



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 16TH DAY OF OCTOBER, 2002 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi and Saltzman, 3.

THOSE PRESENT FOR CONSENT, AGENDA ITEM NOS. 1255 AND 1233 WERE: Mayor Katz, Presiding; Commissioners Francesconi, Saltzman and Sten (by telephone), 4.

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

Item No. 1233 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>1226</b>	Request of Rabbi Aryeh Hirschfield to address Council regarding the proposed Iraq Resolution (Communication)	<b>PLACED ON FILE</b>
<b>1227</b>	Request of Reverend Charles Cooper to address Council regarding the proposed Iraq Resolution (Communication)	<b>PLACED ON FILE</b>
<b>1228</b>	Request of Ann Huntwork to address Council regarding the proposed Iraq Resolution (Communication)	<b>PLACED ON FILE</b>
<b>1229</b>	Request of Martin M. Gonzalez to address Council regarding the proposed Iraq Resolution (Communication)	<b>PLACED ON FILE</b>
<b>1230</b>	Request of Gary Spanovich to address Council regarding the proposed Iraq Resolution (Communication)	<b>PLACED ON FILE</b>
<b>TIME CERTAINS</b>		

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<p><b>1231</b> <b>TIME CERTAIN: 9:30 AM</b> – Initiate action on Council adopted FY 2002-2003 Top Ten Regulatory Code Improvement List and Code Maintenance List (Resolution introduced by Mayor Katz) (Y-3)</p>	<p align="center"><b>36102</b></p>
<p><b>1232</b> <b>TIME CERTAIN: 10:15 AM</b> – Designate two Heritage Trees and remove one tree from the Heritage Tree List (Ordinance introduced by Commissioner Francesconi)  <b>Motion to remove the emergency clause:</b> Moved by Commissioner Francesconi and seconded by Commissioner Saltzman.</p>	<p align="center"><b>PASSED TO SECOND READING AS AMENDED OCTOBER 23, 2002 AT 9:30 AM</b></p>
<p align="center"><b>CONSENT AGENDA – NO DISCUSSION</b></p>	
<p><b>1233</b> Accept bid of Landmark Ford Inc., to furnish fifty-nine Ford Crown Victoria Police Interceptors, for \$1,230,604 (Purchasing Report - Bid No. 101678) (Y-4)</p>	<p align="center"><b>ACCEPTED PREPARE CONTRACT</b></p>
<p align="center"><b>Mayor Vera Katz</b></p>	
<p><b>1234</b> Appoint Richard Engeman to the Historic Landmarks Commission (Report) (Y-4)</p>	<p align="center"><b>CONFIRMED</b></p>
<p><b>*1235</b> Pay claim of Charles S. Jessup III (Ordinance) (Y-4)</p>	<p align="center"><b>176963</b></p>
<p><b>*1236</b> Pay claim of Cecelia Mitchell (Ordinance) (Y-4)</p>	<p align="center"><b>176964</b></p>
<p><b>*1237</b> Authorize an Intergovernmental Agreement between the City of Lake Oswego and the Police Bureau to provide the Lake Oswego Police with access to the Portland Police Data System (Ordinance) (Y-4)</p>	<p align="center"><b>176965</b></p>
<p><b>*1238</b> Authorize an Intergovernmental Agreement between the Multnomah County Division of Budget and Service Improvement and the Police Bureau to provide access to the Portland Police Data System (Ordinance) (Y-4)</p>	<p align="center"><b>176966</b></p>
<p><b>*1239</b> Authorize an Intergovernmental Agreement between the State of Oregon, Employment Division, Hearing Officer Panel, Transportation Section and the Police Bureau to provide access to the Portland Police Data System (Ordinance) (Y-4)</p>	<p align="center"><b>176967</b></p>
<p><b>*1240</b> Dedicate and assign a strip of Bureau of Fire, Rescue and Emergency Services land as public street right-of-way (Ordinance) (Y-4)</p>	<p align="center"><b>176968</b></p>

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<p><b>*1241</b> Authorize an agreement with Pioneer Courthouse Square, Inc. to provide funding for security services management (Ordinance) (Y-4)</p>	<p align="center"><b>176969</b></p>
<p><b>*1242</b> Amend contract with AON for employee benefit actuarial and related services (Ordinance; amend Contract No. 33464) (Y-4)</p>	<p align="center"><b>176970</b></p>
<p><b>*1243</b> Create a new Nonrepresented classification of Assistant Systems Accountant and establish a compensation rate for the class (Ordinance) (Y-4)</p>	<p align="center"><b>176971</b></p>
<p align="center"><b>Commissioner Jim Francesconi</b></p>	
<p><b>*1244</b> Extend contract with Byron Wood Enterprises for concession services at Heron Lakes Golf Course (Ordinance; amend Contract No. 50989) (Y-4)</p>	<p align="center"><b>176972</b></p>
<p><b>*1245</b> Convey an undivided interest in property to Metro, and acquire an undivided interest with Metro in an adjacent property (Ordinance) (Y-4)</p>	<p align="center"><b>176973</b></p>
<p><b>*1246</b> Authorize the execution of Intergovernmental Agreement with the City of Milwaukie for Springwater Corridor Three Bridges Section (Ordinance) (Y-4)</p>	<p align="center"><b>176974</b></p>
<p align="center"><b>Commissioner Dan Saltzman</b></p>	
<p><b>*1247</b> Authorize the execution of lease and purchase documents with the Port of Portland for property on Swan Island for the construction of the West Side Combined Sewer Overflow Project No. 6680 (Ordinance) (Y-4)</p>	<p align="center"><b>176975</b></p>
<p><b>*1248</b> Authorize an Intergovernmental Agreement with Portland State University to provide services related to the Community Watershed Stewardship Program (Ordinance) (Y-4)</p>	<p align="center"><b>176976</b></p>
<p><b>*1249</b> Authorize a contract with Oregon State University for \$15,000 to continue Master Recycler training and education program (Ordinance) (Y-4)</p>	<p align="center"><b>176977</b></p>
<p align="center"><b>Commissioner Erik Sten</b></p>	
<p><b>*1250</b> Authorize a contract and provide payment for the purchase of three fire apparatus for Portland Fire and Rescue (Ordinance) (Y-4)</p>	<p align="center"><b>176978</b></p>

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<p><b>*1251</b> Authorize agreement with The Support Group for \$50,000 to provide logistical support to four N/NE commercial areas (Ordinance) (Y-4)</p>	<p align="center"><b>176979</b></p>	
<p align="center"><b>City Auditor Gary Blackmer</b></p> <p><b>1252</b> Certify abstract of votes cast at Municipal Non-Partisan Special Nominating Election held in the City of Portland, September 17, 2002 (Report) (Y-4)</p>		<p align="center"><b>ACCEPTED</b></p>
<p align="center"><b>REGULAR AGENDA</b></p> <p align="center"><b>Mayor Vera Katz</b></p> <p><b>1253</b> Accept the Memorial Coliseum Adaptive Reuse Study and Advisory Committee Findings (Report)</p>		<p align="center"><b>CONTINUED TO OCTOBER 23, 2002 AT 9:30 AM</b></p>
<p><b>1254</b> Authorize a contract with the Dully Company for consulting services for a Phase II study of alternative public uses for Memorial Coliseum (Ordinance; waive Code Chapter 5.68)</p>	<p align="center"><b>PASSED TO SECOND READING OCTOBER 23, 2002 AT 9:30 AM</b></p>	
<p><b>*1255</b> Authorize agreement with Emmanuel Community General Services, Inc. for the use of Local Law Enforcement Block Grant funds (Ordinance) (Y-4)</p>	<p align="center"><b>176980</b></p>	
<p><b>1256</b> Amend fee schedules for certain Site Development fees on all construction permits to cover Office of Planning and Development Review plan review and inspections services (Second Reading Agenda 1206) (Y-3)</p>	<p align="center"><b>176981</b></p>	
<p align="center"><b>Commissioner Jim Francesconi</b></p> <p><b>1257</b> Initiate local improvement proceedings and adopt a Resolution of Intent regarding a Local Improvement District for the extension of streetcar service to the SW River Parkway and SW Moody Avenues, Portland Streetcar Phase 3 (Resolution <b>Motion to accept amendments and substitute exhibits to clarify a definition of the streetcar and mapping confusion regarding what was Southwest Harbor Way and Southwest Harbor Drive:</b> Moved by Commissioner Francesconi and seconded by Commissioner Saltzman. (Y-3)</p>		<p align="center"><b>36104</b> AS AMENDED</p>
<p align="center"><b>Commissioner Dan Saltzman</b></p>		

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<p><b>1258</b> Direct the placement of two additional flagpoles at Memorial Coliseum for a total of three, displaying the National Emblem, the State Flag and a POW/MIA flag (Resolution)</p> <p><b>Motion to accept amendment to remove the third "whereas" clause:</b> Moved by Commissioner Saltzman and seconded by Commissioner Francesconi.</p> <p>(Y-3)</p>	<p><b>36103</b> AS AMENDED</p>
<p><b>1259</b> Amend Title 9 Food Regulations and Establishments, Ban of Polystyrene Foam Food Containers, to change oversight and enforcement from the Bureau of Environmental Services to the Office of Sustainable Development (Second Reading Agenda 1221; amend Code Chapter 9.28)</p> <p>(Y-3)</p>	<p><b>176982</b></p>

At 12:04 p.m., Council recessed.

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**WEDNESDAY, 6:00 PM, OCTOBER 16, 2002**

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

**Disposition:**

**OCTOBER 17, 2002**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17TH DAY OF OCTOBER, 2002 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, and Saltzman, 3.

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

<p><b>1260 TIME CERTAIN: 2:00 PM</b> – Adopt the Portland Transportation System Plan, amend Comprehensive Plan goals, policies, and objectives and amend Titles 16, 17 and 33 (Previous Agenda 1174; amend Titles 16, 17 and 33)</p> <p><b>Motion to accept various amendments (see file) were moved and gaveled down by Mayor Katz after no objections.</b></p>	<p><b>Disposition:</b></p> <p><b>PASSED TO SECOND READING AS AMENDED OCTOBER 30, 2002 AT 2:00 PM</b></p>
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At 3:02 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.

**OCTOBER 16, 2002            9:30 AM**

**Katz:** Good morning everybody. Council will please come to order. Karla please call the roll and the sound is really low. I know we had a problem yesterday.

**Francesconi:** Here.

**Saltzman:** Here.

**Katz:** Sten is ill consequently we are going to take communications. We will then take the consent agenda. We will place commissioner Sten on the phone for the consent agenda, and then we will pull one item on the regular agenda that is an emergency, and that's 1255, and I know that this issue -- I don't think that there's any opposition to it, and you know about it because we discussed it when we had the law enforcement block grant and we will have a vote on that. Everything else is a nonemergency item, except the heritage trees, and I am going to give the heritage trees an opportunity to decide whether they want to remove the emergency clause or continue until the 30th. So we will manage through this. We will have to take another roll call when -- before we get commissioner Sten on the phone. Okay. You wanted to pull one -- i'm going to -- yes, I know you are going to pull 1233. I'm going to -- are you going to vote no on this or not? Are you just waiting for me?

**Saltzman:** I think that we need more information before they approve it.

**Katz:** I just need to have erik here -- well, it's a report. All right. That's fine. All right. Let's start with 1226.

**Item 1226.**

**Katz:** Everybody that's here, come on up. Many of you have not been here before. You have three minutes. There is a little clock on the screen, and then I will cut you off after your three minutes. Right in front of you, okay.

**Rabbi Aryeh Hirschfield:** There are many reasons why I personally oppose.

**Katz:** Wait a minute, you need to identify yourself for the record.

**Hirschfield:** I am aryeh hirschfield, I am from a congregation here in Portland. There are many reasons I oppose the current rush to war in iraq and why I would urge you as a body to weigh in against going to war at this time. As a person of faith, i'd like to begin my remarks from within the perspective of my own tradition and from there, proceed to the practical issues which lead me to believe that engaging in such war is wrong. The core story of jewish tradition is the exodus from egypt which as simply stated as possible, says that the ultimate power of the universe, god, if you will, wishes to see the liberation of all who are oppressed and that human power is limited. When humans conceive of themselves as having godly powers they will ultimately meet their downfall. And I see the leaders of our country declaring that they will go to war with or without the blessing and cooperation of the united nations and most of our allies all in the context after broader disregard for international treatise and agreements such as those limiting nuclear proliferation and global warming, and disregard of the jurisdiction of the war crimes tribunal. I can only conclude that we are bent on using our military and economic superiority to become the dominant power in the world. I believe that this is morally wrong. On the contrary, it is our sacred task as servants of the divine, as prophets of isaiah, and all prophets tell us to liberate the oppressed, share our bread with



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the hungry, take the wretched, poor into our home and see the naked, to clothe him. The billions we spend on the war efforts will have the opposite effect, cause death, destruction and impoverishment abroad, as well as at home. It is the poor and the powerless who will suffer at social service programs, give away to vast military expenditures. All this is exactly the opposite of what the prophets bid us to do. I speak to you as the religious leader of a congregation here in Portland, the overwhelming majority whose members oppose the u.s. Invasion of iraq. I have seen many in my own congregation who are suffering because of the current state of the economy. At a time when we should be helping people to find work and get back on their feet, we will squander our resources on a war which has not been proven to be essential to our defense, nor to our safety or safety of our allies. I think that the sentiment is not only strong in my own community, but in many faith communities whose leaders I have gathered on a number of occasions to speak out against an invasion of iraq. As the peace-gathering on october 5th demonstrated. It is also very strong throughout the city of Portland, across the lines of age, economic status, religious affiliation, and even political persuasion. For these reasons and many more, I urge you as a body to adopt the resolution in opposition to u.s. Invasion of iraq. Thank for you your time.

