between putting the "q" overlay up on the bluff and water quality of the Willamette given there was no other properties anywhere close to the University of Portland that also carried the "q" overlay. And lastly, that there is an existing river natural overlay on that property that requires that we find

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no signature environmental detriment from projects that we may do within that overlay. As a result of that testimony, the planning commission took the university of Portland off of the "q" overlay. Metro has raised some concerns about that, and they would like to come back with a lesser "q" overlay on the property, which is 50 feet from top of bank and basically, covers the distance between the river and about the railroad tracks, and we are here to tell you we are going to be good soldiers. [ laughter ]

**White:** And go right along with that. We think this is a laudable purpose. We think it's something that the city probably needs to do in compliance with title 3. I know that we are behind on it. We still think the relationship really strains credibility as to what the university of Portland could possibly contribute there, given the river natural zone but we understand this will sunset with the river renaissance program. We understand we are vested under conditional use, and we think that probably the better course here is to go with metro's request to amend for the 50 feet.

**Katz:** Thank you. Do we have, do we have language to that effect? Hello? Do we have language to that effect on the university of Portland?

**White:** Yes.

**Katz:** Where is it?

**White:** We don't have the map change.

**Katz:** Okay. Ben, can we adopt in concept --

\*\*\*\*\*: I have metro's map so I can provide that into the record.

**Katz:** All right. We can delay this for another week and then another week, that's fine with me. We will just have to tell metro that --

**Hales:** Delay is not unknown at metro. [ laughter ]

**Katz:** I just want -- if there is agreement on the part of the council, we shouldn't have a problem. Why don't you show the map to staff. All right.

\*\*\*\*\*: We are always slighted by our local government partners, though, for us promoting water quality, an issue that we don't have the title 3.

**Hales:** That's right, adopt it.

**Saltzman:** They are proud of the fact that they have their title 3.

**Hales:** That's true.

**Katz:** Did you want to testify?

**Jim Kuffner, University of Portland:** I do, thank you. I am i-5 kuffner at the university of Portland, 5000 north willamette boulevard, 97203. I am very pleased to be here this morning. I want to do two things. Acknowledge publicly, like I did before the planning commission, the wonderful work of chris scarzello on the title 3. There's no question about what has been a thorny issue and she has really listened well to a lot of people and respond to a lot of demands. But we were very, very pleased that the commission and the staff acknowledged the university's contributions to that bluff area in other ways. 100 years of operation as a university and we really love that river, and we just don't feel that we will make any kind of bad contribution to it. However, on seeing the map that came from metro, and understanding that, and again, I say to you we are willing to agree to that because that's what was shown to us. There is a strip of property that is actually outside of our master plan boundary that we own that's down on the river between that and the right-of-way of the railroad. Does not extend up to bluff, and if metro believes and the council agrees that it's important to map that area with the "q" overlay, then we are willing to say to you that we are willing to agree with that. We recognize how important the compliance and the adoption of this plan is, so I am hoping that the final amendment that the city attorney sees is the map that came from metro because our support clearly would be conditioned on that, but we thank you for the opportunity to work with you on this.

**Katz:** Thank you. Questions? All right. Yes.



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**Ben Walters, City Attorney's Office:** They have confirmed that that is the map that they have seen before from metro and they would accept that as being indicative, if the council wanted to approve it as an amendment today, that could be used as a reference point and they would have a revised map prepared and submitted --

**Katz:** Next week. Okay. All right. We will do that at the end of the hearing. All right. Anybody else?

**Katz:** Anybody else want to testify? Okay. Then, let's take the amendments on the, the "q" overlay for ross island, that come into play while there's a management plan in place. Let's hear that, and then let's hear the language on the revised map of the university of Portland, and then we will vote on it.

**Beaumont:** Kathryn beaumont, city attorney's office. I think the way we would propose to incorporate the language for ross island is to amend section 33.440.320, exemptions from greenway review by adding a new subsection in. To read "activities on the interior of ross island that are conducted pursuant to the ross island management plan," to the list of exemptions.

**Katz:** Okay. All right. Support for that by the council? All right. So ordered. Next. The university map.

**Kelley:** The map. We have examined the map provided by metro so, we have all looked at the same exhibit today. And we concur that that is the, the desire of all of the three parties so, we will use that as the basis for drawing an official zoning map that would be submitted as part of the second reading package for your action next week.

**Katz:** Okay. So, council approve a revised map for the university of Portland. So ordered. And we move all of this to second. Thank you.

**Francesconi:** Briefly, where are we going from here, dale, briefly?

**Kelley:** As I mentioned, there are two, two future efforts here. One with regard to satisfying title 3, water quality compliance with regard to the streams and that's being done through the healthy streams project along with other goal 5 aspirations. Along with the main stem, we are proposing next year to begin the river plan effort provided we have the budget to do that in which we would be addressing all of the river-related issues in a holistic fashion and those would include natural resources, protection issues, as well as economic development issues, and so that program may then come forward with a new set of maps, and rules. Not only with regard to water quality, but with regard to other issues, as well. So, it's our hope to engage property owners and the public in that process in a very active way in the coming year.

**Katz:** Okay. Thank you. Two

**Walters:** Two things, first off, for the record -- that was map three of six -- that would be substituted --

**Katz:** Correct.

**Walters:** And then secondly, the materials that were handed out by staff on the amendments -- that also needs to be approved.

**Walters:** That was the part that would allow deq --

**Katz:** Correct. All right. Council approve of those amendments?

**Hales:** Yes.

**Katz:** All right. So those will move forward, too. All right. 415.

**Item 415.**

**Katz:** Ruth?

**Ruth Roth, Office of Management and Finance:** Ruth roth, office of management and finance. And jim wadsworth from business license bureau. This is an agreement with the lloyd business district for bid collection services. This is the second agreement that you have seen in the past several months having to do with a new limitation on the fee billing service that business license is going to be charging the groups. This is consistent with the agreement that you had several months

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ago for app whereby the fee that business license charge is 1% of the total bills collected. And this was done over several months of heated negotiation with the parties and is consistent with your direction to encourage formations of the improvement district. Business license has been given a \$32,000 target adjustment in the budget for next year to, in a sense, keep them whole and not make them cover the difference between the costs of providing this service and the fees that will be collected. This is, this is actually very small potatoes in terms of the overall bids in the city. There's about 100,000 collected, and the billing fee is only about 1% of that, so it will come to about \$1,000.

**Katz:** Jim?

**Jim Wadsworth, Director, Bureau of Licenses:** I am jim wadsworth, director of bureau of licenses, and we have worked very hard with the lloyd bid and with omf to structure this agreement, and be able to provide them with the collection services that they need and do so in the most cost effective way.

**Francesconi:** Let me add something here. Commissioner Saltzman, this is that second one, you raised some questions about the first one. And actually, I was involved in these negotiations, and this one actually with lloyd center was a little heated to the point where some folks, and they were going to come here. They are coming here at 11:00, mayor, but we don't need to wait. But, they, they threatened to, because of the benefit to them, wasn't sufficient, and the cost -- given the cost, we are going to end up charging for collection of this more than 10% of the total that they weren't going to go ahead with the bid. They feel that strong the about it. And so by limited to 1%, since it's advantages providing some services that we might otherwise provide, the idea of hooking them in more made sense. This is only going to cost \$1 or \$2,000 more. I thought it was more. I thought it was four or five for lloyd bid, versus app -- \$5,000. So that \$32, \$5,000 -- \$27,000 was the downtown, 5,000 is this one, and I thought that was a small price to pay for the, for the services that will get paid by the private sector in exchange for this. So, I think it's a very good deal for the public and for the private sector, and I recommend this.

**Saltzman:** So the 32,000 covers both downtown and lloyd?

**Francesconi:** Yes, yes.

**Saltzman:** I agree.

**Katz:** All right. Public testimony? Anybody signed up?

**Francesconi:** Maybe you could just say a minute about what they -- what the bid provides. I have forgotten.

**Roth:** The bid provides supplemental transportation management, district attorney prosecution and the lloyd district fareless swear transit extended over to the lloyd center area and job development services within the district.

**Francesconi:** A good deal for \$5,000.

**Katz:** Thank you. Nobody -- nobody wants to testify? On this item? If not, roll call.

**Francesconi:** We don't need to wait, but thank you, council. Thank you, jim and ruth for your help on this. And hopefully, we can have more bids and more business improvement districts and they don't need to all be patterned on this one. There might be a way to do it more efficiently and cheaper, aye.

**Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

**Katz:** Mayor votes aye. 416.

**Item 416.**

**Katz:** Come on up.

**Gordon Wilson, Portland Parks and Recreation:** Good morning. I am gordon wilson, for the record, with Portland parks and reaction, and with me is susan hathaway, our property manager for Portland parks, who negotiated this agreement with tri-met. What it does -- it does two things. One is it provides -- it allows tri-met to use some of the pir's land for mitigation purposes, for --

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mitigation is required as a result of a portion of the, of the interstate light rail project. The other thing it does is, is it builds, allows tri-met to build a park and ride lot at pir that will also serve pir. It's a joint use on weekends, it's primarily pir and on we can days, primarily park and ride. So, it's a win-win kind of situation. Tri-met will be building it and maintaining it, and pir will get limited use during the week, mostly it's use will be on the weekends.

**Katz:** Questions? Anybody else want to testify? Roll call.

**Francesconi:** S that terrific thing. This is good for pir. This is good for north Portland. This is good for air and water quality, aye.

**Hales:** Good work. There are a number of places in the country where you can take light rail to shop or go to work or to the theater but this is probably the only one that you can take light rail to a drag race. Aye. [ laughter ]

**Saltzman:** Aye.

**Sten:** Good job, aye.

**Katz:** Mayor votes aye. 417.

**Item 417.**

**Hales:** I think we have a team from tri-met here to make a presentation about this, as well as pdot staff as well, available to discuss this.

**Katz:** If anybody remembers, this was continued. I know, I know. I see you here. This was continued from april, I think, and the council basically told the neighborhood and tri-met, get back to work together again, and they have come back with this, and we need to hear from both. So, let's, let's hear from tri-met first.

**Saltzman:** Do we have a copy of anything in front of us? That soldier is empty.

**Katz:** That's because it was something that was in your previous folder.

**Saltzman:** Yeah.

**Katz:** It was an item 195.

**Saltzman:** Okay.

**Sean Beatty, Project Manager, Tri-Met:** Mayor Katz, commissioner, good morning. Thanks for having us. I am sean betty, project manager with tri-met, managing the powell lift project. That's the project with street vacation is related. And on my right is lynne, who has been working with the community on this issue. I want to provide a brief background on this street vacation, with regard to what they are actually planning on doing with the land. The land is needed to develop a base for lift buses. Lift program is a program that provides on-call transportation service for the elderly and disabled community in Portland. In part, because of a federal requirement through the americans with disabilities act. It's highly used, program has been growing for some time. The services provided with small buses on chassis and the current location of the facility that we are planning on relocating at the powell site is on leased land. The site in question, excuse me, tri-met owns approximately an acre and a half of industrial-zone land adjacent to the industrial powell facility at i-205 and powell. That land is unique in that it allows us to efficiently deploy the lift service because of the location of that facility with regard to registered lift riders. The right-of-way vacation in question, there's a small portion of the land that is currently city right-of-way. It's completely surrounded by tri-met-owned land. We circulated a petition to vacate that land. That land is currently unused, and in our opinion, serves no public purpose. Vacation that far land would allow tri-met to put that land to a good public use. In summary, the facility we are planning on developing in part on this vacated land is required by the ada to provide lift service, services are definitely a benefit to the public. We own all the properties surrounding the land. The land is industrially zoned. And as I said, the right-of-way currently serves no public purpose. I am going to turn it over to elizabeth to speak directly to what we have done since the last time we met in february and talk about the work that we have done with the neighbors to address their concerns. Thank you.

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**Elizabeth Davidson, Community Affairs, Tri-met:** Good morning, council. I am Elizabeth Davidson and I work in community affairs for Tri-met. And for the last two months, we have been working very closely with the neighborhood associations and the local residents in the neighborhood to not only give them or provide them with a better understanding of Tri-met's need for this project as well as our lift customers, but also to glean kind of a better understanding of what their specific concerns about this project are as a whole. Now, despite the fact that our deeds specifically, specifically states that the site is to be used for transportation purposes, we are also very -- we are very aware that this particular -- this type of project in this kind of neighborhood is going to generate a fair share, is likely to generate some concerns from the neighborhood. So, because of this, we have had several discussions with the neighborhood in several different venues over the last two months. Those have included public open house, about the project. We have also had a site tour with the local residents to describe the project and talk about concerns that they have, and we have also held six public meetings specifically related to this project. So, at this point now we, as a result of the discussions that we have had with the community members, we are now working with the Lents neighborhood association members on a good-neighbor agreement, which basically not only details their concerns, but also talks about the mitigation that we are willing to take to address those concerns and I think that overall, it also speaks to our willingness to maintain our relationship as a good neighbor to, to the local residents who may be affected by this project, so I would be happy to answer any questions that you might have --

**Katz:** Talk about the 36 trees you are going to remove.

**Davidson:** We are planning to remove 36 trees, but as part of the landscaping effort, that will provide a perimeter buffer around the specific site, we are planning to plant roughly about 55 new trees.

**Hales:** So you might want to describe what else in the good neighbor agreement you are going to be doing.

**Davidson:** Yeah. Some of the good neighbor agreements are, have also dealt with the existing facility. When we, we toured the facility with the neighborhood, one of the things that we came to realize was that lighting was a definite issue, so we have actually made some adjustments to the existing lighting on the site, but in addition to the, the -- that will help spill -- will help mitigate the spillover to the, to the neighboring residents. In addition to that, as part of the good neighbor agreement, we are also currently working on -- working with the lighting consultant to look at other ways that we can address those lighting issues. Other things include we have incorporated some of the neighborhoods, specific requests and concerns for perimeter landscaping with regard to certain types of trees. We have also made adjustments to the wall that will be built around the existing facility. We are going to increase its height in an effort to mitigate potential noise, and, John, can you think of anything else?

**Beatty:** I would jump in on the trees, in addition to looking at the perimeter landscape specifically and how that can address future and existing lighting, we are also looking at augmenting the existing facilities landscaping with additional trees, as well. We discovered through this process that there were issues, as Elizabeth outlined with the existing facility, and it's been good to learn those things because I think that we can incorporate those lessons into the development of the new facility adjacent to the existing.

**Hales:** So you are removing 36 trees and re --

**Saltzman:** You are removing 36 trees and replacing them with trees facing the street?

**Beatty:** Correct.

**Francesconi:** While we are speaking of lighting and Lents, can I add that amendment?

**\*\*\*\*\*:** No.

**Katz:** No. [laughter]

**Francesconi:** To the light Raymond Park? What do you think? Huh? [laughter]

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**Katz:** Further questions? All right. We have other people who want to testify.

**Katz:** Come on up.

\*\*\*\*\*: Thank you.

\*\*\*\*\*: Thank you.

**Katz:** Are you the only one that wants to testify?

\*\*\*\*\*: Yes.

**Katz:** Okay.

**Ed Jordan, Land Use Chair, Lents Neighborhood Association:** Again, I am Ed Jordan, the land use chair for the Lents Neighborhood Association. And I am here today to address the Tri-Met Lents facilities proposal. It's been a rather long two months for us, and we have had a lot of work which we have done, and I would like to go directly off my testimony that I have written in order to just condense it down simply for you. I want to say that for starters that the neighborhood association, the neighborhood and Tri-Met have worked very hard in these last few months to address the concerns with Tri-Met's proposal to expand the facility to accommodate these lift buses. Tri-Met had not been all that aware initially of the issues related to the proposal, that the neighborhood felt would be of signature impact to them. Many of the issues are very complex given the dynamics of this particular area of Portland and the representatives, primarily, myself and the land use committee for the neighborhood have been very vigilant in seeing these issues were recognized and dealt with in terms of, of the relative importance and stability of the area. The issues of traffic flow, the support of infrastructure and air quality are still on the table. These are elements that are going to take and require more time to understand as we put more vehicles in there and the dynamic relationship of our traffic engineer in that area is very important to the neighborhood because 99th street is our only north access out. Also we have the 9-1-1 communications facility there. They are also players on the interactions of the neighborhood and the liability of 99th and Powell. We do have the -- that is the closest intersect to 205, so everything is real close, but yet we have only one point of access to it. Any other point of access, of course, is the recircumnavigate d back to Holgate and come back to 92nd and to access the freeway. So, that's why we had very reasonable concerns about this proposal and what, what we foresee down the, the pipe, so we want to be sure that we have that. We recognize this and address it. Okay. Let me see where I am at. Many of the elements related to the landscape, and the neighborhood and the setback questions, which we were concerned about, they have been resolved. The latest revision of Tri-Met's proposal in dealing with these particular elements are more to the neighborhoods' favor and we appreciate that work that has been done. However, as we move forward, we are going to go ahead and reserve that position as we progress to insure that one that, our neighborhood is dealt with fairly and responsibly in time. Elizabeth had related that we had had a total of a number of meetings. Four meetings, specifically, with the land use committee and Tri-Met reps on discussing these particular issues and what we can do in terms of solutions and working them out to where we can get an equitable presentation that's acceptable not only for them, but for the neighborhood. So Tri-Met has helped us very much to get to this point. We really appreciate that. The final element for the neighborhood in the Lents neighborhood association is working with Tri-Met in that good neighbor agreement. Now, I do have a rough draft that I would like to leave with council today --

**Katz:** Thank you.

\*\*\*\*\*: And it is just a rough draft.

**Katz:** All right. Ed, your time is up so, close your testimony.

**Jordan:** All right. Well, then I will skip on down. In closing we would like to say that the time element for responding to the work with Tri-Met in this proposal has been pretty much a burden for us because there is so much to it. And we have loose ends still yet to be addressed. We hope that Tri-Met will hold with the neighborhood and the final agreement continued to work with us as we move forward in addressing these issues. So, that's all we have to look forward to.