**Katz:** Thank you. 1227.

**Item 1227.**

**Reverend Charles Cooper, Pastor, Vermont Hills United Methodist Church:** Good morning, i'm chuck cooper, pastor at vermont hills here in Portland. An invasion by iraq looks more probable than possible since a majority of persons in congress have convinced themselves and the words of senator hillary clinton that giving the president the power to wage war may actually prevent it. As the invasion of iraq or the invasion of 60 countries, if necessary, as one local talk show host put it, our only option in the war on terror, it most certainly is, if we use violence as our first resort, since the first bomb exploding in baghdad will wipe out all other options. The late abraham joshua hessel, the judicial philosopher spoke out against the vietnam war in his time because he was convinced that morally speaking there is no limit to the concern one must feel for the suffering of human beings. I know that you share my concern, as many americans do, for the great suffering that will be caused by this war. That is why even though as an entity you have no political power to make peace or to declare war. It is morally incumbent upon all of us to do what we can in our own time within our own contexts to relieve human suffering and prevent it, if possible. What does it say to the children asks united methodist bishop, Beverly shomenah, when they see their president and congress vote for violence as a way to deal with thing they don't like. It is true of human nature, I believe, that were we really do not want to resolve an issue, we say that the problem is very complicated. This choice between war and peace is not very complicated at all. But is simplified by this question -- how shall we explain to our children that we clobbered somebody first because we were afraid that some day when they got bigger and stronger, that they would hit us first. Heshell wrote "a frantic call to chaos shrieks in our blood," the fact is there is something about us as humans that wants to blame and bomb and to burn and to feel good about it. We must resist this impulse within us with all our might. The christian theologian, stanley howerrous wrote, the history that determines our destiny is not carried by nation's state, but we have been offered the possibility of a different history with participation in a community where one learns to love the enemy. I like to think that this learning is not a particularly christian ideal, but is undergirded by the idea of dr. Karl young, who said that beneath all of our cultural and religious differences, deep within us we are all the same. That is the perspective from which I am speaking. And I say to you as city commissioners that this is no time for reticence or neutrality. This is a great moral issue and the stakes are high. Morally speaking, there is no limit to the concern one must feel for the suffering of human beings. Please speak up. Please speak out. I ask you to adopt a resolution opposing this war and advocate peaceful means to resolve this crisis. Thank you.

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**Katz:** Thank you. 1228.

**Item 1228.**

**Ann Huntwork, Peace and Justice Works:** My name is ann huntwork and I am a long-time member of the group of the peace and justice works. It was may, 1991, taha, a college student in eastern europe was lying in a bed in our MASH style hospital, a tent hospital across the border in iran. His leg was blown off. How will I find a woman who will marry me, was a central question for this something of a playboy student. He was one of many we met who had walked through the mountains to seek refuge from the gulf war bombing. Some died. Some were determined to return and start over again. Move forward to february, 2002. Afghan refugees displaced as they were over 25 years of conflict and drought, now victims of u.s. bombing. We see a video taken by the Iranian red crescent society, a shot of a cluster bomb followed by a 10 or 11-year-old childhood come upon one of them, eviscerated with his mother crying over his body. These unique and valuable people are what the u.s.military calls collateral damage, but I have seen them and others, and they are the reason that I am so opposed to additional and more violent military action against the people of iraq who have already suffered from no fly zone bombings and deadly sanctions, which are our version of weapons of mass destruction. Maybe some of you saw on monday the article about organizations having a hard time finding ways to help those people who are victims of violence and displacement. Our own mercy corps, based here in Portland, an international aid organization is not able because of government restrictions to go into iraq, either now or probably after any bombing that might be entailed. The Iranian red crescent society is stockpiling tents and other nonperishable goods along the border with iraq knowing that they will be called on. Once again, to receive their brothers and sisters as they come across the border. I would be proud to see the leaders of our sister city make a statement to the nation that we are a people who look to nonviolent ways of solving conflicts, recognizing a stance would reduce the threat of hostile reaction from persons and groups who see the u.s. as seeking only its own economic and political interest at the expense of innocent lives, and if I may take a legislative move I would like to yield the balance of my time to the next person.

**Katz:** You can't do that but good try. [ laughter ]

**Katz:** 1229.

**Item 1229.**

**Martin Gonzalez:** Martin gonzalez. American friends service committee. The peace and security in the middle east will not be achieved with the violence of sanctions with more war. [ inaudible ] And to act with courage in society, we embrace advocacy. We have brought the passion to iraq. We have rehabilitated schools, provided water purification treatments and build a water treatment center. We have doctors, teachers and congressional staff. We know the face of war. The government's inability to pay civil servants has left with a steep decline in the iraqi education system, denied an entire generation, the rights to a better life through education. We come before you today, four days after war, knowing much more lies ahead. Every iraqi is dependent on the ration system on the oil for food. If provides a food basket for every person in iraq. If the food distribution network is interrupted by an attack from the united states, famine will result. For the majority of iraqis, over half their income is the food basket. The impact has already been felt. Since june, the iraqi currency has lost half of their value. Conflicts and misunderstandings are an inevitable part of the human condition. The political and spiritual challenge is to find nonviolent solution and developments for carrying them out. The first step must be to move away from a relationship of threats and ultimatums and engage in the more difficult challenge of dialogue and diplomacy. Recent remarks by richard butler, former chief weapons inspector, are telling what america fails to understand is that their weapons of mass destruction are just as much of a problem as iraq. The new defense strategy that endorses preemptive strikes and dismisses international

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weapons treaty has set a dangerous tone. The security in the middle east will be revealed only through open and meaningful dialogue. It is my open that you support a resolution to oppose war and courageously lift the voices of the majority of Portlanders calling for peace. I have seen the face of war in central america and in my family, and before we hit iraq, I hope that we can count on you to pass a resolution for peace. This is a time for trail blazing elected officials, this is a time to guarantee the funds critical needed to close the achievement gap in Portland public schools, do not operate on a war effort. This is a time to make sure our youth color. Do not end up in another war.

Let it be said that the Portland city commissioners made sure the only fire in the valley of this young people was from, was to achieve education and not from a bullet. Thank you. Item 1230.

**Item 1230 .**

**Gary Spanovich, Wholistic Peace Institute:** Gary spanovich, holistic peace institute. And I come before you today not only to speak for myself, but also my board of directors, which consists of joseph wood of mount angel monastery, dr. Jerry braza, professor at western Oregon and father thomas hersheck, and the chair of my advisory board, dr. Helen caldicott. Mayor Katz and members of the city council, main mission of the holistic peace institute is put on a world peace conference involving multiple nobel peace laureates as I did in 2001. I believe this is a very important resolution for you to pass today. What i've done in this handout is draft a one-page resolution, that basically is what I consider a reasonable resolution, a simple resolution, a clear resolution, and basically it just asks president bush to adhere to the u.n. mandate and not take unilateral military action in iraq. And I believe that this is a reasonable resolution and should be forwarded, should be passed and forwarded. The reason why we need this resolution essentially is that our unilateral military action will set a bad example for other governments in the world, and could usher in a new era of aggression on the world front. It will also diminish the united states as a beacon of light as a country that stands for diplomacy and dialogue. It could destabilize the world's most volatile region. It could result in an upswing in terrorist activity in the united states, and lastly, and maybe most importantly, it could because of the volatility of the region, lead to a nuclear exchange, either by the united states military for tactical reasons, government of israel or an unknown source. Also in here is a resolution passed by metro that I drafted last year related to a peace initiative and in may of 2001, the governor passed a resolution, proclamation of peace. So, there's precedent for these types of resolutions, and then the other thing I would like to leave you with is why should you do this, you know. What's the relevance of a city council of Portland passing a resolution like this? Well, for one thing you would empower our congressional delegation because last week, five of them voted against the iraqi resolution, and a number of them, especially representative blumenauer, who was one of yours, worked very hard behind the scenes to try and get the resolution that was on the congress floor mellowed out a bit but was unsuccessful. So, in a sense, our max system, our infrastructure, ohsu is a function of your relationship with our congressional delegation, and so when they go on the floor and debate these issues, your support, your basic emotional support for them will help them. Thank you very much.

**Katz:** Thank you. All right, thank you, everybody. Let's move on. I'd like to have the council's approval to move items around so that we can get commissioner Sten to vote on those that are emergencies. Is that all right with the two of you? Okay.

**Francesconi:** We can withdraw the heritage tree thing.

**Katz:** We can -- we will come back to that later. We don't need them for that. All right. Well, let's move to the consent agenda. There's a request to take 1233 off the consent agenda. We will take the consent agenda -- I will do roll call in a minute. We will take the consent agenda and then we will skip to the regular agenda and pull 1255 and then we will come back to the item that has been removed and I will check in with commissioner Sten to see how he feels, whether he wants to hear the discussion or not. If not, then we can say goodbye to him and wish him well. 1233 is

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pulled off. Any other items to be pulled off the consent agenda? All right. Let's take a roll call. Not a roll call on the consent agenda, just a roll call.

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

**Katz:** He's not on the phone yet?

\*\*\*\*\*: Are you there, commissioner Sten?

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

**Katz:** How are you?

**Sten:** A little sick.

**Katz:** You sound awful.

**Sten:** Just a chest and flu thing.

**Katz:** All right. We will just take a roll call now, just to make sure that we have a quorum present for emergency ordinances.

**Francesconi:** Here. **Saltzman:** Here. **Sten:** Here by phone.

**Katz:** Present. We are doing this by phone because next week, we will not have four council members here and some of these items are emergencies. All right. Roll call on consent agenda.

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

**Katz:** Mayor votes aye. All right. I have permission by the council to pull and bring forward 1255.

**Item 1255.**

**Katz:** Is there anybody here that wanted to testify? I didn't think so. Roll call.

**Francesconi:** Actually, robert richardson and bishop wells do terrific work in the community so it's great that they continue to be funded. Aye.

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

**Item 1233.**

**Katz:** Mayor votes aye. Commissioner Sten, do you want to hear the discussion on the item that's been pulled off? It's the, it's the accept bid of landmark 4 to furnish police intercepters?

**Sten:** Sure, I can listen.

**Katz:** Why don't we read that item.

**Ron Bergman, Director, Bureau of General Services:** Ron bergman, general services director. I understand that commissioner Saltzman had some concerns about the safety of the, of the crown victoria with regard to recent accidents. The national highway traffic safety administration has investigated the, the accidents that have occurred and the fires that have occurred after those accidents and have found that it meets all of the federal standards and that they have actually closed the investigation on it. Ford motor company has prepared a, a kit to improve the safety of the, of the police cruisers of this type. We are in the process of installing that kit on all of the crown victorias that we have. These particular vehicles will be delivered with that kit installed from the factory.

**Saltzman:** So, I mean, I guess I have seen a lot of news coverage of these cars, are human infernos when they are rear-ended, and I wasn't aware -- I thought ford --

**Bergman:** Fairly small with regard to the numbers of vehicles that are out there, and they are cases when they have been hit from the rear at speeds in excess of 85 miles per hour.

**Sten:** Which does happen a lot for police vehicles when they are on the freeways.

**Bergman:** It does happen, yes.

**Saltzman:** So you are saying the national traffic safety board has concluded its investigation.

**Bergman:** Yes, they have.

**Saltzman:** And found no defect?

**Bergman:** There are no violations of federal rules that ford has basically been exonerated in terms of the design of the vehicle that, ford, on their own, and providing free of charge to all of the

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owners of the police pursuit vehicles has prepared a, a kit to install on them that provides additional protection for the gas tank in the rear of the vehicle and that the new cars that we are buying have that kit installed.

**Saltzman:** And was it the request of our police bureau to specifically have these crown victorias as opposed to other vehicles? There are other models, I understand, chevrolet makes something, as well.

**Bergman:** Well, the chevy caprice was available with a police baggage through 1996, but they have stopped making that available. The crown victoria is the only rear-wheel full-sized sedan available for police vehicles.

**Saltzman:** Okay. So the new ones will have the kit installed already. Okay. Thank you.

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

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

**Katz:** Mayor votes aye. Measure passes. Commissioner Sten, we don't -- well, of course we need you but we don't need you for business this morning or this afternoon since there are no emergency items. Take care of yourself.

**Sten:** Thank you.

**Katz:** All right. We will see you when you get back.

**Sten:** Okay. Thanks.

**Katz:** Okay. Bye-bye. All right. Time certain, 1231.

**Item 1231.**

**Katz:** All right. Everybody, you remember we had a work session on these items, and we said that we would come back today and provide you the list. The key point here is that by providing you the list, it flags those issues that need to be looked at again by the necessary bodies, and then they will come back with recommendations, and I know that, that sam adams will address that, so let's move on.