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**Katz:** Thank you. Anybody else want to testify? All right. I will take a motion.

**Hales:** Motion to adopt the report, please.

**Saltzman:** Second.

**Hales:** Do we -- I guess we do need to prepare an order.

**Katz:** We need to prepare an ordinance.

**Hales:** Thank you.

**Katz:** Do I hear a second?

**Saltzman:** Second.

**Katz:** Roll call.

**Francesconi:** Aye.

**Hales:** I just want to thank and commend the good work that's been done here in getting the "yes," obviously a necessary project but also a necessary dialogue with the neighborhood so thank you for having that conversation and improving the project and also improving the good neighbor relationship, I mean, a document is important and you are going to have a document, but the conversation and the willingness to work together is more important than that so thanks for putting the effort into that, aye.

**Saltzman:** I appreciate the hard work of tri-met and working with the lents neighborhood to come to a good, a good neighborhood agreement. Thank you. Aye.

**Sten:** Aye. As good neighborhood agreement. Good job. Aye.

**Katz:** There is still issues that need to be resolved. Everybody thanks tri-met for their willingness to spend some extra quality time working out some of the details with the neighborhood, and my thanks to lents and to the neighbors for identifying some of the issues for us and for staying with it to help improve your community and thanks to the council forgiving both the lents neighborhood, as well as tri-met some additional time to work these issues out, and I hope that both will continue working the issues out in the good neighbor agreement. Aye. Thank you, everybody. Where are you from? Nice to have you here, but we are going to have lunch. We stand adjourned until 2:00.

At 10:46 a.m., Council recessed.

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**Katz:** Karla, please call the roll.

**Francesconi:** Here. **Hales:** Here. **Sten:** Here.

**Katz:** Present. I think commissioner Saltzman will be in later, if we are still here. All right. Let's take item 418.

**Item 418.**

**Katz:** Commissioner Saltzman is here. Let me just say, because the city attorney suggested that I do that, my name is at the bottom of the report, but I need to share with you that despite the fact that my name is on the bottom of the report, I have not made my mind up on this issue, and I am open as we hear the discussion. All right. Who wants to come and testify? Come on up. Come on up.

**Mike Saba, Portland Planning Bureau:** Good afternoon, mike, Portland planning bureau. To my right is sarah stevens from the development staff who administrators the program. We will do a very quick introduction to this, and allow the appellants to speak. This, essentially, is a request for approval under the limited tax exemption for new construction in distressed areas. Seem to be called, home buyer opportunity areas, as a result of the amendments you do last week with the meeting for this program. That goes into effect may 8th -- or may 10th. This is, essentially, an appeal of a denial of a particular case, but the basis of the appeal, essentially, is the planning commission's mapping of distressed areas which was done during the last round november of 2000.

The appellants' property was not included in that mapping in the distressed areas, and they are contend that go essentially they should have been included in the distressed area for the reasons that they will explain. Staff is here really just to be here if you have any questions in terms of the process that went into this last round of distressed area designation. We have had this program for about ten years now. This was about the fourth round of mapping for areas eligible under this tax exemption program. Very briefly, about ten years ago when this program was adopted by city council, staff from the planning bureau was authorized to recommend to the planning commission after consulting with staff from pdc and the bureau of housing and community development areas to be eligible under this program. The, the general statutory and code requirements are kind of two-layered. They first require a finding that based on social or physical or economic factors, that the area is detrimental to the house safety and welfare of the city because of the large number of vacant and abandoned properties or other factors like that. The second tier of designation criteria involves any policies that have been adopted from any area, community, or urban renewal plans that indicate that this incentive should be there to carry out any city revitalization or housing policies. As I said, november 2000 marked about the fourth round of designation. We are required to do this at least every three years. Unless the planning commission's decision or mapping recommendation is appealed, it is time. It would not come to council otherwise. The code as written had no deadline for that appeal, so the appellants before you today have the right to appeal this mapping decision because there is no deadline for this appeal. With the code amendments you adopted last week, there is now a 30-day appeal, so at least we can contain that issue within some reasonable time limit.

> I don't have much else to say, unless you have any questions on this case or the process in general, and if sarah has anything to say to this.

**Katz:** Well, let me ask -- is it a, an error in that the property is very close to the boundary or is the property just totally outside of the boundary?

**Saba:** The property is about four blocks --

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**Katz:** Four blocks?

**Saba:** From either side. It's not across the street. You probably should know the last round depended less on economic or social or census data since we didn't really have the benefit of the 2000 census but was determined by the boundary of the north district urban renewal district. In fact, that's letter in your packet from the planning commission to the appellants stating, bottom line after explaining the process, that had they been included in the interstate urban renewal district, it is likely they would have been included in the boundary for distressed areas because we were guided by that process in studying the boundaries in the northeast part of the city.

**Katz:** Let me ask another question, I probably should know the answer. Was that part of the area ever included?

**Saba:** No. In fact, another aspect of this you should know, is that when we looked at the initial round, we used neighborhood boundaries, so the piedmont neighborhood, which is the site of the appellant's house, really never -- it was simply looking at an objective sort of ten worst neighborhoods in a variety of characteristics, so the piedmont neighborhood, as such, was never included in the initial round unlike boise, woodland, humboldt, king, elliot, the original neighborhoods. So, the reason parts of the piedmont neighborhood were included, as I said was, because they were included in part of the interstate urban renewal boundary.

**Saltzman:** I didn't quite understand your -- about the map boundaries, so they are currently appealable?

**Saba:** They are in the sense that the code says that the planning commission's action is final unless appealed. And there is no time limit for that appeal.

**Saltzman:** But when we adopted the revised ordinance a few weeks ago, didn't we claw new map? We didn't?

**Saba:** No. You just renamed those areas from distressed areas to home opportunity buyer areas but the map was actually adopted by the planning commission back in november of 2000.

**Katz:** Commissioner Hales.

**Hales:** I think I understand that procedurally. Can we spend just a minute on it qualitatively. Miss emschwiler says in the written testimony, they characterized the condition of the area in terms of the number of houses that need rehabilitation and the fact that there is still vacant lots. How do you -- do you agree with that characterization in terms of the condition of this excluded area?

**Saba:** That's highly subjective --

**Hales:** I know.

**Saba:** I drove by there yesterday and talked to the appellants, too. I mean, on a visual inspection, I would say the area of north of lombard would be a candidate. It is zoned properly and it probably is in, in a worse sort of condition than the area south of lombard. And again, just subjectively looking at the blocks of williams where the appellants' property is located, I would be hard pressed to say that this is a distressed area. Now, the appellants' point is that there are several areas that are mapped as distressed areas that you could say the same thing about, as well as you could say that there are properties that could benefit from the program that are not within the mapped areas. Throughout the process, staff, planning commission acknowledge that had we are looking at areas, this is not a property-by-property assessment. We have always known that there are properties that could benefit. There are lots that can benefit from this program, but they are not mapped, simply the process doesn't account for that kind of property-by-property assessment. We look at areas. And we are constrained further by not being permitted to extend the boundary to say more than 20% of the land area of the city. So, and the standards pretty much are the standards for



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designating urban renewal districts so they are kind of the standards that we are still using because they are part of the statute. So, yes, staff acknowledges that there are properties that are not within the mapped areas that could benefit from this program, but the process for looking at those and mapping those areas is not, does not allow for a property-by-property assessment of qualification.

**Francesconi:** Are we at the 20% now?

**Saba:** We are about at 15%, and including this area, that's proposed by the appellants, wouldn't put us over the 20% so that's not an issue.

**Francesconi:** The problem that I am having now, and it doesn't sound like we have any criteria for drawing the map. Urban renewal is kind of -- as I recall, how we drew interstate, wasn't exactly scientific in its approach.

**Saba:** It is required to follow statutory criteria for designation. We didn't follow exactly the boundaries we excluded areas that were commercially zoned, for example, or industrially zoned, so we used those as a guide, and that, as I said is, the second tier for designating the areas. If the city adopts any community, neighborhood, or plans that indicate by policy that this benefit should apply to those areas, also, we follow those in discussing this with pdc staff, as well as bhcd staff.

**Francesconi:** In the discussion of the mapping or the areas, has there ever been -- we would have to go through some process and we don't have time to do it now, but was there ever another way suggested as to how to approach this? Other than the urban renewal area approach?

**Saba:** No because we felt that that was the logical basis for making that decision for expanding those areas in that part of town.

**Francesconi:** Okay, and as you are sitting there, you can't think of a more logical approach?

**Saba:** No.

**Francesconi:** Thank you.

**Katz:** Let me ask another question, so if somebody can appeal a map, has that happened before?

**Saba:** No not in this program.

**Katz:** All right. Yes, linda.

**Linda Meng, City Attorney's Office:** I am not sure that that's a definitive answer. The code does not have a deadline for appeal. However, I believe that the council could decide, you know, that a reasonable amount of time for appeal would be allowed. This decision was made in november of 2000, and a year and a half later, may not be a reasonable time for appeal. So, I guess I don't want to leave it standing that anybody can appeal forever from the november 2000 decision, and have that go along that that could be appealed. I think the council has the ability to say, are -- a reasonable time, a certain amount of time and call an end to it there.

**Katz:** Okay. Further questions? All right. Let's hear from the appellants. Keep her.

**\*\*\*\*\*:** Good afternoon.

**Katz:** Identify yourself for the record.

**Fred Kepler, Appellant:** Fred kepler. Appellant. And maya emschwiler. And I am going to essentially read what I have here. It will keep me focused. First of all, we are not here to argue with the overall goals, or intentions of planning bureau. The piedmont section, particularly the section north of Portland boulevard should have been included when the boundaries for the economically distressed areas were redrawn in the year 2000. We are asking for this oversight to be corrected, retroactively to include rehabilitations and new construction started and completed in the years between the update and now. That's the essence of our appeal. When we were moving in, this is anecdotal, but it gets to the issue, we bought our house from a developer named lauren martin, who specializes in the north Portland area, and in fact, submitted written testimony, I believe, when the boundaries were redrawn last time around. When I met him, I was waiting with

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his foreman for our final inspection on the house. We had purchased the house prior to its completion, and when I met him, he was saying that he was proud of his work. He likes working in this that should, and he said oh, and you will do very well because as you know, as you might know, this area is included for limited tax abatement, and I actually had to correct him on the fact that this area had been, essentially, notched out of the areas that were included. My point here is not that we were hood within winked. We went into this with our eyes hope, but an experienced building, someone who specializes in the north Portland neighborhoods was under the impression this area was included. This is a man whose sight trained, who knows property values, and he did not see any discernible difference between the neighborhood where we were and the neighborhoods that are included. Other neighborhoods where he had developed properties. We believe -- we understand that the goal of the program was and is to upgrade neighbors, initially by clearing abandoned housing and encouraging new construction, now and under the new name, the, and rules, the homeowner opportunity program, the goal was to support neighborhood disability. The one instance where mike indicated, other neighborhoods are included that may not necessarily fall into the, into criteria, under these criteria, the one instance that we noticed was the corner of, of northeast fremont and 21st, which is directly across the street from the irvington neighborhood, which is a very well to do neighborhood. You cross fremont and 21st to the northwest corner. There's no visible difference between the properties, between that and irvington, and yet, it is a designated area. As we understand it, the initial boundaries --

**Francesconi:** It is?

\*\*\*\*\*: Yes.

**Francesconi:** I go by there every day. [ laughter ]

\*\*\*\*\*: It's --

\*\*\*\*\*: If you want to rehab your house --

**Saltzman:** Alameda neighborhood. [ laughter ]

**Kepler:** If you look at the map we submitted, it's indicated, that is one of the designated areas. We are not arguing with that, as we understand it --

\*\*\*\*\*: You should be.

**Kepler:** The initial boundaries were drawn with broad strokes to insure, including the rest of the sabin neighborhood, which is the areas closer to mlk boulevard, areas that absolutely have benefited from the various designations, for either urban renewal or for rehabbing and building new properties, particularly infills as we understand the intention of the program. We are not arguing -- and it would be silly to imply or suggest that anyone is going to try to build a \$150,000 house on a lot where they could speculatively build a \$300,000 house and easily get that price. It would be a money-losing proportion. No one is going to take advantage of that in a case like that. What we are arguing is that our neighborhood is, is, essentially, similar to that, although not quite as upscale as, perhaps, irvington. Nowadays, in fact, the pdc routinely devised neighborhoods, and my point there was that they used the saibn and irvington neighborhood boundary to say determine where to draw those lines. Where to determine or designate an economically depressed, so-called economically depressed area. Nowadays, the pdc more routinely devised neighbors when redrawing the boundaries. In 2000, piedmont was divided to include the rosemont development into the designated area. What is now called the home buyer opportunity area. But, the northernmost portion of our neighborhood, the piedmont neighborhood, which I believe is arguably the portion most in need of help, was excluded from this designation. And mike even said, mr. Saba said the area north of lombard is visibly different from the rest of the neighborhood. And yet, areas south of this were included in order to include rosemont. The inclusion of the rosemont

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development went as far as splitting census tracts, and we have got a couple of xerox maps here. We didn't have time to include them in the packet that we submitted earlier but we are happy to submit those -- or pass them around, but they did go as far as splitting census tracts in zig -- in designating the rosemont area.

**Katz:** Is the time -- the clock not working?

**Moore:** I am not sure how much time we are giving them.

**Katz:** How --

**Kepler:** I will speed through.

**Katz:** Why don't you finish up.

**Kepler:** Okay. We have photos of our neighborhood. Some of the more run down houses that are there. They visibly are in need of rehab or change. We have maps to show that, to the east, west, and south of us areas are designated as the new home-buyer opportunity areas formerly distressed areas. To the north of us is the, the interstate urban renewal district, and this, essentially, creates an island, if you will, that has been excluded from any availability of help. The northern-most portion of the piedmont neighborhood has been excluded. There's empty and derelict housing along garfield, derelict businesses along mlk in our neighborhood.

**Katz:** All right. Why don't you -- I think we get your point.

\*\*\*\*\*: Okay.

**Katz:** Let me see if there are any questions.

**Sten:** When did this house get built?

**Maya Emschwiler, Appellant:** The house, the construction was begun in january of 2001. Was complete and had transferred us to may 16th --

**Katz:** You need to identify yourself.

**Emschwiler:** I am maya emschwiler, 7222 north williams.

**Sten:** And then I guess, you studied this program and you know, I almost hesitate because I don't want to ask personal questions but you are asking not to pay taxes. Do you qualify under the income deadlines that now exist?

**Emschwiler:** In fact, I do, and that's a very personal element to why I am here. But, I do feel that on behalf of the neighborhood, that the neighborhood would benefit -- I am active in the neighborhood association and I believe that I have their support. In fact tomorrow night I am the nominee for the new land use chair for my neighborhood association, so --

**Sten:** I don't want to ask you on the record, just that I struggled l.a. Years with whether or not to cancel this program for the reason that a lot of the areas that were underdeveloped and abandoned are really in pretty good shape, and the average price in piedmont is pretty aggressive these days, and piedmont proper. It's well over the price of your house, is my suspicion. And so instead of getting rid of it because I don't think the physical circumstances, to be blunt, really, I don't think that you can really say northeast is a depressed real estate market any more by my estimation, sponsored legislation to change it, so it was more tied to income level so that it wasn't just sort of people who didn't need it, that's why I was asking, not to put you on the spot but I think that that's the spirit of the new program.

**Emschwiler:** I appreciate the opportunity to share that with you because as I did my taxes for the first time as a new homeowner, I was so proud and so delighted but so horrified at what the bill was, I mean, I had never had to itemize anything before. And although you get that writeoff, it's just not quite the same as paying those taxes for the first time. I am a part-time community college instructor. I bought my first house by myself with my father's assistance, and I have to give credit to that. I am not sure that I would have been able to do it at all with my income without family

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assistance, but as an adult, you can understand it's hard to ask dad to help you pay the mortgage and the tax bill so this is an opportunity for us. I also think it would be very helpful for the neighborhood in terms of rehabilitations. Admittedly, there is not great amounts of open space in piedmont to do infills, although I believe it is consistent with the emphasis of the program to encourage development close to the city center as opposed to sprawl out past maywood and out past woodstock and getting more people on the freeways trying to get into work.

**Katz:** Thank you. Further questions? All right. Thank you. Mike, come back for a second. The planning commission redo their maps.

**Saba:** We are do to review them next year, 2003.

**Katz:** And you would be using what --

**Saba:** We would have the benefit of the census data, affect that go address's income, family type, housing conditions, the cost burdens, those types of things that we don't have now.

**Katz:** So when the planning commission did the maps in 2000, what did they use as.

**Saba:** We used, and the report actually is in your packet --

**Saltzman:** Did you say you used urban renewal boundaries?

**Saba:** We used two-tier basis for designating where policies, adopted policies related to plans or renewal districts so, yes, that guided it in large part in northeast Portland.

**Katz:** The reason I asked the question is because, because of the census data, the commission probably needs to reexamine the lines.

**Saba:** We will probably have the freshest data.

**Katz:** They may be narrower than they are today.

**Saba:** That's possible. In fact, the last round did drop some neighborhoods, too. We confined, I mean, we dropped some of the neighborhoods that had been designated.

**Hales:** And I know we reupped the program. What happens to somebody who is under the exemption if, if on that basis, we legislatively change the areas?

**Saba:** In this case, you mean?

**Hales:** No, in any case.

**Katz:** Somebody who is in it now --

**Hales:** Your area gets taken out --

**Saba:** They would enjoy the remaining years --

**Hales:** It is grandfathered for the individual homeowner, just not made available to anyone else?

**\*\*\*\*\*:** Right.

**Hales:** Okay.

**Katz:** And when the ownership changes hands, then --

**Saba:** Under the current rules, the house retains the abatement. Under the new rules, you adopt it but go into effect january next year, the new purchaser would have to meet the income limit and live in the house.