**Sam Adams, Chief of Staff, Mayor's Office:** I am sam adams, chief of staff to the mayor, and because we are running late we have a number of people that want to testify that have to leave, I am going to try to keep my initial remarks very short. As the mayor mentioned, before you is consideration of the top ten plus lists and the code maintenance list. These are the results of the lists are put together as a result of significant public outreach to a diverse set of stakeholders in this issue. I want to provide special thanks up front to you, mayor Katz, for your leadership, the city council and your staff for support on this effort. Also, for the work, hard work and support from the bureau of development services, the bureau of planning and the six regulatory bureaus on the external basis we have had a lot of input and great participation in this process from the neighborhood business association, from the alliance, from bonnie mcknight and the neighborhood land use chairs, so thanks to all of them. The list before you addresses codes and regulations that conflict, are overly complex, duplicative or disjointed, produce unintended results, costly, time consuming for staff to implement, a source of confusion or lead to inconsistent interpretation by city staff. The original list of 55 before we went out for public outreach was grown to 36 additional suggestions. We paired it back to 15, 15 items in addition to the code maintenance.

**Katz:** The top ten is really 15 but you still want to call it the top ten?

**Adams:** To keep everything really confusing, yes. Since we spoke to you at the last work session on october 1st based on the feedback you gave us we removed item 43 from the original list dealing with on-site location of vehicle areas and we added to the list item number 838, which is an assessment of industrial zones and issues. This is a first step to clarify vast complex set of issues related to industrial lands in Portland. This assessment will dove-tail and was suggested by the blue ribbon economic development report that you appointed, mayor. We also added a sub-point, number 86.7 dealing with clarifications of title 33. The various items in the land division code list.

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This item that we added would review whether a type 2-x rather than the more onerous type 3 land use review would be more appropriate for multidwelling use land divisions involving few lots and where no development is currently proposed. Overall, these lists provide solutions to some of the most frustrating regulations that people have been dealing with, but as you know, there are a lot of items that we didn't get to. We begin our list-making for the next fiscal year actually within the next 80 days, so it coincides with the budget process and will be coming back to you with those -- with that list, as well, as part of every year's annual regulatory improvement work plan. Since most of the proposed items will amend regulations to title 33, we will follow state mandate the procedures for notification and review and the planning commission hearing requirements before returning to the city council for final consideration. We will bring back these changes in two bundles. The first and larger bundle, top ten changes will come back to you, or report to you on the progress by april of 2003. The code maintenance list will report in the same time frame to you, as well. And the second bundle of top ten changes we hope to report back to you by july of 2003. The two items on the list that are to your efforts, 47, treat and landscaping standards and the review of industrial lands will come back -- will report back to you regularly but on a two-year track. Because some of the items that were suggested to us could not be handled with existing resources on either the top ten of the code maintenance list, we will be as part of the budget process and as part of making our next round of lists asking you for some budget packages to take on some of those special projects. Just in closing I want to emphasize that this is beginning of an annual effort that will continue to be city-wide integrated and ongoing. We will be back to you to do more reform every year.

**Katz:** So, let me make -- let's make it very clear that, that today, we will be identifying those issues that we heard at the council work session with the exception of the two, the two new ones that you flagged. And then that will go, we will package them because the state law requires us to go out and have public notification and public hearings. We will package them so that we don't spend a lot of money in sending out individual notices, and then the planning commission has been alerted to the fact that they are now going to take on this issue, which they had not planned to take on. Identify yourself.

**Betsy Ames, Assistant Director, Bureau of Planning:** Betsy ames, assistant director for the bureau of planning. The planning commission is aware these packages will be coming forward. And the planning staff is also aware of that.

**Katz:** Okay. All right. Margaret, did you want to say anything in.

**Margaret Mahoney, Bureau of Development Services:** No, I think that sam covered everything.

**Katz:** Really? Okay. Betsy?

**Ames:** Nope.

**Katz:** Let's open it up to public testimony.

**Katz:** The stakeholders identified in your list will then have an opportunity to weigh in on individual, individual issues, individual top ten, or 15 items at the appropriate time. All right. Who wants to start? Ken, why don't you start.

**Ken Turner, President, Alliance of Portland Neighborhood Business Associations, APNBA:** Thank you and good morning, mayor. City council, i'm ken turner, current chairman of the apnba, the alliance of Portland neighborhood business associations. And I am happy to be here this morning. And on behalf of the apnba, we would like to commend the work that has been accomplished in bringing this top ten or 15 regulatory code improvements proposal to this body for its approval. Apnba also supports the approval of the work plan embodied by this list. We applaud the efforts of the mayor's staff, notably, sam adams for gathering so much and such varied constituent feedback into this effort. We think that this list represents broad and significant support

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from diverse interest groups. This is a very good beginning in a process that will take many hours before the final product is completed. To wade through 3500 pages of code and arrive at results that have merit will try the patience of all that are involved. We believe, however, that by the continued involvement of all interested groups and individuals, that the city, as a whole, will profit from the results. It will require constant vigilance by everyone, the business community, neighborhood association, individual citizens, elected officials, bureau employees, the media and other interested groups to insure that what is started today will continue until an acceptable end product and process for continued evaluations is completed. We don't want to be in a position like derrick anderson was over the past weekend when he kept hollering, hike the ball, hike the ball. We have got to take the ball and run with it. Apnba supports this effort and will continue to be involved. We urge council's approval.

**Katz:** Thank you, ken.

**Rob Mawson, Chair, APNBA Planning and Design Committee:** Rob lawson, heritage consulting group, 128 northwest 2nd avenue, here as chair of apnba's planning and design committee. I will reiterate our support for everything that ken said. We believe that this is an important process. We applaud the work of the council, the work of sam, the work of the bureaus. It's very cumbersome process, but we feel that this has been a very good start. We are particularly pleased with the, the inclusion of the nonconforming use issue into the top ten or 15, depending on how you count. It has been identified as a problem for neighborhood business associations and the development of livability and commercial activity in many of our neighborhoods, and we believe that this is a challenging problem that we look forward to seeing a good resolution on. I thank you and again, have our support.

**Katz:** Thank you.

**Rod Merrick, Merrick Architecture Planning:** Rod merrick, merrick architecture planning, 3627 southeast cooper. Portland, Oregon. I wanted to also endorse the effort. I think it's been handled extremely well and I wanted to speak specifically to the maximum building coverage, the roof overhang issue. The change to calculating site coverage based on the building footprint as opposed to the eave overhang will simplify the review and the enforcement of the code. It will not affect affordability of housing as most low income housing is designed around its limited budget and limited area, and rarely bumps up against the, the maximum coverage. And that I got from speaking with martha andrews, they do a lot of work in this area. It will eliminate expensive variances encountered by owners who want to add to their houses in the style consistent with the original, also houses infill design that's built in neighborhoods with the, the overhangs. The current regulations discourage eaves and overhangs which are desirable means of protecting the structures for moisture providing solar shading and it also provides additional design flexibility for, for architects and designers. And now the stormwater must be treated on-site, roof coverage area is not a factor effecting sewer capacity, so, for all these reasons I suggest that this, this change be incorporated and thank you very much.

**Katz:** Thank you. We are not incorporating the change. We are going back to review that one, okay. Wanted to make sure everybody understands. Let's keep going.

**Katz:** All right. We will take one of our own first. Go ahead.

**Jillian Detweiler, Tri-Met:** I've never -- well, maybe I have sat here once. I'm jillian detweiler with tri-met. Sam adams reached out to our general manager, fred hansen, about the code reform project -- So, fred hansen wanted to share with the council the comment that we prepared for sam adams. Tri-met and the city of Portland have a long record of achievement with respect to planning, design and construction of transit facilities in the public right-of-way and on private property. With an evergrowing agenda of transit projects ahead of us, we are keenly interested in pursuing opportunities to modify code requirements and improve plan review and permit approval

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processes where both tri-met and city objectives can be better served. Tri-met is both an applicant and a reviewer in the city's permit process. Our most obvious recent experience as an applicant is interstate max. However, we also seek permits for other transit facilities, such as the powell garage expansion and bus stop signs and stop amenities. As a reviewer, tri-met receives notice of all city land use reviews and comments on those with implications for transit. This letter draws on the agencies' diverse experience. First, tri-met has, since june, been debriefing on our experience with interstate max. We are getting our act together internally to come to the city and suggest improvements in ways we might work together through intergovernmental agreements for future transit projects, so just to, to put you on notice that we are going to try and be creative about how we might work together in the future. Second, we want to bring to your attention a zoning problem on interstate avenue. We feel pretty proprietary about interstate right now. The primary problem is the freedom nance of commercial zoning. Cg zoning is intended for auto oriented uses and the development standards for setback, landscaping, lot coverage and on-site parking conflict with transit oriented design. The likely outcome is frustration. The good developer proposing a building in keeping with the community vision, but required to seek costly, risky and time consuming adjustments or a zone change or neighbors facing another fast food drive-through or similar underdevelopment who question how zoning adjacent to light rail could allow such a thing. So, this is a case where if the city could act now to have a narrowly tailored process to change either through an overlay or the actual zoning on interstate, you could avoid some permit process frustration in the future, and direct private capital and in a fruitful direction.

**Katz:** Your time is up. Why don't you finish your thought.

**Detweiler:** Okay. We made some suggestions for removing on-site parking standards. We hope those might be carried through next year or in the next budget, and finally, we would like to be identified as a stake holder in the discussion of the short-term bicycle parking changes because we need to put bus stops on sidewalks and there could be some conflict there.

**Katz:** We will add that to the last one on the interstate. We have the same issues with mlk, as well, so we've been thinking about how we want to handle that, so thank you for flagging that to us.

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

**Katz:** All right.

**Greg Peden, Portland Business Alliance:** Greg peden with the Portland business alliance 221 southwest 2nd avenue. Excuse me, northwest 2nd avenue. I am going to submit my written comments into the record, and cut my comments brief because they are going to be reiterative of what mr. Moss and mr. Turner had to say. The Portland business alliance is very appreciative of this process; especially want to recognize sam adams and the fine work that he's done on this. I don't think that we would have this package before us if it wasn't for sam. Two things that I want to recognize that have been mentioned and that is the city is conducting the independent stake holder assessment that's being led by innovative partnership, and is committed to further code changes through the healthy streams initiative and the river renaissance project. I think those three efforts in cooperation with this top ten list or top 15 list really gives a thorough review of the code and the changes and we are appreciative of the full effort that the city has given to this. Thank you.

**Katz:** Thank you.

**Francesconi:** Thank you for acknowledgement of the mayor and sam in particular and for your statement that, in this letter that says that these efforts are strong evidence that the city of Portland is putting a sincere effort in addressing the concerns of Portland business community. Thanks for saying that.

**\*\*\*\*\*:** You are welcome.

**Dick Cooley:** My name is dick cooley. Can you hear me okay? I'm here not to talk about any specific items, but to encourage you and support this initiative. I think that we learned from our



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own lives and from watching our children that ambition has got to be tempered at some point by experience in order to succeed. I think that Portland's ambitions have been huge and has made it a very distinctive city, and regulation is, has played an inherent part in that success, but regulations are also a threat, constant threat to success, and when it comes to economic development, and so turning now to study our ambitions with, with an experienced eye is, I think, a very smart thing to do. This initiative particularly is promising to me, or gratifying to me and promising because it intentionally builds on the work that was done in blueprint 2000, which I think was very good work but needs, needs this fresh energy. And that is, that's gratifying to me. I think the people involved in this, sam adams has done a very good job. I think his inclusion of people like margaret o'mahoney and the bureau of, whatever it is now --

**Katz:** Planning.

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

**Katz:** Development services.

\*\*\*\*\*: Yes. Is, is a very smart move, too.

**Katz:** Thank you.

**Katz:** Let me interject as they are walking to the podium, as we talk about this city, we just were notified that the american heritage magazine has named us the great american place, and was received the great american place award. So, keep that in mind. Okay.

**Saltzman:** We are not the number one place?

**Katz:** We are number two. New york beat us out this year but we are number two in terms of the great places in america to live and work, but this is an interesting award and there is an article that has been written on behalf of the american heritage by randy from the Oregonian. Okay. Go ahead.

**Thomasina Gabriele, Chair, Development Review Advisory Committee:** May I take this opportunity to be the first to congratulate all of us, not only that, we all get to live here, which I think is --

**Katz:** Let's start her time all over again. [ laughter ]

**Katz:** Thank you.

**Gabriele:** Tomseena gabriel. 3334 northwest vaughn, sitting here this morning as the current chair of the development review advisory committee and a past member of blueprint 2000 and representative of the institutional facilities coalition as part of that effort. Many other development review advisory committee members are here this morning, so I just wanted to acknowledge them, not the only one or speaking for all of us, I think you will hear from quite a few of us here. I want to start out by acknowledging, again, the work that sam adams has done on this project along with margaret o'mahoney and the other bureau staff, having been part of blueprint, there's a wealth of information that's been discussed and commented on in this topic over a number of years, and it's great to see it summarized and some actions recommended. And I am here definitely to support this top ten list as part of the regulatory reform work plan that you have already acted on, particularly for the following reasons. I think it models a way to address issues, not on a case-by-case basis when an applicant has a problem but to really get it to where you can have a useful and fruitful discussion. I think that it begins to help us move beyond the narrow confines of the technical code maintenance that we have been doing for a number of years and start getting at those policy issues that really are, are a problem in the code. It certainly provides the opportunity to correct the newly adopted subdivision code. Hopefully there is other parts of the work plan where we might get to it sooner than when it is already adopted. If there's anything that I would like to add, and I think that sam covered this in his remarks, but having not read the resolution i'm not sure it is in there -- and that is to put a time frame for results and actions on all these top ten, 15 items. We've often created high expectations for change and positive change, I think, in this case, and I think that it's, it's really

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important for all of us to make sure that we take action and come back in a very tight time frame and I think that I can count on you, mayor, to do that since you always are talking about time.