**Katz:** Okay. All right.

**Saltzman:** I guess I need to really understand sort of the, the heart of what the appeal is about. The appeal is that the denial of the limited property tax exemption, now, is that, is that limited property tax exemption absolutely tied to the map?

**Saba:** Yes.

**Saltzman:** I mean if, a property otherwise meets all the criteria and the owners meet the criteria, that's -- it's tied to the map?

**Saba:** This is the basis of their appeal. They were rejected because they are not included in the distressed area --

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**Saltzman:** Not because otherwise they might have met, had they been in the distressed area they might have met all the criteria, otherwise?

**Saba:** Probably, yes.

**Saltzman:** Okay. So, the map would be redone next year?

**Saba:** It will be reviewed again next year, maybe changed, may not be, depends on what kind of findings we have in the census.

**Saltzman:** And if they get included, are they then eligible to come back?

**Saba:** No, the code states that the, the house had to begin construction, be completed by the while was designated as a distressed area.

**Hales:** Well, and on the other hand, if a number -- if a number of areas get taken out because economically in housing, value-wise, they have, you know, gentrified the word we use sometimes out of the qualification for the program, then whoever is in it, whether it's these folks or anyone else are the last of the line, for that particular neighborhood. So, in other words, you know, the issue, the larger, when he talked about just recently in -- the larger issue we talked about just recently in how relevant it is in a city that's no longer as distressed as we were in these neighborhoods ten years ago, you know, that's going to get visited again with the question of the map.

**Sten:** These -- this house was not in a, was not in, in '96, so whether it should have been or not has never been in the neighborhood so, no knowledgeable builder would, would, has never been on the map, would think that it's -- you could be mistaken but if you were paying attention, it's not like it was pulled out in 2000 after the person bought the property. Okay.

**Katz:** Okay. I need a motion.

**Hales:** Well, I think that I am going to move to grant the appeal, and if there are people that want to do that, I will explain why.

**Katz:** Okay.

**Saltzman:** I will second for purposes of discussion, at least.

**Hales:** Well, here's my rationale, we are going to revisit the maps. We used to have some language in the zoning code about what we then called variances and we now call adjustments, and I am not sure if that language survived the change but we used to call it a right of opportunity enjoyed by others. When you were applying for a variance, you know, back in the '70s or '80s you had to demonstrate you were asking for a right or an opportunity enjoyed by others and it seems like that's what these folks are asking for, and we have to continue to revisit the policy question of whether that right or opportunity ought to be afforded to people in general and in the district or city at large but I can't -- it doesn't pass the straight face test to me that 21st and fremont is in and this area is out, at least for now.

**Sten:** And I understand, I think you make a good case. I just think that, you know, there's no point of having a distressed program if you don't at some point draw a line. The builder knew it wasn't this there. The buyer knew it wasn't in there. They qualified to buy the home with their lender knowing that they were going to pay taxes. The actual criteria, and I think you do qualify for the spirit of it, is who signed the note, so if your father signed the note, it's both your incomes by the new rules, so I mean, I don't think that anybody who was in this transaction had any reason to believe whatsoever that they weren't going to pay property taxes, so if we get in the business of saying, you know, if you are in an area that's not designated for a property tax break, but you decide you want one and you are smart enough to come to the council, you get one, there's got to be boundaries or not, and I am totally willing to look at whether this should be in there. This didn't get qualified in '90 when northeast was really distressed. Property in piedmont is routinely going

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for \$3 to \$400 a pop. This is not a distressed neighborhood. This house is going to appreciate dramatically. You are going to do very well on this thing, so I don't think that it's, you know, it's something that we can go in retroactively and say, well, maybe it should have been in there. Even if it is a nice person, who generally, you know, I don't have any reason to believe wouldn't sort of fit the spirit of it. It's not in the area. Nobody was under the illusion it was.

**Katz:** Well, and it also opens up possibilities of every, everybody who thinks that they ought to qualify will be here on appeals.

**Hales:** Well, it is just for new construction now.

**Katz:** There is considerable --

**Sten:** Rehabilitation --

**Hales:** Rehabilitation, yeah.

**Sten:** I am not saying it was exactly right. I was went anywhere near the decision in 1990, but the sabin neighborhood was included in 1990, which includes that corner, and this is neighborhood had dramatic amounts of vacant abandoned housing. There wasn't any in that corner of the neighborhood so the council that passed in 1990 was in no danger of giving away property taxes on 21st and fremont, just used another arbitrary line. The neighborhood association uses the urban renewal, and you will have to use some line, and so I think using neighborhood boundaries or urban renewal boundaries makes sense. They are all imperfect but you are going to have to draw some sign. And any time you draw a line, you are going to be able to find a corner that's not distressed, and a corner that is distressed. But, if somebody -- if this had been in there before 2000 and suddenly was pulled out and the builder had some reason to think this, I would be a little more inclined but it's never been in the program.

**Katz:** Okay.

**Saltzman:** Based upon the discussion, although I am sympathetic to the point you are making, commissioner Hales, and also sympathetic to some of the arbitrary degree to which the boundaries do include properties, certainly wouldn't pass our test of being distressed by any means, I do think that there is more risk to sort of arbitrarily changing a boundary at this point.

**Katz:** You withdraw your second?

**Saltzman:** If that's the appropriate way, I can withdraw my second, unless you want to vote.

**Hales:** I don't care.

**Saltzman:** I will withdraw my second.

**Katz:** Do I have another second? If not I need another motion.

**Francesconi:** I will move we deny the appeal.

**Katz:** Do I hear a second?

**Saltzman(?):** Second.

**Katz:** Roll call.

**Francesconi:** It doesn't make any sense to grant this appeal because it would open up the world, who could do this, and you know, we have to pay for police, fire, parks, basic services to make your home investment worthwhile, and this takes directly out of that. Having said that, the way we are drawing these lines, you know, doesn't make sense to me. Between 15th and I could see it at 15th, but between 15th and 21st was never distressed in the last ten or 15 years, so we are going to have to have a better way of approaching this next time. Or we are going to just have to slink shhh rink, you know, we just target a certain percentage of people that we want to help city-wide but we can't do it the way we are doing it. Because, it's too arbitrary, frankly. If that's the system that we have got to change it now and make it more arbitrary, aye.

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**Hales:** I am going to vote no but I guess one thing that I want to note, look at this map in, in the council packet, there are no neighborhoods in the current system east of 205, and I think when we redo these maps we are going to be dropping large areas in what were distressed areas, and adding some others, you know, on a different, perhaps numerical basis than before. But, you know, you talk about the areas that are really distressed now and need this kind of program, it's out in hazelwood and those neighborhoods east of 205. Just, erik, look at this map. This is nothing east of 205 today so, I think that we are actually in for wholesale changes here regardless of what's happened in the record of individual cases up to now. You know, it's another sign of success, actually, that we have this problem, so you know, that's going to be an interesting exercise. No.

**Saltzman:** I think that the best course to go is to redraw the map with the benefit of a new, brand new census that we will have, finally have the information on, and appreciate your arguments and your, appreciate your investing in the neighborhood, too, but I don't think that given that you knew ahead of time what the ground rules were, this does not justify our granting the appeal. No. -- no, I am sorry, yes.

**Sten:** I think you are making a fair argument. I think you have every right to make the argument, and I am glad you did. I would also like to say, I don't think you will ever get the map completely right. I think it absolutely should be withdrawn. I think if you study the program, the price of the house is capped at 150,000 is the likelihood, if you catch a bit of a high end neighborhood, as they pointed out, the likelihood of a builder coming in and saying, rather than build a house that I am going to sell for \$400,000, which is the going rate in those neighborhoods, I am going to build it for 150, to save the property taxes, is almost nonexistent so we should cut those ones out but there shouldn't be any, any sort of impression left with people that in those parts of sabin that weren't distressed there is people not paying the property taxes because they didn't -- it didn't work out that way. It's really much more, when they drew it in 1990, which was before me, and I wouldn't put sabin in at this point, I would put the ones east of 205 but it's not an across the board property tax break to people who live in those neighborhoods. It's only if a new house is built at a relatively modest price, or rehabbed at that price. As soon as it goes over that price, and actually, in piedmont you are not going to see a whole lot more at 150 for good or for bad, you know, unless it's a subsidized housing unit so, there are some, some safeguards put into the thing. It's not a give away in those neighborhoods. So, but, you know, I think they make a fair point. I don't think that there is necessarily any obvious reason that part should be out whereas four blocks away should be in, but it is out and I think that everybody knew that, and especially at this point in time, we have to be, you know, a little more on, err a little more on the side when you are qualified and you can pay the taxes asking people to pay property taxes given the financial straits of the schools and others find themselves in. Aye.

**Katz:** Mayor votes aye. Thank you. 419.

\*\*\*\*\*: That's a 3:30 time certain.

**Hales:** Yeah.

**Katz:** Oh, 3:30. I thought that it -- all right. Let me urge everybody to be back at 3:30. You are going to see some very interesting displays by young designers and young architects.

**Sten:** Wouldn't miss it.

**Katz:** Okay. We stand -- we will recess until 3:30.

At 2:34 p.m., Council recessed.

At 3:30 p.m., Council reconvened.

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**Katz:** Council will come to order.

**Francesconi:** Here. **Hales:** Here. **Saltzman:** Here. **Sten:** Here.

**Item 419.**

**Katz:** We will turn it over. Several week ago, I had the privilege of serving as a lay member of a very professional jury to take a look at some designs that were presented to, to satisfy the concept of the gateway. You all know that that's block 76 and that block 76 is one of the five signature sites that we identified as part of my design initiative. And so sponsored by the american institute of architecture's development program, the title of this --

**Katz:** Provoking ideas, interesting designs, and I think for the most part, almost every one of them could actually be built. You will be hearing about the design initiative, but I don't want to take time now to talk about it, but you will be hearing about it in the next couple of weeks. But, so for now, I want to turn this over to frederick ssaul -- frederick is part of talierre, architecture and industrial design studio, and denise mcgraph, who is with pdc. It's all yours. Denise, it's all yours, and we will just listen and hopefully interrupt and ask questions.

\*\*\*\*\*: Please do. Ask questions as you like.

**Katz:** Bring that --.

**Frederick Zal, Atelier Z:** The models are there for you to play with so, have fun with them. Thank you very much for inviting us here today. Mayor Katz and also betsy aims and jennifer. This has been amazingly helpful throughout the entire process. My name is fredrickson aul, and basically I have been working with the american architects for the last four years in design competitions. We have been doing this for seven years, it's the young designers in town. It's a way for them to express those ideas, a way for them to tackle some of the exciting things in the city of Portland. We put together this design competition. So, I have a small little show here that I can walk you through, and denise is also going to say a few words. And then the winners from the competition are going to present --

**Katz:** They will present and talk a little bit about their buildings and what they were thinking of.

\*\*\*\*\*: Exactly.

**Katz:** Good, all right.

\*\*\*\*\*: So, as I was saying --.

**Katz:** And then you will talk afterwards, denise?

**Denyse McGriff, Portland Development Commission:** No, I am just going to say a few words now. On pdc, we are absolutely delighted to be able to be involved in this process in, this program.

We, as you are aware, own a number of properties and some are slated for specific types of development. Others are being prepared for what type of development would be most appropriate for the neighborhoods, the business people and so forth, and we have a number of sites that we purchased over the last couple years that we are still working on. It would be really exciting to have the opportunity to share just the information that we had at pdc with the folks that eventually you saw and presented this, and we think that there is some really great ideas out of this, and we are going to be working with frederick and aia more as we move through the development process for this, but we were -- we really enjoyed it, and it was a really interesting and exciting day, and lots of comments came out that far from the jurors, and we are just real happy that we were able to be a part of it. Thank you.

**Katz:** Thank you. All right, frederick.

**Zal:** So the presentation is under development, as well. We have a couple of technical issues, so I will just wing it. You have a packet in front of you, which we can walk through. There are the running boards, first price, and three honor -- first prize and three honorable mentions. The overall



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concept of the competition as I was mentioning, we have an opportunity for young designers here in town, with this competition, we actually went international, so this was not just designers from Portland. One of the main ones is from los angeles and dallas, texas. The preference is to look at issues, urban design issues in Portland. We have a long history of that here in Portland. We have been doing it for quite a long time. We have plan that's part of the summer process. The bartholomew report, and it helped the urban design in Portland that we see today.

**Katz:** I learned a whole new language. [ laughter ]

**Katz:** You guys did it.

**Francesconi:** Did you vote for everybody? Or did you --

**Zal:** We voted for a few. There were some, I think, that was a little more close to and some that she loved. But, I will let her speak to that, herself.

> but basically, the jury, itself, was composed of, of a number of people. Peter cran, from seattle, also in the london office, he flew down from the day. Gratis, no honorary, and mayor Katz, yourself, thomas hacker from thomas and associates here in Portland. A number of awards. Mr. Garrett from Portland state university. Mark is also receiving an award. Lauren beach and john from the university of Oregon. We also had two community advocates. People working with the community in this area, and with the real thing, not the hypothetical, but the things actually happening.

**Zal:** Okay. So, it's -- we are missing mark and robert esau. They are the honorable mention teams. Following that -- marcus byron, and brian rhea, are unfortunately not here. So I will pretend like I am them. They sent me three pages of secretary. I am going to summarize it. And then the winning team, richard gray is run and gabriella, I mispronounced the last name, but gabriella.

**Katz:** She will correct you, I am sure. When you come up, tell them, tell us where you graduated from and where you are working now. All right. Okay. Team 02.111. Clear.

**Robert Esau, DLI Group:** I am robert esau. I work with the dli group in engineering and I graduated from the university of Oregon with a master of architecture degree.

**Mark Raggett:** And my name is mark ragette, also graduated in mark's class in architecture and I currently work for the bureau of planning at the city.

\*\*\*\*\*: Okay. Because the -- can you hear me?

**Katz:** Talk right into the mike.

**Esau:** Thank you. Because we have an idea of competition, we thought it will be a really good thing to test some new ideas. This would be a wonderful opportunity to try something a little bit different. In effect, they were comprising to break some rules. One being to actually expand -- we are looking at incorporating block 76, and block 67, which is just to the west. You will see that they are there. The other rule that we broke had to do with height. Instead of a mid-rise building, we proposed a high-rise building. As it stance right now, -- as it stance right now, the height restrictions are set at 200 feet. And finally, we proposed the use of a sky-bridge, which, in itself, is not something that, that is disallowed, but here in Portland, is one of those items that, that not really condoned. And so you might --

**Francesconi:** You just lost one supporter. [ laughter ]

**Saltzman:** Add planner on your team with the city, huh?

\*\*\*\*\*: That's right. [ laughter ]

**Esau:** I am working with mark who works with the bureau of planning, somebody who is directly involved in shaping and drafting the regulations. But we saw that this was an opportunity to test the ideas. We did have some reasons for it, and we thought this would be a good time to do it.

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\*\*\*\*\*: I will go quickly to some of the reasons. Robert already went over --

**Katz:** Are you going to put it into -- are you going to insert it into the model? Is this the one model that they can insert it?

**Raggett:** I can put it here. Put it up here. So you can see.

**Raggett:** Again, this is -- north is this way, so you have the burnside bridge if here. This is martin luther king, jr. This is what robert was talking about, the high-rise piece and the office program is into it, and the light industrial and the other we will get into later. Some of the, again, the reasons why we decided to break some of the rules where, where one of them, as he mentioned, with the competition, we are just exploring what could be and what could happen with the signature sites that have been identified around town. And obviously, this is a very prominent and very physical visible location, and we are also thinking about sort of the sites for the city. This is a very highly trafficked intersection, on burnside, being able to set a new standard. What it means to have the city saying that. Another issue is basically, we broke the rule, looking west on block 67. This is identified in part of the competition packet, part of it is in the city ownership or control, and move that go way, we move the program west into the office tower, kind of rose there, and that kind of led us to breaking one or more of the rules that robert identified, namely the height, and the overall expansion of the site. So, with that happening, that was, that was also as a result of looking at the context, what's going on, on burnside and the office of transportation, and looking at sort of burnside all the way from 12th all the way to the, to west 23rd. We came out a few weeks ago with some concepts. And our idea of sort of looking, we, we learned to focus on the piece between basically 12th and 14th, of the intersection of burnside and sandy, and 12th, and our site here, this is a piece of 67 here, so you have -- we looked at a book-end scheme sort of, and also transportation has been, so we propose the western end piece, some of the work, again, the team identified have already been doing, creating the opportunity for the eastern book end, redone, redesigned the intersection of 12th sandy and burnside so, potentially filling in over time and expanding, we were proposing sort of narrowing burnside here to kind of make these parcels a little more developed, potentially and bigger buildings in here on the central east side industrial district redevelops. So, that's part of the context. Again, I will speak a bit more to the model and talk about what, what you see here, again, this is block 76. This is what robert and I worked on developing, was this building, sort of the heavier piece with light industrial and an office component, but the model is showing is also sort of the materials. We were thinking about different materials. The yellow is, again, probably more what we would call a continuous surface type of material, maybe brick, and you have windows. There would be windows here. This is just suggesting this building is more of an anchor. It looks heavier and is heavier. Has heavier pieces of equipment in it. There is an office component on top still, the last piece that rises here and obviously the fin tower is mostly steel and glasses that you see from burnside as you come in here. I need to look at my notes again, briefly. The whole idea of the way it is cited, robert will get into that in a little bit. But basically, to maximize the exposure, again, this is all standard buildings, how to, again, to look at it, as dense urban development, so this is doing that. It is also suggesting the downtown river will be right about here, so the buildings are going out of the ground with the materials or the heavy stuff on the bottom and the lighter steel and glass the top. It seems to be pulling itself, potentially, towards the river. So -- one of other big pieces, is as robert already said, 320 feet tall, so in the context, this doesn't look totally huge, but the idea being that, that this whole side of the building could light up and become a lantern, it would be fueled on top here, so as you, you are coming eastbound on burnside, I mean, this marks the entire industry and the expansion of downtown. So that's another key piece. I am going to let robert --

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**Katz:** Okay. Robert.