**Katz:** Benchmark.

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

**Alan Beard:** Good morning. Mayor Katz and members of the council, my name is alan beard. I am a principal at 920 southwest 3rd avenue in Portland. I would like to talk to you about two of the top ten or 15 lists that you are considering today. One is the, the required residential overlay, item number 42, actually. And short-term bicycle parking. I think its best illustrated with two of our recent projects, and the first is rasmussen bmw on southwest jefferson and 20th. They have been there since 1988, they employ 100 people, average salaries, \$50,000 a year. The store has sales in excess of between 75 and 100 million. The site was a car dealership in 1975. While the, there is a required residential overlay on this site and while that may be well intentioned, it simply doesn't, doesn't work. And as you may know once in this overlay condition, once you exceed an expansion of 10,000 square feet, you must then build housing at 15 units per acre. Rasmussen is not in the business of housing. They don't know anything about it. It doesn't work there. And it's difficult melding that kind of use with, with housing. Only through exhaustive research with lawyers and such have we been able to design a facility, an expansion that doesn't exceed 10,000 square feet. Yet, still meets their needs. I believe a better way to create housing is through incentives. We need to meet our housing goals, but at the moment, I think the marketplace is taking care of, of our housing needs. I urge you to repeal or recommend repealing this issue, or at least to modify it drastically. Second item is short-term bicycle parking. On brewery blocks five, we have 20 spaces required. Plenty short-term bicycle spaces. The code says that they must be, if you build lot line to lot line, they must be kept with, within the private property. Don gardner in his white paper report says that, that there's a possibility that these could go into the furniture zone on the sidewalk while they need to accommodate other -- that area needs to accommodate other uses, that makes a lot of sense. It's very expensive, not the cost of putting these bikes on-site, but the lost rent and the most valuable space that should be enact -- in active use at the ground plane.

**Katz:** Are you going to be back, was it thursday afternoon to address this issue? Because that will be before the council through the transportation plan.

\*\*\*\*\*: I could be.

**Katz:** Why don't you come back and talk to us a little bit about that, and since this is a relatively new development in the heart of the city.

\*\*\*\*\*: Okay. Very good.

**Peter Fry:** My name is peter frye, 2153 southwest main street. It's important to remember the purpose of this particular project. It's the regulatory reform. So far, the work has been outstanding. The concern I have is the risk is all on the bureau of development services. They are the ones who get the complaints. They get the bad press. They also end up paying for the problems, so I am here to ask that you adequately finance their participation in this process that the bureau of planning will be leading. The bureau of development services needs to be an equal partner in the process of regulatory reform. So, I have one other issue --

**Katz:** Did they ask you to come here? [ laughter ]

**Fry:** No. I just want to make this work right, and --

**Katz:** Go ahead. What's the other issue?

**Fry:** The industrial survey which came up at your last hearing, I wanted to caution you that the current method of classification of the industry is over 40 years old, and there's a new method but it hasn't yet received acceptance nor had it had all the bugs worked out. The industry has changed dramatically since 1960. We have them running in the paper for the san francisco public research association on this very issue because they are wrestling with the same problem in san francisco,

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how the city evolves, how its industrial and economic basis change and how do you accommodate that in the future three years zoning, your other codes, so I am really glad you are starting out this process but it's a big one.

**Katz:** I'm glad you raised that issue, and with the indulgence of the council since peter is here and we don't get to hear testimony that both dan and I sit on impact, and the issue there is the expansion of industrial lands for the next 20 years, and so your paper will discuss what, exactly?

**Fry:** Well, there's basically two issues. One issue is a skill or size of the industrial firm and the second issue is where those firms locate and what metro is missing is a little firms. They are creating large lots for big firms, and interestingly enough, and it hasn't been really well publicly said, is that Portland is able to accommodate the little firms, takes the pressure off the edge so that the large parcels aren't broken up into small parcels. I am dealing with 140-acre parcel in tualatin right now, which is perfectly zoned, set up inside the urban growth boundary. They said no hundred acre sites, well I am dealing with 140-acre site be but it's been cut up into three parcels, and the parcels are being cut up into smaller parcels. So, here's a perfectly ready to go site for a large locker or tektronics or something like that, and it's being cut up, and so --

**Katz:** And then they ask us to expand the urban growth boundary further.

**Fry:** We go out to sherwood road and keep doing it over and over again. And so that's the same problem in san francisco because they have a lot of small farms. It's very much like Portland. It's small business, basically, and how do you accommodate that and bring them back to the center for jobs and all those things. So, that's -- we've been having some difficulty with metro on that issue. At least their policy side.

**Katz:** We are dealing with it, as you know, right now, today.

**Fry:** Very good and bringing it up, and I think that they are doing an excellent job.

**Katz:** Thank you.

**Francesconi:** Without debating this, but you do believe that we need parcels to accommodate the larger ones because the smaller ones feed off the larger ones.

**Fry:** We have those, except we break them up into multiple ownerships and they are not well served.

**Francesconi:** But I think your answer to my question is yes.

**Fry:** We need large parcels. [ laughter ]

**Francesconi:** I get to do that. There's no defense lawyer, no judge.

**Katz:** No, but as I flag this, this is, I mean, these are nice sound bites but this is very complicated issues because we don't even know what the industries for the next 20 years on, even 100-acre parcels are going to look like and if they use them for commercial purposes, which, they are gone. So, this is tough work.

**Fry:** I am glad that we are starting it.

**Katz:** Thanks. All right. Thank you for indulging me.

**Katz:** We are going to start with one of our own, so jada is one of our own but she, she wasn't on the planning commission. Go ahead.

**Steve Abel, Stoel Rives:** Good morning, steve abel, I am an attorney with Stoel Rives. I want to make a couple of comments in this process. I appreciate what the city council is doing. I think it's a very important task that the city council is undertaking. In terms of regulatory reform and I think that the staff, from what I have seen, has done an excellent job of organizing the voices, if you will, to get the right input to wanted where the issues are. I do recognize that this is a first step in what I think is a much larger project and there are a number of items going on in other forums, and I think those are very important. I do want to point out two items that really come to, to my thought pattern from my time on the planning commission that appear on this list, and I want to provide some context to those. One is the required residential overlay. That's a provision that has a very good

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intent and in fact, within the code was very well written to implement that intent, but the fact remains that it doesn't achieve the goal that was intended. And a lesson to be learned from provisions like that is sometimes good intentions and good code writing don't get us to the goal, so part of the exercise that we are going to go through or should go through in this process is not only to correct the code in these places, but to understand why the code ends up not implementing the good policy. We also need a program that will test our regulations, so that we don't too far down the road and find there are unintended consequences to those regulations that are hurting local businesses. I think that that's a very good provision to test and to analyze as we go through these processes. The second one that I think is really important is the nonconforming use provisions. They are, someone said -- Kofca --

**Katz:** Kofca?

**Abel:** Yes. I don't know if Chris is here. [ laughter ] They are one of the most complicated provisions in the city of Portland code and in fact, one of the most complicated set of provisions that might exist in any one zoning code. And the importance of that is that this is a provision that directly impacts small businesses. Small businesses that are located in some of our urban neighborhoods that might have been rezoned to residential so they become nonconforming and those provisions are the provisions by which they continue to survive. Those businesses survive. They are the ones by which we write the flexibility for those businesses, to grow or expand, and they are critical to the ongoing businesses, the small businesses in the community. I will say that on the planning commission, sometimes we didn't rezone properties because we were afraid of the fact that that would lead businesses with a lack of flexibility. That's really not the right result. The right result is rezone those properties and have those properties continue to exist, those businesses under flexible and meaningful nonconforming use rules, so I think that that's an area where simple changes aren't going to be the fix. A wholesale change to that area of the code is necessary, and I think it's very important to the small business community. Thank you very much.

**Katz:** Good to see you.

**Abel:** Good seeing you.

**Katz:** Jada, you are next in line for being part of us.

**Jada Mae 4 USA:** Well, I sure am ignorant of what's going on at this particular time because I went into my favorite beloved bumble crat office to find out what the ten things were so I would have something to talk about, and I guess he -- i'm not going to identify this bumble stuff, but he says his primary purpose is to keep me off the ballot and out of city hall. How do you think about things like that? This is something that I have to deal with all my life. But what would you do if you were in that situation?

**Katz:** I would do exactly what you are doing right now.

**Jada Mae:** Okay. Well, I think that this is a great council and I think that it's more aggressive than any other one that i've been to. I would really miss not being able to come here any more. And that's to you, bumble crap.

**Katz:** You are always welcome to come here on any topic, even if you don't know what the topic is because we always learn a little bit from you.

**Jada Mae:** By the way, mr. Planning commissioner, or --

**Abel:** Former.

**Jada Mae:** Former. I think that our ecologies are the answer to everything, especially the problem that we have with the poor people, and it's about time that we had a poor person for president. Myself, included.

**Katz:** Thank you. All right. Robert?

**\*\*\*\*\*:** Can I buy your minute and a half that's left?

**Katz:** Nope.

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**Robert Butler:** Robert butler, 824 southwest 18th avenue. While this is a great opportunity for Portland, the challenges is how to pick the result that we want and measure it, and I have some ideas. I don't expect that to happen right off the bat, but I see the results every day when I hear the largest single -- one of the largest single family home builders in the city of Portland say never again in the city limits of Portland. When I see a commercial developer of some national scheme say, first attempt in Portland, never again. This is what I measure, but how are you going to measure it? That's a problem, but I will make a couple of suggestions. One, is that I think the shorter the code, the more streamlined it is. If you are to lay that code, I think you could start at that end and end up over there. Lucky. It's so long but all appendages and whatever, forget the building permit, just the zoning code. So if we could take a foot off that shelf every year, I think that things would be better. The second is to look at what's happening -- how are we spending our time in land use because we have this enormous amount of money that we are spending in land use. How are they spending their time and what are they spending their time doing? I think that the biggest problem is the public review, the public analysis or public paralysis of everything, we are over evaluating publicly too many things, and secondly the process is so slow, it's expensive. And so remodeling and building in Portland is expensive. Do you know what that means? It's called blight. When you can't afford to do it, you lose it. It's a blight. I talked to connie kroker, pdc, 1998. I said tell me about shelter properties. Oh, shelter properties, they are the, probably the best affordable housing builder in the northwest. They are out of seattle. They are really good. They are doing projects all over, including Oregon. Okay. Good. Well, shelter tied up the shriner's property in 1998 to build 200 some affordable housing units. That should be done by now, right? It's been four years. Well, I guess you know that they haven't turned the first shovelful in four years. I don't know why. I know that it's on hold. But when affordable housing developer of such professional stance and these others have problems like this, this spells opportunity for us, and I thank you for taking this huge challenge on and I hope that we will persist as I think that we will. Thank you.

**Katz:** Thank you. We can tell I couldn't its on hold. But we will do that a little later on. Thank you.

**Amanda Fritz:** Good morning, amanda fritz speaking only for myself. I came to ask you to remove two items which have already recently received extensive public process, and which you have already made good policy decisions on. The first is the building eaves policy. We have in the comprehensive plan a policy on humble housing, which requires that we insure that there are opportunities for development of small homes with basic amenities to insure housing opportunities for low income households, members of protective classes, households with children and households supportive of reduced resource consumption. I know that commissioner Sten is not the only person on the council whose concerned about affordable houses. The proposed amendment to exclude eaves from the measurement of building for the print would allow an increase in home size of 10% on the smallest lots. 10% more house generally translates into 10% more expensive. Which do you think a first-time home buyer would prefer? A house with eaves or a house that they can afford to buy? Is providing eaves really so important that it's worth allowing an across the board increase in the size and cost of housing? There's a public process issue here, too. The design standards project was one of the finest i've been involved in during the ten years that i've been in neighborhood land use chair. During that process, we all considered whether eaves are important enough to be required. We all decided not. You promised that there would be a review of the design standards project a while after implementation to see if it is working and whether any standards needed to be added or changed. That review hasn't happened. Yet now some developers are saying without any evidence that lack of building eaves is such a huge problem that it merits occlusion in the top 15 list and allowing 10% bigger, less affordable houses. Which do you hear more concern about from neighbors, building eaves or affordability? Increasing the fingerprint

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won't require eaves. If you want them so much, require them without increasing the lot coverage. During the land division process, neighbors expressed concern that the new lots would be too small. Don't worry, we were told, the building coverage and setback standards will insure that the new homes will fit and look nice. Now, the developers are saying that the lots are too small and that the solution is to increase the building coverage. No, the solution is to build small homes on small lots. Homes that will be humble and affordable. Finally, I sent you a second e-mail this morning on the issue of allegedly fixing the lot coverage standards in the new land division code. This section, which I think is number 3 in the land division list, it's one of the very few where there was complete agreement between the bureau, neighbors, planning commission and the council. Nobody spoke against this policy. Setting lot coverage based on lot size rather than zone is the very core of the new land division code. You made the right choice in adopting that policy. The table of numbers can be simplified but the underlying policy is essential to the land division code and should not be changed, certainly not yet. Certainly not before you have done the study. So please don't ask citizen volunteers who put in countless hours discussing these two very issues to discuss them all over again right away.