**Esau:** I will just cap off what mark has said, and that is a few more items. First of all you will notice the long facades of the building are oriented north and south, part toll reinforce the, the east-west connection between burnside and looking towards the west to the city, itself. But also, to maximize the orientation on the south side to pick up all the sun. On the north side we have positioned the service component of the building, that is the elevators, the stairs. On the side, really, where, where some exposure is as important, and, but with each, with each orientation requires a different solution, and on the south side, which you are looking at from your vantage point, and you can see it, perhaps, on the drawings, we propose using exterior sun control devices, basically sun shade canopies made of aluminum. They allow some protection from, from the sun, as well as views to the south, and in addition to that, going hand in hand with that is the use of a multiple glass facade, in other words, the wall, itself, is made up of glass, where we have glass, two layers of glass that are separated by a near gap. Not the traditional 1-inch gap but anywhere between 12 and 18 inches. This is a new technology that we are beginning to see more and more, especially in europe. They are not many examples in the united states but it is beginning to come forward. It allows for greater temperature control without using the mechanical systems that go with it. You can keep away the heat, or the cold, but you allow more data to come in, thereby cutting back on the amount of artificial that they use in the building during a day-time scenario one other thing, the use after roof garden, we use that the lower building, the anchor building --

**Francesconi:** Saltzman is going to give you the money right now.

**Saltzman:** Oh, that was unintended. [ laughter ]

**Esau:** We like the idea, where -- the idea of using this device because it's something that, that -- it's good for people who use it and people outside, and in addition, it's good from a water retention standpoint, and the buildings do contribute a lot to that area. I would just like to sort of just summarize, or cap off by saying, how grateful we are to have this, or have had this opportunity to participate in the charade, and to have the mayor and the other judges contribute, and we do hope that there will be other competitions for signature sites, and, and just as a thought, perhaps, maybe as a follow-through, competitions to develop, you know, coming after, after someone has been selected, but again, thank you very much.

**Katz:** Thank you. [ applause ]

**Saltzman:** I apologize, I have to leave for a 4:00 meeting but believe me this is one of the few council meetings I regret having to leave early. This is very exciting work, and I am looking very forward as we work up here and I will definitely look over your material, and great work, and keep up the innovation and the great thinking and the green thinking, too. We really appreciate that. Thanks.

**Katz:** Thank you. All right. Team 02-107. Bring your model up.

\*\*\*\*\*: Okay.

**Katz:** Yeah, why don't you move that. Identify yourself.

**Zach Emmingham:** I am zack and I work at zer architects.

**Joseph Huang:** I am joseph, I also work there. I am from taiwan. Yes.

**Emmingham:** When we began designing this building and it's, it's those three there and up on the board, the big question was for us, how do we improve the neighborhood, and that was something that, that was asked of us in the program, and we call this, thinking inside the box, because we have kind of a box to build within the street, define a grid. There's a zoning height, which defined the box and basically, you get kind of a "q" within which you can build your building, and most buildings, in Portland, are kind of cubic. And so how do we improve the neighborhood, and the

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main way is to provide a large public space at street level. If you think of a lot of great places, like pioneer square, like a piazza in europe, they are often outdoor spaces, and that's kind of what we are trying to provide on this site, where the office building wraps around an outdoor space, which is partially enclosed, and this space is going to be rich. It's going to have trees, water fountains coffee shops, things that will be positive. People can wait for the bus there. As well as the people that go to the building every time they come there, they walk through this open space and kind of get a singular experience. They get a kind of maybe like the atrium and, in city hall here, this openness.

The other -- the second point, the second feature of the building in how to improve the neighborhood is to make it, make our building seem appropriate, seem like it belongs in its context, which is kind of an industrial hard, fast-moving slot of transit there. And so that's where we came up with this exterior grid closure system and there's a concrete grid, which supports the building, but then there are wood louvers, like on the last building, which helps provide sun and shade, but also, what this does, see, the inside and the outside, and there are two different systems. The inside is complex and spiraling, and the outside is kind of, we are simplifying, like a cube or a box. So that, that when you are from a distance, this object, or this building looks like an object, like in a warehouse, has wood to kind of warm it up and the look of the northwest, and then as you approach, you get inside, there's stuff for the human scale. Like the courtyard, and so our building is kind of about the tension between the simplicity of the exterior and the complexity of the interior. So the difference scales, there's the urban scale, which is just the box from a distance, and it fits in with the grid, and then there is the intimate scale, or the people inside it.

**Huang:** Now, I want to talk in more detail about our geometry study. I would like to show a model.

**Katz:** Why don't you grab the mike.

**Huang:** Okay. First, this is a cube, and sitting on this side, and this height -- we are starting with a cube. But, we are going to just like the solid site, so just like at first, we will be carving the space, and -- this one is kind of space for inside, and also getting more relationship for the inside and outside. And -- the second one is, is --

\*\*\*\*\*: And also, like a -- this is transparent. You can see the second to the top, this one and -- and also, people standing in the courtyard, they can see the -- that's it.

**Katz:** All right.

\*\*\*\*\*: You can actually switchback and forth. Switchback and forth, positive or negative. So, the overall concept at that we are working with, is if you take your fingers and you twist them together, and you have pathways of roads, i-5, burnside, mlk. These are the figure at the moment, and in between, you have spaces. Our concept is to develop those spaces and the fingers, but at the same time, simultaneously creating it better for people in Portland. So the buildings that you can see here is the spaces. It's the object. The second aspect of your plans, is the opposite effect. The ground. So, the primary idea was the burnside bridge, and how we interconnect from the site, from the intersection of burnside and mlk, down to the river. Bring people from that intersection, down to the skate park down to the east bank esplanade, out to review the city, and rumor had it that the jury really like this had idea. [ laughter ] that's basically it.

**Katz:** Thank you. [ applause ]

**Katz:** Okay. And team 02-124.

**Katz:** We had trouble figuring that out. I need to say something, that was went this the one where, where some of us objected to the building, of the buildings right by, right at the edge of the river? We dismissed that.

\*\*\*\*\*: It's challenging the norms and the things that are up.

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**Katz:** Why don't you identify yourself.

**Edward Running:** I am Edward Running. I work with an architecture firm. Graduated from the University of Oregon. And the other team members here.

**Katz:** Your family would love to hear you. We are on TV, so come and use the mike.

\*\*\*\*\*: I graduated from the University of Oregon, as well.

\*\*\*\*\*: I graduated from the University of Oregon, also. And I work for an architecture firm.

**Richard Grace:** I am Richard Grace. I graduated from the University of Florida, and I work with an architecture firm.

**Katz:** That goes into your pocket -- no -- yeah. Right. [laughter]

**Running:** Not in my hand? Okay. First thing is first, we would like to thank the mayor and the city council, as well as PDC and Fred and all the efforts that were put together to bring this about. It's an honor to be able to be a part of such an event, actually. But, to be allowed to come and address our ideas about the situation, so to sort of talk about the task at hand, first we are looking at the design. If we could even begin to think about what has been placed on the site, as you know it, block 76 on, on Burnside and MLK, if we could launch into that, we had to sort of take a step back and look at the city overall. The city is a pretty complex network of, of entities, you know. Made up of sort of a symbiotic relationship between downtown, neighborhood centers and the infrastructure and the circulation system, which sort of fits all together. We were looking at the particular items which sort of make this, make awful these entities balanced. It's, it's when these things become out of balance that, that sort of problem, we believe, begin to occur. And in looking at the east bank or the east side of the city, what really sort of sparked our interest was the sort of unique character in the industrial sanctuary area, as it sort of is a unique piece of the city, that is where we sort of based our ideas, where we are focused towards that idea, particularly. With that in mind, we came up with seven design criteria related to the idea of this industrial area, as well as sort of the neighborhoods that surround the site. Primarily, first and foremost, maintaining the industrial sanctuary. Second, responding to the impact that I-5 creates within the area. Creating cultural centers along the waterfront, along the sort of public edge of the city. Establishing pedestrian and residential connections from these east neighborhoods to the waterfront, and also designing, of course, the site, itself, sort of the signature building, and then in sort of prime locations in these transit hubs, as we have sort of laid them out to be, these would be the higher density development gateway, sort of development areas. So, with those sort of design criteria ideas in mind, the team members will sort of elaborate further in those areas.

**Katz:** Thank you. Give them a new mike.

**Gabriela Quinones:** Well, we have to step back and like Edward said, look at this site, and one of the main ideas is to maintain the sanctuary. We believe it is very important at the industrial part of the city because it creates a variety of jobs. It not only jobs here but also for people to be able to come in. It creates a full range of production that will support the neighborhood and the city, as well. It will be able to stay here and not go out to the suburbs or the other areas of the city, and I believe that is very important. It also will allow to create a, to diversify the area, and allow for others to happen in here. It already has this strong network in place. The railroad system on I-5 helped to support the industrial district. That's why our team also decided to, to keep I-5 where it is located. As a main support system for the industrial area. But, by doing this, the hierarchy of I-5 versus the neighborhood and the waterfront -- when we, what we proposed in our master plan is to increase the connections from our neighborhood to the waterfront. We will use the east esplanade for people to communicate, and travel from, from north to south and also bring people from east to

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west. We decided to create anchored buildings along the waterfront, such as the buildings or cultural buildings. Omsi is a great example of what is already there, and we can create more buildings along to bring people also from the park in the west to the east side, and during that, bring them into the neighborhood, and one thing that would be very interesting is to use the land under the freeway that is in use at this point, and that would work for storage, the industrial area, as well as parking structures. In our scheme, we also propose building the top of the freeway in certain areas, trying to connect to the water, and, and this shows a bit of our idea of how the bay site could look in the future a few years from now. So, something about this -- I will transfer it to ian who will talk about the main connections into the site, itself.

**Ian Gelbrich:** So, within the specific neighborhood we targeted three specific areas for, for the development. These corridors here, which moved from east to west toward the river, would be a mixed use of residential and greenway areas. Enticing people to move from the neighborhood on the east side down to the activity along the esplanade and the buildings in here. Second would be more medium density core that moves along in between mlk and grand. This area would be populated with commercial and maybe some residential structures. To make this successful, we need to rethink about how traffic and people move along on the edge. Right now, the streets are, are both one way and very unfriendly for pedestrians. We will talk about the coupling or making them both two-way streets, as well as beginning to think about bringing the max line down and reestablishing the, the old trolley routes back across the bridges and back up on the eastern neighborhoods. Where those two cross or the max faces the trolley line, you created another set, the third development, of higher density notes which would focus on more specific structures, to support the neighborhood, mainly the libraries, community centers, police stations, anything along those lines. These, these would be much higher density structures and would justify the heights. These areas also act as gateways. They are the first contact point from the west side to the east side. All the bridges are right there along mlk and grand. These developments would help make this neighborhood more workable, as it provides for the, for the functions to compensate for the working area. Now, I will let them talk about this.

**Grace:** Our master plan studies, we have identified that our, our -- this would be one of the gateways, that's what we are calling it on our team, so the biggest question was, what this building should be, so we kind of -- we decide that had this building should be, should provide place to live, a place to work, a place to learn, a place to create, a place to play. A place to --

**Katz:** You never have to leave.

\*\*\*\*\*: Exactly. [ laughter ]

**Grace:** So, the idea of this building is a 24-hour building. So, this building will be the catalyst for the future development of the east side. So, with that idea, we came up with the digital advancement center for the east side, and the components of this building would be to have fabrication, which is to create, I mean, even inspire people. It would have retail. It would respond to the streets. It would have classrooms. Research. And it would have offices. That will relate to the streets that they face. This part would face mlk, kind of turning mlk into a neighborhood street -- so we can have retail down below, up above, and the south side as you turn the corner to the west, is going to be an office building, so if you look at this model, it's going to very clearly show here that this is the residential area east. And this is kind of the research labs. So, on top of this would be the kennedy center. The terrace, so that's, in a nutshell, that's our model.

**Katz:** Thank you. [ applause ]

**Running:** One small piece just to wrap up, what we are proposing here, even though we are venturing out into the river a bit with some of these ideas, that what we came up with isn't really a

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radical shift from a lot of, perhaps, zoning that already exists here, so we were trying to work with some of the fabric that was already in place, and some of the history of things that happened there before, but to be, to reorganize it and just to try to sort of clean up in a way the framework which is already there, and to propose a possibility for, for what we really believe to be the nature of this neighborhood, and that is to, to --

**Katz:** Thank you very much.

**Zal:** There are 42 teams that registered. Of those teams, either one person or four people, depending on the size of the team. There are over 100 designers involved in this project. Potentially, this could happen again and again. Other sites, other entities. There are things here that yes, some things that we would have all thought of and some things that maybe not. But, the ideas are out there. The possibility, you never know what could happen. Just have the opportunity. That's basically what we are trying to show here. As I was saying prosecute, this is something that happens all the time here in Portland, pioneer courthouse square, working with gsa for, let's see, the u.s. General services administration has written the guidelines and now used the formation of all of the projects, run competitions for every single project either in 2-phase or 3-phase competitions. Also, we have the studies here. David, back in 1984, did a project that was built here in Portland. This was one of the last competitions to be built. So, unfortunately, we have the power point presentation, but it's not coming up. We have two finalist teams, right there, and they did not make the last cut. So, you have that --

**Katz:** These?

\*\*\*\*\*: And also, thanks to the people that made this possible.

**Katz:** Betsy aims, jennifer manheart, raise your hand. Thank you. Denise --

\*\*\*\*\*: And also mr. Stevens --

**Katz:** And you.

\*\*\*\*\*: And myself. I love doing it. I love to help new whatever your goals are make these things come around.

**Katz:** Thank you. This was wonderful. And sometimes I say the stars line up in funny ways, and this is the time when not only do we have a renewed interest, I think, it's fair to say our architectural and design community, but an interest of mine and I know of commissioner Hales because we talked about this for a long, long time, of promoting good, excellent design and having competition, and more importantly, bringing young architects before they get jaded and before they think about making money and before they get dull and boring --.

**Hales:** As if this is inevitable.

**Katz:** And to come in and share with us a fresh design, fresh ideas, I told them that, that, you know, rules can be broken here, and we did, we have been talking about in the, in the design initiative that you will see as soon as we have people comment on, on the concept that we could very easily make some modifications in the code for certain projects, primarily start with land that we own where we begin asking the community to think of some wonderful ideas for those sites, and so what you have seen are buildings, some a little marginal. Others have wonderful qualities, but very thoughtful about not only the design about how it ties into the fabric, see, I am even beginning to talk like you, now. The fabric of the community, and provide an urban form, another part of the language, to district. So I want to thank -- frederick, I want to thank you for taking this lead and doing all of this work, and certainly all of our architects and designers participating.

**Sten:** Well, I just want to thank everybody. It was very exciting, and I think this ought to be the capital of young brilliant architects. So, we have got to start -- we have a start on it. I don't know how exactly we are going to do it but -- it's a little different design but we have a big design

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problem with what to do with the Mount Tabor reservoirs, we are going to put the water tanks underground, which is much better than capping them, but we are thinking about having a design contest and how to do it, so I would like to contact you, if you need to walk somewhere and look at something, we are going to be looking for some innovative ideas. They are pretty cool historic structures that we don't want to lose but how do we get use out of that far. And really, you know, I think I have tried to move the question from you, should we keep the water over, our really nice clean water above-ground in the middle of the city, aside from the aesthetics, so I think we are going to put the tanks underground but there is an enormous design opportunity to figure out what to do with the reservoirs. And we may, I want to find out how you did the contest because that's one idea that we have had, is to try to engage people.

**Francesconi:** One of the things that we need to talk about is parks. Parks has done some things, in fact we are doing another one on the mid town park blocks. If the levy passes, actually, we are going, going to do that, for the O'Bryant square. This is a political plug for you all to look for, and then we are going to do a design of, from park block 5 to Bryant square, and the connections in between. So, maybe there's another opportunity, as well.

**Hales:** I just want to commend you, too. I don't know how many other, if any other cities are doing this, but the mayor, I just think that it's a great initiative and I think it's really, really helpful to us as a city not only to give the community good ideas but to give our architects an outlet for their creative efforts. I think it's a first-class notion and I hope that we institutionalize this as a practice. It just seems to me, it just fits so well with Portland. I think it's a great effort and I am glad you all put it together.

**Katz:** Yes. Thank you. Jennifer, come on up. Before Jennifer says anything, I want -- it's going to be very important and we are going to, I think, change the criteria of selection of buildings, using the design as a much higher criteria because that's what this is really all about. Jennifer, why don't you --

**Jennifer Manhard, Policy Development Intern, Mayor's Office:** I am Jennifer Manhart, policy development intern in the mayor's office and I want to let the commissioners know if you haven't seen them already, not only these running boards you saw today but all the entries from the competition are on display in the atrium on the first floor of city hall for you to produce at your leisure.

**Katz:** Thank you. I am going to have a, an open brown bag lunch discussion. Is this finalized, Jennifer? Okay. On the initiative on the design initiative, so put it down, on Monday, May 20th, from 11:30 to 1:00, so bring your lunch and a brown bag or, a red bag and or hot pink bag to match your shoes. And we will have a little open discussion. I want you -- your comments on the design initiative and how we framed it and where we ought to make some changes. So thank you, everybody. Bye-bye.

At 4:24 p.m., Council adjourned.