**Bonnie McKinght, Coordinator, Citywide Landuse Group:** Mayor Katz, members of the council, I am bonnie mcknight. Live at 1617 northeast 140th in Portland. I'm here today as the voluntary coordinator for the city-wide landuse group, I am also co-chair and land use chair of russell neighborhood association. And I wanted to express the appreciation, my appreciation for the process by which we've gotten to this point in choosing the top ten or 15 list. We in the neighborhoods participated, I think, because we had faith our voice would be heard and more importantly, listened to. The process got us around the table to set up a system of collaborative problem identification. We continued to participate in the process because we believe the collaborative approach will continue as those problems are solved. Faith is what sustains neighborhood association participation. Neighborhood associations are your consistent, informed community voice when they function well. During the current year, the coming year will work further if defining the neighborhood association role and responsibilities in this process. We commend the effort to this point and look forward to the next stage.

**Joseph Cotter:** I am joseph cotter, live at 31810 se wildcat mountain road, eagle creek. The reason that I am here today is i've been informed about the regulatory improvement issue, and I was looking over the, the top 15, and I was hoping to see the sign code in its entirety there, but I know it's not in there. I think what we have is the, I think that we have signs on awnings are in there, but, and I was curious as to whether or not there had been a lot of feedback on that because I know that it's an important issue to a lot of people, and I was curious as to how the, the 15 were distilled out of what must have been a huge amount of information coming in and whether or not the city council plans on taking that issue on any time soon. And then also, I sent an e-mail and I don't know if -- last time I was in front of you, we had discussed the city attorney looking into the language that I had provided, and I provided some detailed, more detailed language to the city attorney and the answer was that they couldn't give me an answer at this time. And I was wondering if you could redirect the city council maybe to give me an answer on the constitutionality of that language that I provided earlier. I understand that they are in a conundrum because of the litigation taking place but I think that we could move the sign code issue forward if we had a bit of give and take and we could try to work things out. Anyone, I appreciate the effort that you are putting into this gigantic code thing because the code is incredibly complex. However, I would really appreciate it if some of these other issues could be tackled as comprehensive in manner.

**Katz:** Do me a favor, I don't think I saw the language you sent to the city attorney. I did read your e-mail so if you can send the language that you sent to the city attorney --

**Cotter:** I had provided your office with a copy probably back --

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**Katz:** A long way back. So if you can do that, I will have an opportunity to have a conversation with the city attorney.

**Cotter:** Great. I would appreciate that. Thank you.

**Peter Taschioglou:** Good morning. I am peter. I live at 4405 northeast 39th street, or avenue, in Portland. And I am here today as an artist, a muralist and a tile installer, and i'm actually here with joe cotter. And I wanted to also kind of put my 2 cents in regarding the sign code. And I am here representing like dozen of muralists. There's a gentleman earlier talking about a blight, mentioned that briefly, and also how zoning affects small businesses. As an artist and muralist, our small businesses are affected by the sign code and I realize that it's not one of the ten or 15 and joe was talking about that, how, you know, he was trying to bring that forward. But, just to add another voice. With the sign code, we are not able to paint murals as they are in other cities, and some muralists have actually left, gone to places like seattle and because their sign codes, either they don't have one or it's just much easier to paint large areas right in the city. If the sign code were to change, the city would be, I mean, it's already a wonderful place to visit and to live in, but it would be even better, the older murals that are deteriorating would be brought back to life and we would have new ones planted on the buildings and they would look terrific and people would, would, residents and visitors alike would take pride in or admire the murals here and it would also support us, the artists, and, and in that sense, the local economy. Thanks very much.

**Rebecca Jaynes:** I am rebecca jaynes. I live in northeast Portland and I just --

**Katz:** Get the mike closer so we can hear you.

**Jaynes:** My name is rebecca jaynes. I live in northeast Portland, and i'm a graphic designer, and I know that I came with the, the muralists, contingent, and I know that it's not quite on the agenda, but I just wanted to give my support for the fact that murals are one of the things that make Portland a great city, and a beautiful place to live and I don't want to see them phased out in favor of this giant commercial posters getting bigger and bigger and more intrusive, and our own people's art is going the other direction. Leaving.

**Katz:** Thank you. Anybody in the audience wanting to testify that did not sign up?

**Francesconi:** Can I ask some questions, mayor?

**Katz:** Why don't you come on up. Is margaret still here? Why don't you come on up, kermit, and we need to talk about some of the large signs. I think that they are in violation of our code. But, that's a whole different subject.

**Adams:** Do you want us to handle --

**Francesconi:** I just want to ask a couple of questions. I wanted people to be able to testify so they didn't have to wait. Some of this is more about the future, and some other issues that are related, and I will be -- the issue of kind of seismic design and the seismic requirements, they didn't make the top 15. Can it make the next round?

**Adams:** Yes is the short answer. Seismic and the triggers when someone goes to reason investor develop their building is an issue on the thresholds and triggers list, which is a parallel process making its way through the process, as well.

**Francesconi:** Okay. Part of it, a big part of it is the regulatory reform effort, but I know you are doing some things on customer service training and those kinds of things in terms of the bureau, can either sam or, or curtis talk about that?

**Adams:** We, in fact yesterday I had a productive meeting with some folks in the private sector who have agreed to put together organizational development and h.r. Professionals from a variety of different local firms as a donation to us to work on the customer service and attitude issues for all the regulatory bureaus, including planning and vds.

**Kermit Robinson, Bureau of Development Services:** Kermit robinson, bureau of development services. We recently initiated some of the efforts in that regard. We have -- we started just last,

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last night -- no, last thursday, we had our first small business evening session, similar to our residential permit night where we focused. We had a separate track for business owners to come in and find out regulations, kind of get answers for their purposes and we are going to continue that pilot project through the end of the year and see how it, it was received and we think that we had four people the first night. We are hoping that word of mouth, like residential night was spread by word of mouth, will improve how many people use that. We've also done two sessions of our learning things aimed at small businesses and we have had over 30 people attend those where, where we sort of gave them, you know, from the beginning to the end of what you need for permits, how we can help you, what happens during inspections and et cetera. Aimed at small businesses. I know our bonnie moore, our d.s.c. manager is working on the concierge services and the other issue of looking at the, sort of the refund process, you know, if certain goals aren't met. Looking at those processes.

**Francesconi:** You anticipated a couple of my questions, but, and it had to do with -- well, back on customer service training you have given some examples of that, but you don't need to comment on it now, but at some point it would be nice to have a report back on what the work plan is in terms of training our own employees on customer service and sam just talked about the efforts being launched and I think that it was important for people to know that we are also doing that. I mean, customer service needs to happen with me and my office and all the bureaus, not just in these bureau, but I think it would be good if at some point you could present us with the work plan as to what you are doing.

**Adams:** We will be coming back with a refined regulatory improvement work plan on november 13th that will do exactly that and some additional ideas that have come up that we would like to pursue, as well.

**Francesconi:** And then kermit, what you were saying, the kind of information that we are now giving to people ahead of time about permits and the kind of more detail, I think you are trying to streamline the process at least for small business because bonnie has been terrific. Margaret has been terrific as part of our separate small business efforts. It might be good if you can also report back to us at some point about the information that you are giving and all the things you started to elaborate on. Sam, the thing that did come up was the question about how are we going to evaluate this and benchmarks and timelines and et cetera. Can you respond to some of the issues that's been raised?

**Adams:** On the issue of timelines we will be back in april and july with two code packages. In terms of benchmarks, part of what we are, we want to move towards when we sort of improve upon our impact analysis is to answer that question for each new regulation that comes through the process, how should one evaluate it on an ongoing basis from the time that it is approved by the city council. That's one discussion that's underway and we actually have -- we've got a staff team sort of debriefing on the two, one, one with north macadam and the second with the transportation surface plan. We will be debriefing on those two efforts and try to improve upon them having completed some best practice scans of how other jurisdictions evaluate on an ongoing basis and evaluate impacts at time of passage.

**Francesconi:** I guess that that was the last question. You know, the impact statements, I assume that that's going to include not just, but it will include a business impact statement?

**Adams:** Absolutely.

**Francesconi:** And what's the status of that? That was my last question.

**Adams:** Like I said, we have made -- we are sort of one and a half efforts, one is the north macadam impact statement that planning did, that you all have copies of, and then transportation has a draft impact statement out there, and when we were before you the first time talking about the work plan, I hope that I was clear in conveying to you that we hadn't figured out yet up front what



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the best impact statements looked like but we wanted to get going at it and perfect it as we went along. It's built on the resolution that you had passed, that you proposed and council passed a year and a half ago, so we are trying to build on the lessons learned from your initial work. The best practices of other jurisdictions, sort of do the best efforts ourselves up front but now we are pulling together a staff work improvement team to really hone in on it and make it even better.

**Francesconi:** Thank you.

**Saltzman:** One question.

**Katz:** Go ahead.

**Saltzman:** I got a little lost here about the thresholds and triggers list. These will be thresholds for remodeling and things like that.

**Adams:** All the thresholds and triggers that the city currently has in code are under review, that's part of the work plan you approved the last time that we were before you. Some of them require going through the, the legislative process, through the planning commission. Some can be done administratively. We are about two weeks away, sort of settling on which triggers need to go through which processes and what those time lines will be. We understand and when we presented to you the first time, you know, I believe that it's reviewing those and improving upon them and updating them as the single most beneficial thing that we can do in the short-term, especially for small businesses. So, we are giving it a lot of urgency.

**Saltzman:** So when will this be going forward to the planning commission?

**Adams:** There are about 11, 12 or more triggers, and some will be sending through the planning process within the next couple of weeks and it will go through its normal process. Some can be done administratively, and we can move on a much quicker time line. And we will have that all sorted out in about two weeks.

**Saltzman:** So that will be presented to us on the 13th of november?

**Adams:** You have given us authorization to present it on and through the process in the last resolution, you approved so we just need to get our act together and get it going.

**Katz:** Kermit, signs are not on this list because we just went through a whole sign code revision. But, there is a -- appears a proliferation of these large signs. I need to know whether these were grandfathered or they, in fact, in violation of our sign code?

**Robinson:** Yes. Most of them were grandfathered and we are pursuing a few that were not grandfathered and they are in the enforcement process. But, many that we've been receiving complaints about recently, it's -- we get a complaint each time there's a new sign up there. And we go through the process, yes, that was approved. On the whole issue of the sign code, our intent is to put sort of an additional -- last year we did a code maintenance on the sign code in parallel with code maintenance for the zoning code. We didn't get that organized this year but we do not to do another sign code review and update next year of issues that will have identified and have the public help identify.

**Katz:** Would you provide me a list of all the, the buildings and signs that are not in compliance with our code today and who owns those buildings?

**Adams:** We did -- someone who testified asked the question did, we hear about signs. We did hear about signs. We heard most about awnings and signs related to awnings, which made it onto the list but we also heard about small signs unrelated to awnings, concerns about a-board signs and the cost of permitting on those, and then building signage. They did not make the final top ten plus list, but they are on the list for consideration next year. Do you want us to speak to the eaves issue?

**Saltzman:** I would like to hear.

**Adams:** There are the two issues, one under the land decision code is regarding a table that we have that regulates the size of building coverage based on the lot size. That was just passed as part of the land division process. Opdr and bds has received a number of adjustment requests from

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existing homeowners who want to expand their houses and are unable to in places like laurelhurst that have some oversized lots and they found that, especially between 5,000 and 7,000 square feet, the size of lot coverage allowed decreased significantly. The bureau of planning supports the policy and wants to keep the policy that you passed to link building coverage to lot sizes there, but we do think that we can look at the, whether the percentages and the range between 5 and 10,000 should be adjusted to be a little more consistent with what was allowed before and there also is a, a mathematical error in that table that would need to be corrected in any event to make sure the percentages are correct. And the way it's calculated, as I think was mentioned in e-mail to you, there are percentages such as 40.04% and 17.3% that people need to use to calculate and we think that that could be simplified significantly, so that people have an easier method and staff have an easier method to calculate the building coverage for those lots.

**Robinson:** Real quickly on the eaves, I want to follow up a bit on what betsy, I wanted to call you amy for some reason, betsy said on the -- as we start implementing the land division code there was so much in that land division code and kept moving so quickly that a lot of the things that we started identifying, we couldn't identify in the process and really started hitting us as people came into the counter, and the lock coverage one is one of them. On the eaves, we encourage you to keep it on the list. We have the issue of the lots being smaller, the stormwater thing, things that have occurred again as we developed kind of simultaneous regulations. Yes, this was discussed during the, the, based on design standards and perhaps we do need to do an overall review of that one. But, this is kind of a key thing that we can look at and open the process up again.

**Ames:** And on the eaves' subject, I have a very elementary exhibit for you that I put together. Currently --

**Katz:** Do you want to distribute it?

**Ames:** The building lot coverage is supposed to regulate the bulk of buildings, and currently, we have some more, it's more difficult to determine because we are measuring from the line of the eaves rather than the footprint of the building, itself. And currently, including eaves and the building coverage doesn't do anything to limit the size of the building, itself because, because as you can see on the picture, you can just build the same size house with no eaves and have the same building coverage as a house that would be smaller with eaves. So, this would allow for some design flexibility. It would allow for some simplicity and in checking with the bureau of development services they get a number of adjustment requests on this and most of the time, 75 to 85% of the time they estimated that they grant those adjustment requests. So, people are spending \$1,000 approximately to request an adjustment so that they can match the eaves on an addition to their house, to the existing eaves on the home, or so that they can build a home with eaves that's more in keeping with the character of the neighborhood. We will certainly include affordable housing representatives in our discussions of this as we move forward, reaching out to them to see if they share some of the concerns that have been mentioned today, but we think that this is something that would be worth while pursuing, could save some people some money and some complexity in the development services review process.

**Francesconi:** Thank you for sharing this. This is the first illustration in six years that I could have done. [ laughter ]

**Francesconi:** I appreciate it very much.

**Katz:** Let me just add that on the trips that I took with the planning bureau and the bureau of development services around the city for design issues, this was one that just stood out. Eaves are important. I know they may be important for other reasons, but aesthetically when you see the difference between the two buildings, they are very important. In fact, I think in some cases, they should be longer to keeping character with the architecture. But it also includes what happens from the sidewalk up to the house. I mean, if you have got things happening here that's long and narrow

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and you don't have the balance of the eaves, the house is, you know what I call it, I won't call it here for the public to hear.

**Ames:** And this was considered before, in 1997 as part of the code language improvement process, which was a precursor of code maintenance and was really supposed to only deal with technical nonpolicy issues. It was raised, the planning commission forwarded a recommendation to remove eaves from the building coverage definition at that time and the council heard some testimony and decided that it was because there was disagreement on it, that it would be dropped from that package, and with the design standards, my understanding is that it was dropped along with a number of items that were found to be too prescriptive in telling people what to do. This would not be telling people that they had to have eaves but would be allowing them to have them if they wished to, either on a smaller house or a fingerprint that matches the building lot coverage.

**Katz:** Okay. Are you done with us?

**Saltzman:** Yep.

**Katz:** Any other questions? If not, roll call.

**Francesconi:** Well, thanks for your work. I think, I mean, we should have done this sooner but we are doing it now, and that's what counts, and we are sending signals that have been acknowledged to our businesses and especially our small businesses that they matter, and that they are part of the city and we need them to provide money for parks and for other things. So, I think that that's real important, as the people have acknowledged here, there's a lot more work to do, and so what I especially appreciate about what the mayor and sam are doing is that they are trying to incorporate this as a way of doing business, as opposed to just a strategy when we have the second highest unemployment rate in the country and we are trying to engrain it. Whether it means customer service or performance measurements, major policy impacts. So, all that is very good. Moving onto the seismic and some other things need to be addressed. The bicycle one does need to be looked at. The housing overlay and certain business zones really does need to be looked at, too. So those are just a couple of the ones that I am glad that we are moving on. So, thank you for all the work. And it also proves one other thing, and that is when messages are clear from the council, the bureaus do respond, and they respond in a timely way and the energies and directions of all the bureaus, despite the form of government can come together. Now, we have to make sure that we continue in that unified approach. I also appreciate, and this is, this has been a lot of efforts from a lot of places, but both public and private, there is a lot more attention now on small businesses, too, and I think the small business community is starting to feel it, and that's good. Aye.

**Saltzman:** Well, I think that we are moving at a pace, and we are making progress and I think as ken turner mentioned earlier in the discussion we need to make sure that we are making forward progress, and we need to have dates and time lines for actions, and my concern at the outset with this process was that it may be a little bit too cumbersome, too many cooks, chefs in the kitchen, whatever. So, I just want to make sure that all these strands don't start dissipating away and pretty soon we are not sure where we are on things. I'm not professing that I am disappointed or skeptical at this point at all, but this is a lingering, ongoing concern of mine and I will always be probing for where we are and when we actually have action points and results, but I think that it's a good course. You have built a lot of consensus and involved a lot of stakeholders. On some of the issues that amanda brought up about lot size and eaves, I think that she brings up some compelling points but I don't know enough, even though the issues have been visited by the planning commission, again in the spirit of looking anew at everything, I think we need to take the issues and look at them again because for one reason or another they made it about a the top ten plus list here and they merit our consideration. I do think that one of the issues, facing the city of Portland is the dire need to have housing that can accommodate families and if we have to give a bit to allow large remodels to happen with lot size requirements I am probably going to favor making those gives. But, I am not

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going to prejudge my ultimate decision. I just think that they should remain, at this point, on the list. So good work. Aye.

**Katz:** I mentioned a few minutes ago that we got the great american place award by the american heritage magazine. They based it on the history here in this community and what this community understood as a sense of place, and this is Portland, Oregon. It isn't houston, texas. And because it's Portland, Oregon, we do have rules and regulations and we care about he is thetics and we do care about design. And we have regulations and we add to them, but every couple of years we need to step back as gill kelly loves to say and review what didn't work. In fact, we passed regulations that in the short period of time appear not to be working and I think that that's one of the benchmarks that we need to ask ourselves every time that we look at a regulation that becomes a part of a list because it doesn't work. Why didn't it work? That's the lesson that we need to learn and then make sure that what we do, in fact, does work. And so this process, the rules and regulations for a community are very important. This process is as important, as well, because some of the rules are cumbersome and some of them are very expensive and some of them, quite frankly, don't make any sense and some make a lot of sense, even though they will be people that will come and testify that the rule needs to be changed. Having said that, it's a good start. And I want to certainly thank sam adams, but there are a lot of other people who helped sam, and hannah, hannah, raise your hand. She's sitting here, whose done yoman's work, and han, sam's assistant, has done yomen's work, and betsy was taken for amy because amy, who is our receptionist, takes care of all the problem children. All the e-mails. All the letters. All the phone calls about a problem, and she tries to work through those problems as an advocate with the bureau of development services, and I want to thank margaret. Margaret, your team, whose been very critical part of this process, and your willingness to push back when necessary, but also your willingness to change. So, I want to thank everybody. Did I miss? I don't think I missed anybody. But, betsy and planning. They are sort of my test. Since there's a little, always a little tension between the bureau of planning and the bureau of development services, which is very healthy, and so when both of them say yes, this is a problem area and we need to look at it, I feel much more comfortable about proceeding and moving forward on these issues. So, thank you, everybody. And i'm pleased to vote aye. All right, 1232.

**Item 1232.**

**Katz:** All right. Can our tree person come here? We are going to hear the testimony. Is our tree person here?

**Katz:** We are going to hear the testimony and then give you an opportunity to tell us, do you want to us to take off the emergency clause and let it go into effect in 30 days or come back and have us vote on it in two weeks when we have four people. So, you need to -- you will need to counsel us. I really don't care. Why don't you go. He's getting counsel's advice. I know what harry is going to tell him, so it's up to them.

**Phyllis Reynolds, Chair, Portland Heritage Tree Committee:** So, 4471 southwest fairview circus, and I am the chair of the Portland heritage tree committee. It's been a long time since i've been here. It's hard to get an appointment with you guys. But, you are now getting something passed out to you -- don't look at the picture. Just look at the booklet behind it. That's our second edition of the heritage tree booklet. It came out in the last few months. It's up to date. It's got marvelous maps and all 234 trees are in there. With descriptions of the tree species. If you peek inside the first page you will see that we are going to have a website, not only will you be able to see all of the stuff in the booklet but you will be able to see photographs of the trees and closeups of many of them. So when, in your idle time you can, you can check the website for, for the trees.

**Katz:** Very nice.

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**Reynolds:** I'm here today to ask that you designate two trees for heritage status. One is a witch elm, which is at 3331 northeast hancock. It's a -- a wych elm is from native europe. Central and north central europe and asia minor. And it grows to be a very big tree with a wide crown and witch really means "wych." not the halloween witch, but wych in old english means "plant." and bows were made out of these, the bows of these trees. We have one other --

**Katz:** Keep talking. We may have to --

**Reynolds:** You may have to go and visit it. Anyway, it's, it's a beautiful tree, and we have one other wych elm as a heritage tree in Portland, and this will make a nice addition. That was unanimously voted on by the urban forestry commission on may 16th. And then the next one was voted on by the urban forestry commission on september the 19th. It's a japanese maple. And it's at 3652 southeast alder. It's a big maple for a japanese maple. Portland has oodles of japanese maples. This is a true example of it, made in japan, obviously. And it's on private property.

**Katz:** I tell you what we do, you keep talking and then when we come back and vote on it, whatever you decide you want to vote -- if you want --

**Reynolds:** I think we decided to remove the emergency clause.

**Katz:** And have it go into effect in 30 days. Here it is back on the screen then.

**Reynolds:** That is the japanese maple. As you can see, it's a large maple. There's one other maple heritage tree in town. Japanese maple and this, I think, is even larger. Now, the third tree that we are asking you to delist is, was voted on, on may 16th. It's a madrone. And there you can see a picture of it when it was healthy. And now the overhead shows, and the photograph that I handed out -- that. You can see what's happened. It has a root disease, a crown disease, and it's in severe decline, and we feel that it doesn't represent heritage tree status any more. And so we ask that it be delisted.

**Katz:** And you can't do anything --

**Reynolds:** No. It has been looked at. It's just in decline. You can't do anything. And then I don't think that you can see the cars and the boats and everything that are parked -- yes, you can on top of the roots. That's not doing it any good, either. But, we are -- the committee, the committee has been busy and we are looking for another madrone. It's a native tree and we would like to have -- we only have one now as a heritage tree and we would like to have another one.

**Katz:** Let's put the lights on. Thank you. Did you want to say anything?

**Brian McNary, City Forester:** I am the city forester for the city of Portland and I just wanted to let the council know what a great job phyllis and her committee is doing. You saw the manual they put together on the heritage trees. The web page site and phyllis also does an article in the "friends of trees," newsletter that highlights the heritage trees, so now besides having these -- this nice collection of heritage trees, they are now available for the community to enjoy because they know where they are. They have got a map to find them with, and they will now be parts of, I think, tree walks and tours, which phyllis also does, so thank you, phyllis.

**Katz:** Wonderful, thank you very much. Anybody want to testify on this? We will take the emergency --

**\*\*\*\*\*:** You need a motion to amend it to remove the emergency clause.

**Katz:** I was just going to do it. We need a motion to remove this emergency clause.

**Francesconi:** So moved.

**Katz:** It's moved. Thank you. It will pass onto second.

**Saltzman:** Second.

**Katz:** Seconded and approved. Thank you.

**Item 1253.**

**Katz:** Let's move on. 1253.

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**Katz:** You all recall that we had a long conversation about the future of the memorial coliseum, and you all recall that many of us did not want the coliseum to be torn down, and I think if we had a vote on it today, it would be unanimous. But, there are issues that are facing the coliseum. A lot of them are repair issues, reuse issues, financing issues. So, now that we have made an informal policy decision not to rip the memorial coliseum down, I think that it's fair that I can say that. We then now needed to take a look at what options we had for the coliseum. And there were one proposal that came in very early. We call it the "mark," but it isn't the only proposal that's before the city and the council. That was basically to reuse it for recreational purposes and competitive purposes. Then another proposal that we made a decision to look at was one that had a mixed use, possibly mixed use, recreational as well as private use. And then I said that we need the third one, and everybody agreed, where we don't do anything. We don't change it but we need to figure out the cost for maintenance and what other things need to be done to enhance the operations of it and to enhance the marketing and the financing. So, that's what's before you and I probably shouldn't say anything else and turn it over to tim.

**Tim Grewe, Chief Administrative Officer:** I think you just did a very nice job of covering our protection. Mayor Katz.

**Katz:** Go ahead, and I mean, correct all the errors.

**Grewe:** For the record, I am tim grewe, the administrative, chief administrative officer for the city. I will just give a bit more detail to what the mayor just did a very adequate job of covering on the history of this. It was over a year ago, that council authorized the document called "the rose quarter plan." that document was intended to lay out a -- some options as to how the area surrounding memorial coliseum might be developed. And in that plan just to refresh your memory, options were presented without, having memorial coliseum gone and made available for other development purposes, and then other options were provided with memorial coliseum remaining at that site. As a result of that, you asked us to do a more in-depth review of, reuse options. And that's been happening in two regards. One is we entered into a memorandum of understanding with the Oregon arena corporation, and to refresh your memories, they had the first development rights in the event that the city opts to take down memorial coliseum, so that's why they are involved here. But what they are primarily looking at right now is private reuse options. So, we have that effort underway through a memorandum of understanding with the city. Then you also proved a contract with the, approved a contract with the deli company to look at public reuse options, which the mayor was describing just a moment ago. Which was a phase one option, and all we did in the phase one was through a public process and through some analysis tried to identify what might be feasible public reuse options. So, that initial phase has been done, and we are going to be presenting that reuse study to you today. Dave logsdon will do that in a moment, but based upon that phase one, we are here with you today to recommend that we take the step of moving into phase two, which is drilling down into those three options in more depth to get a better handle on cost, benefits, architectural and structural feasibility, et cetera. Now, I want to emphasize that should you approve phase two today, we are going to very much continue to actively communicate with the Oregon arena corporation on their effort but we are also going to be very active communications with the memorial athletic and recreation complex group, the mark, throughout the those deliberations. But our intent when all is said and done is to come back to you probably in the spring with options that are produced both by the Oregon arena corporation and private reuse but also with more in-depth analysis on the public reuse so you can make a very educated decision pertaining to the future of the memorial coliseum. And mayor, it is likely in addition to the options you outlined earlier that there will be hybrids that we look at, which may be combinations of some of the reuse options. I frankly am very optimistic based upon what I know today that we are going to find a viable reuse option for memorial coliseum moving ahead. So, with that I will stop there and if it's already with you, ask

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dave to give you a little bit, albeit brief overview of the options and the outcomes of the phase one.

**Katz:** I neglected to add and dave will go into maybe a little greater depth, that in all of those three options, there is a clear understanding because we have friends here in the audience that the memorial, the reason for the veteran's memorial, that issue will certainly be addressed.

**Grewe:** Thank for you clarifying that, mayor. That is, in fact, part of our work program, has been in phase one and very much will continue to be part of phase two. And again, in terms of the concept of drilling down, we will be looking at options for how we handle the memorial, very specific terms.

**Katz:** Since we do have citizens here that i'm sure are very concerned about that, you might want to be very specific about how we handle that piece.

**Dave Logsdon, Office of Management and Finance:** I can do that, mayor, thank you. For the record, dave logdson with the office of management finance. I am going to be very quick to summarize the phase one, spend more time talking about the upcoming phase for the project. We began the phase one project very much focused on public outreach, open houses. We interviewed stakeholders. We partnered with the office of neighborhood involvement and ran a kind of a grassroots, outreach development process. We used direct mail. We used the internet. And in a more formal sense, we issued a request for information to get more firm proposals from certain elements of the community. As a result of that, we certainly got a number of ideas. We careened those ideas down. We arrived at three ideas. We went through the preliminary feasibility process, certainly one was the mark concept, public recreation and amateur sports. Covered amphitheater and the third was a upscale, modernized version of the existing arena.

\*\*\*\*\*: Coliseum.

**Logsdon:** I'm sorry. We focused in that phase one on some fundamentals like the building conversion feasibility and cost, the market demand for that new use. And how that new use would perform in terms of operations. Revenue, expenses, would it make money or lose money. We held a second open house in june to report out on those three options in the apples that was done. Finalized the report that was issued, and presented to the public in july, and today reflects kind of the formal presentation to the city council on that. As we wrapped up that phase one, we started to talk about which idea should we try to move forward into a phase two, do a little more further analysis on, and the purpose of phase two is really to provide sufficient information and analysis to determine the feasibility of these reuse ideas. And moving into phase two we have three that we are looking at further. The first being the amateur sports and recreation complex, as the mayor indicated, a mixed use type of option we want to look at that might combine a downsized arena, a recreation complex or a mix of one of those public uses with the private use in the building. And the third element for this second phase is to look at the building as an arena that will continue for the foreseeable future, develop a more up to date marketing plan for the building, link that to the capital improvement plans and make the investments necessary to keep the building operating and marketable. So, those are the three elements for phase two. We have the contract before you today for a first reading that wouldn't be a vote today. And I will, unless there's -- I will wait for questions about the scope of work. I could go through each element and give you the highlights of it, but I think that it's been a long morning and I may be, might be best to just take questions on that. The last point I would make is that running parallel to this phase two process, we are forming a working group of veterans to look at specifically the veterans' memorial element to the building under any of those alternative public uses. We've bipartisan working with some of the gentlemen that are here and trying to identify a group that would want to meet on that, and we go through the process of generating ideas, looking at option to say either improve or enhance what's there now in terms of the veteran's memorial element to the building.

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**Saltzman:** So you have an active group of veterans you are working with on that?

**Logsdon:** We are not up and running yet but I think that we have three or four that I have talked to and they committed to being a part of it, and I am working with them to develop a couple more and I think that within the next couple weeks we will probably have our first meeting.

**Saltzman:** So we will have a formal committee?

**Logsdon:** Yes, we will.

**Grewe:** We've had veteran representatives or at least a representative on all the advisory groups that we've been working with.

**Katz:** I also -- I heard the council loud and clear and felt, also, personally very strongly that the memorial needed to be dealt with in light of the potential of these changes, and quite frankly, improved. In terms of placement. That's, that's a personal feeling.

**Grewe:** I think that that's a working assumption.

**Katz:** Okay. Questions.

**Francesconi:** Just one, first comment, you know, I was a little critical in the past because I wasn't clear what the criteria were by which we were making these decisions, and the criteria are very clear now so I appreciate that. Maybe they were clear before and I didn't know it, but now they are clear so, thanks for that. My only question, this may be a bit of a curve, but if the streetcar goes to the east side, as is being discussed by pdc, what does that do to our plans for memorial coliseum? If anything.

**Grewe:** Commissioner, I have to confess I don't know the specific routes but it's already a transportation center that has connections to light rail, bus service and that sort of thing so I can only think that if a streetcar did go up into the area of Broadway, as was depicted in the paper the other day, that that would just further approve the transportation to Aimee Clark. Not just Aimee Clark, but to the arena, the reason -- the arena, with, so I would see that as something that would improve access to the facilities.

**Katz:** Okay. Further questions?

**Saltzman:** How will the proponents of the Mark complex be involved in this process? You mentioned, I think you made an illusion they will be actively involved. Can you tell me how?

**Logsdon:** We hope to have the main proponent be an advisor to the study process. Our lead consultant, Larry Duly has worked with Doug in the past. They have a good working relationship. They have already talked many times about the project and we would continue to solicit his input and involvement. And secondly, we would plan to hold a briefing session with the Mark advisory group, probably a couple times during our second phase study to present preliminary information to them, get their feedback and comments and to engage them and being a part of the process in that way.

**Saltzman:** And seems to me that they have done an extensive amount of work already on feasibility, so is the nature of our phase two, to reexamine independently, or produce our own set of work to go parallel with the in fact that they provided? Or comments or criticisms? How do we deal with the fact that there is sort of a, a private interest out there that has a very interesting proposal, and they have done a lot of work on the feasibility.

**Logsdon:** As a part of the first phase we relied on their work. You know, we evaluated their work as a part of our kind of due diligence on the project. As a part of phase two, there's a couple of new steps that we are taking. One idea that was not evaluated either by the Mark proponents or by us in the first phase was the area of competitive events in terms of, you know, how many can you likely get, what's the financial performance of those competitive events so, that's new work that needs to be done. A second piece is we want to do a survey of the Portland residents to, to kind of confirm the features of the building that are most marketable and in demand in terms of, is it a quad, floor sports, that type of thing. Looking at trying to confirm membership projections, confirming the fee



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schedule, that that's, you know, going to generate, you know, a frequent use of the building. Those kinds of things, so to take the statistical work done in phase work and try to confirm it through real data that we developed from a survey. Another issue that wasn't addressed in the first phase was the parking circumstances. Availability, cost of parking, how might that affect attendance and use of a mark type of facility. How much can we rely on public transportation for use and how much do we really need to have a parking supply available for use and assessing that issue is a new issue. And then the other element is just more detailed analysis of the capital planning and capital financing and all the operating issues, so that piece is more taking what was done in phase two and just drilling down to, to a greater level of detail on it.

**Saltzman:** Thank you.

**Katz:** Also, the financing wasn't worked out.

**Logsdon:** I think that that's a very significant issue for that, that option, and we need to look at --

**Katz:** And who is going to pay and how much, how much was the revenue flow and how much is public, are public involvement and how much of it was going to be private involvement.

**Grewe:** I think that the good news here is that the mark is very much one of the options selected for further analysis. Second police of good news is the analysis we will be doing is probably similar to the analysis that they would have had to do to take this to the next phase so, the city is completing that analysis and that works to their advantage. I think that their primary folk you did needs to be on, to be on fundraising and the security adequate resource to say build such a facility so from that standpoint, I see this as very parallel and compatible with the efforts.

**Katz:** I will be very honest, the one issue that came up is who is going to do this work, and I think that it was very important that there be an arm's length relationship to do the analysis that was primarily done by one potential applicant, or one applicant, potential client. I think we took care of everything. Anybody else want to testify? Come on up. After we do these two items to, move 1258 and then the gentlemen who are here can go home.

**Saltzman:** That's the flag pole.

\*\*\*\*\*: I am not as fast as you are. That's a very pretty dress, by the way.

\*\*\*\*\*: From the indian celebration at pioneer square it, used to be a stinky parking lot for meier & frank.

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

\*\*\*\*\*: I have a solution for the --

**Katz:** Identify yourself.

**Jada Mae Langloss:** My name is jada. I could call myself a five-star general of the vdw, veterans of domestic wars, which can be even hairier than those foreign wars, and I can prove it. So, my solution that I would like to share with you for the memorial coliseum is it would be a fantastic shelter for veterans of foreign wars who are more homeless than the greatest number of other groups of people. It could be used for that purpose while they get themselves back together and they are still suffering traumatization from the wars. Now, it could also be a temporary shelter for freightliners, families that no longer have jobs, and they are out there facing homelessness. Now, this is a great place for them to be while they temporarily change their positions in life from being truck drivers, going all over, how many trucks can you get on the road anyway? Carrying things back and forth when we can grow them right here ourselves. These truck families deserve to be sheltered until they learn how to build our colleges in harmony with nature that doesn't wipe out everything in its path. One of the stories that I have about the memorial coliseum is clear back when I was a candidate for mayor. I think that it was either '80 or '84, somewhere around there. And I went to the mayor's ball. One of the security agents mistook me for a terrorist and threw me on the floor and screamed and hollered at me so of course, I didn't have that much interest in the coliseum before that. I mean, after that because of my traumatization by being mistaken as a

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terrorist. Which i've been mistaken for before. So, this is an idea to think about because there is more and more families that are going to be on the streets. That would be a great temporary place. It's big enough for almost everybody and if the families would produce four hours of community service with their skills, with their talents, with their artistry and if they don't have any skills or anything, they can put on a uniform and put on a star and carry a big stick. So, that's my solution.

**Katz:** Thank you.

**Harley L. Wedel, Chairman, Veteran's Action Committee:** Madam mayor and counselors, my name is harley wedel, I am an interested veteran. A lot of hard work has gone into an attempt to reuse the memorial. Define the reuse for the memorial and some very innovative thoughts have been expressed. Some of them have been so far out that it boggles the mind. As an example the idea of putting a big box store on the lower level was floated past, but the thought of a place named veteran's memorial home depot doesn't have a proper ring to it. In all the proposals to this time, there have been two, there have been but two constants. One has been the destruction of the unique seeding ball. And of course, when it's gone, the worth of the building drops to nearly zero. Number two is the total dismissal of a rather pertinent fact. The name of the structure, the coliseum was erected and dedicated to be Portland's memorial to men and women who died while preserving the liberty we enjoy. Not a single one of the grandiose ideas includes any real plans to accommodate this simple fact. I appreciate the words that you have stated this morning, but to this point in time, the only thing that we have heard is improve and enhance. No solid suggestions or plans for what should be done with it as a memorial. Any number of the unreturned, for any number of the unreturned people named on those walls, this is really a gravemarker, and as such, it should be regarded as a shrine. Almost a graveyard. It's a unique building. It's a historical artifact, and it has a value far exceeding its original cost. A memorial, of course, is forever. It would be nice if we kept it thus. On the second page that I gave you, there are some ideas on what would happen if the sports complex idea was accepted. The building would no longer be the coliseum. The changes would insure this because the areas unique spectator seating ball would be destroyed. Two floors would be added lowering the ceiling on each floor. And the new design would not be a spectator friendly. It will have no proper seating area for any event, only a few folding chairs or bleachers could be set up. Decent acoustics would be a thing of the past, yet are needed for all the events. There would be no space left for the rose parade preparations or high school graduations or high school basketball tournaments or wrestling tournaments. No space for political conventions. No space for musical concerts that are too small for the rose garden. It would reduce the space availability for traveling shows and the possibility of better ideas for future use. Swimming pool vapors, if one was put into the building, swimming pool vapors will attack wood, concrete, metals and even glass. Never forget these fumes are almost impossible to control.

**Katz:** Thank you very much. Go ahead.

**Patrick Rogers, Oregon Paralyzed Veterans of America:** My name is patrick rogers. i'm representing the Oregon paralyzed veterans of america and as a, I am going to address my issues about the memorial. Our position is that we would like it maintained in a public place, in perpetuity, and somewhere in the general vicinity of where it is at the present. I've never been very pleased about this little tucked away down there. Now, taking my hat off, I am going to go to a personal, personal piece of history. When this was first opened, your city fire marshal very forcibly but politely kicked me out of that building twice because I would not get out of my wheelchair and sit in the fixed seating. And I often wondered, what kind of veteran's memorial was this, I mean? It didn't make any sense to me. Any how, you very nicely built some, a place, put in some parking, and by the way, you were 30 years ahead of ada, which amazed me. But then 30 years later, we had to go back to the rose garden and ellerby eckert construction and go through the same routine again.

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So I would really like this to be resolved so we have a nice equitable, nobody's going to be unhappy situation. So, let's, that's about it for me.

**Francesconi:** That's five of us up here.

**Katz:** Thank you. All right. Wait. They are going to have to move over. You can't speak from there. The next to testify?

**Perry Blair, VFW Post 4248:** I am Perry Blair. I am a veteran of the war. I've been to quite a few of the meet it is on this memorial coliseum and trying to find some way of preserve it go to make it money and make it worth its while. Well, without the visibility of veterans, it's kind of hard to look at it as a veteran's memorial coliseum. Our wall is in the basement below ground level, can't be seen. A lot of people don't know that it's there. And so some of these things will have to be brought up to par if it's going to be made, to remain there. But, we think that the city of Portland is missing a great opportunity to really build up acceptance and show us patriotism toward the veterans by turning that place into a museum. A veteran's memorial museum, by putting up your meddle of honor winners and -- your medal of honor winners t wouldn't take a lot to do that with all the glass that it has. The outside interior, to, like a football coliseum in canton, ohio, where the athletic heroes are established. We could do this with our medal of honor winners and this type of thing. Show our artifacts. The place up in, at the, the one that we have now at our national guard armory is closing down, so we don't have much place left for our military museum. And that would be ideal. The area would be, it can be a state of art right where, right where the light rail comes in, establish an area, a parking area where they could park outside the area. Not right where we are at now. You have your -- we are talking about veterans on wheelchairs, crutches and so forth. I went to a couple of their meetings there where they had veterans' occasions, and they had a, to cart them on in with golf carts and things like that because it's quite a ways from the parking area. So these are some of the ideas that could be incorporated into making this an ideal place for veterans. If you are really sincere about making this a veteran's memorial coliseum. Keeping it as such, there's all kinds of sports arenas. We have all over the united states. But, this is one that could really set Oregon above all other states.

**Katz:** Thank you. There's a little clack on the screen.

**John Murphy, Post-Commander, MT. Hood Post 81:** Yes, I was looking to see if it was noon yet. Good morning. My name is John Murphy. I am a post-commander for mt. Hood post 81. Veteran's of foreign wars. I represent the second largest post in this case. And we discussed this several times at our meetings from time to time, and the general concession is basically we don't want to see the memorial coliseum destroyed. Well, I guess nobody here does, either. A question keeps going around in my mind from things I hear over the time. And that is since the rose garden has come into position here, it's taking all the business away from the coliseum. And if I am not mistaken, it's being controlled by the same promoter, whose interest it would be to be the only show in town to do that, the memorial coliseum has got to be destroyed somehow. Because it's a threat. I believe if another promoter got in there, they could become very, very profitable and give a little bit of competition to the rose garden, which I don't know if that would be bad. I've been in sales for a long time, and when I see other competitors come in, it just makes me more aggressive, makes them more aggressive and more business comes to town. So, I wonder about these things, and maybe one person controlling everything over there is not the way to go. I know, I don't even like to go to the rose garden any more. I used to go to the coliseum and watch the blazers play, but there's other things involved now. One, it's very expensive. If I go down there just to park my car. And if we were to make this into a sports arena, which is, which is up to you people, how are the people going to afford to come in here and use the place? Just the parking rates alone, who would be able to go. We have a matt club. We have several other sports area. I taught at pcc for the last 25 years. I just retired from there, and I came down here today. I took off of work. I am a general contractor. And

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I see -- I heard a lot of things going on today that are important and I think this is just as important as anything else and my main, my main purpose of being here is to relay the fact that the veterans of my post feel that it should stay basically the way that it is, and when I refer to veterans, there are several different types of veterans. I hear people say veterans all the time. Everybody here is a veteran of the vietnam war in one way or another. You were there when it was taking place. I'm talking for the people who were in vietnam, and who were shot at and some of them maimed or put out of action, period. My company commander was a medal of honor winner, one of the first ones in the marine corps. Thank you.

**Katz:** Thank you for being here. We have some -- did you sign up, sir?

\*\*\*\*\*: 9-1-1.

**Katz:** Okay. One second. Is there anyone --

\*\*\*\*\*: No, I didn't.

\*\*\*\*\*: Okay. One second.

**Staff Sgt. Leroy Arnett, Retired:** Mayor, vera Katz and council members. I'm staff sergeant leroy arnette, retired. A disabled veteran of desert storm, and I did not come here really prepared to say anything but I would like to read some statements that I have made in the past at the committees. I've been to almost all their committees, if not all of them. Before I go any further, though, i'd like to introduce somebody that's very outstanding amongst us veterans. Lieutenant colonel ken riser, who is the highest decorated marine aviator in the state of Oregon. Ken?

\*\*\*\*\*: Nice to have you here.

**Arnett:** Ken riser has served in the second world war. He has served in korea and vietnam. He's flown course air and other prop planes, fighter planes and he's flown jet and helicopters and he's seen comrades killed and lost friends over there in the, while serving. I road on the freedom train float in the Portland rose parade, with some other great veterans, one being ken riser. The coliseum was packed with people and those who, those who are veterans were asked to stand. Over half of them were veterans. Veterans on the street were overwhelming. The news media, Oregonian, tv and others have no idea of the numbers of veterans and where the patriotism is really coming from. We represented all veterans and Portland thanked us and we were honored. How fast we forget those who served. Prisoners of war, missing in action, and those who gave their all starting with the wars of independence with england, the civil wark the trenches of world war i, pearl harbor, the beaches of europe, and the death marches of world war ii. The reservoir in korea, vietnam, lebanon, and there were many, many others. We have earned the right to have a say in the planning of our veteran's memorial for it is our sacred holy place. We don't want our children and grandchildren to ever forget what others have given, and the price we paid for them. Our veterans memorial coliseum was dedicated as a veteran's memorial coliseum monument. Would you ever dare tear down the veteran's memorial? The korean memorial? Washington monument? Lincoln memorial? Gettysburg battle field memorial or the arlington cemetery and all of the monuments or tombs of the unknown soldiers?

**Katz:** Your time is up. Why don't you finish that sentence.

**Arnett:** They are all sacred holy places. I ask, would you want to tear down the veteran's memorial coliseum monument, which is a sacred holy place, also?

**Katz:** Thank you. All right, everybody. There's no more testimony. Item 1253 and 1254 will be passed to second. Let's take -- 1253 and 54 will be passed to second. Let's take 1258.

**Item 1258.**

**Saltzman:** Madam mayor and commissioner Francesconi, I bring this resolution forward as november 11th, veteran's day draws near. We have heard very compassionate testimony today about what the veterans' memorial coliseum means to all of us, especially to the veterans, though, and I think that there's no end to the commitment that all of us have to make to honoring those who

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have paid the supreme sacrifice in defense of our country, and that, that we must always seek to renew that commitment. What I bring before you today is to one further symbol of that commitment, and that is to, to add to the flag pole that's presently this with the united states flag two additional flagpoles, and one would fly the state flag and one would fly a pow/mia flag. So that our community shows the honor and respect that our veterans deserve. I also, you know, it's interesting, I am reading some of the correspondence from february, 1960, when the coliseum first opened. There were a lot of unfulfilled promises made to veterans about what that really was going to be. For instance, there was supposed to be an ex exquisite chapel and memorial room, and I would like to see the idea of at least the memorial room revived, with, perhaps the best of the medal of honor winners and things like that, and I hope it will gain currencies because they were promises that did not happen, even though they were part and parcel of the original plan. There was also a beautiful book that was supposed to -- that, that would carry the names of all the war dead and the pages of the book was to be turned daily. So that once each year the names of each person listed will be viewable. As far as I know, that book vanished. We don't know where it went and it's sad. So, I think these flagpoles with the pow/mia flag and the state of Oregon flag flying at a lower elevation than the united states flag is an appropriate symbol and my hope that we can work with the rose quarter management and the veteran's group so that we can see the flying on november 11th and I urge adoption.

**Katz:** I have a memo here from you, following the research and information, it's been determined that one flag pole was removed from the memorial coliseum grounds during the construction of the rose quarter. Please amend item 1258 by removing the third "whereas."

**Saltzman:** We have done that. There is a copy in your book.

**Katz:** Okay. I don't have an amended.

**Katz:** Was that an amended --

**Saltzman:** It's a substitute. An amendment.

**Saltzman:** I would move the amendment.

**Francesconi:** Second.

**Katz:** Any objections? Hearing none, so ordered. All right. Do we have anybody to sign up? I'm going to ask you to limit your testimony because some of us need to -- okay. Good.

**\*\*\*\*\*:** Back again, if I may. As before --

**Katz:** Identify yourself again, please.

**Harley Wedel, Chairman, Veteran's Action Committee:** Harley wedel. This time I am representing the -- myself as the chairman for the veteran's action committee. This is an assembly of veterans concerned with preserving all memorials dedicated to comrades who fail to return from the wars. I would like to take this opportunity to thank commissioner Saltzman and his aide, matt grum for the work that they have done on getting this proposal before the council. It's something that we feel very passionately about, and we are very pleased to have it go through. This is one thing that upon passage of this, i've been informed that there's been a proposed budget suggested. Because I realize the city is not really rolling in doug, i'm enough of a salesman -- rolling in dough, i'm enough of a salesman that I did some shopping. It's possible to get the flagpoles up prior to the 11th. It's also possible at the same time to move the larger flag pole into the center of the array as it should be. According to flag protocol and it would be possible at the same time to keep it very, very much underbudget. Appreciably so, if you would, if you would like my assistance on that, I would be more than happy to help in any way that I could.

**Katz:** Thank you.

**Perry Blair:** Perry blair. Want to thank the city council for giving us an opportunity to be represented today as veterans for our memorial coliseum, as well as our flag establishment of the pow/mia flag and the state flag. So, we appreciate that opportunity.

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**Katz:** Thank you.

**Wedel:** One last thing, madam mayor, if, if you would, please, I would like to present this flag to the city for inside, indoor display for alongside the american flag that is inside the building and I assure you that the first flag that would be raised at that location will be presented to the city by one of the veterans' groups.

**Katz:** Thank you very much. I don't have all the rules and regulations about displays but I am sure that we will make room for it as a display and then we will give it back to you. Is that -- okay. We did put up the flag.

**Wedel:** Yes, I know that. I appreciate it.

**Katz:** All right. Anybody else? Nobody else. Thank you. Anybody else? You're all okay on this issue, right? All right. Roll call.

**Francesconi:** Well, this is a further way, and I appreciate it, commissioner Saltzman, to show more respect to our veterans, not less. Aye.

**Saltzman:** Aye.

**Katz:** Mayor votes aye. Thank you. All right. Item 1256.

**Item 1256.**

**Francesconi:** Aye. **Saltzman:** Aye.

**Katz:** Mayor votes aye. All right. 1257.

**Item 1257.**

**Katz:** Come on up. You are getting gray hair on this.

**Vicky Diede, Office of Transportation:** Good morning, vicky with the office of transportation. As part of the work called for with the city and streetcar, inc., we asked them to assist us with the establishment of a local improvement district as part of the funding package, which will get serviced down to the river place and serve all places in between. They were asked to recommend the boundaries of the district and assessment methodology. To prepare assessment estimates and to seek property owner support and to address any issues raised by the property owners. The resolution before council today recognizes that work. We indicate that we have property owner support from 6 -- 60% of the property owners, it declares the council's intention to form the lid and sets in motion the legal process to do so. We would anticipate coming back to the council on december 11th for a time and manner hearing in the formation ordinance at that time. There are amendments and substitute exhibits that are a part of the package and they are the result of clarifying a definition of the streetcar and we needed to clear up some mapping confusion about what was southwest harbor way and what's southwest harbor drive.

**Katz:** I don't have the amendments, vickie. Do you? Did you distribute them?

**Moore:** With yesterday's memo, tuesday's memo.

**Katz:** Okay. I will take a motion to introduce the amendments.

**Francesconi:** So move.

**Katz:** Second,

**Saltzman:** Second.

**Katz:** All right. There are no objections. So ordered. Okay. That's what we have.

**Roger Shields:** I am roger shields. It's late, I will make one brief comment, and this action is being driven by 14 petitions that were signed by property owners in the district and on behalf of psi, the Portland streetcar appropriated board, there's been working with this group for the last 60 to 90 days, wants to acknowledge and express their appreciation to those property owners who have taken the, again, the unusual action of supporting an assessment on their own property, in some cases, tens of thousands, and in some cases, hundreds of thousands of dollars. To pay for this part of the streetcar. We view this as particularly gratifying after a year of operation, and an expression of the

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confidence and support in the streetcar project and particularly, the private-public partnership that so far has driven it. Thank you.

**Katz:** Thank you. Any further testimony?

**Saltzman:** Just wanted to make a statement. Ordinarily I've in the past abstained from folks affecting this I.i.d. Because I am a part owner of property that will have the pleasure of paying for this project, but I have, nevertheless I felt it incumbent to be taken from any business that comes before here that involves me or my family but since we only have three members I will vote in support of this.

**Katz:** Let's go back and revisit this. Does anybody that thinks that they have a potential conflict of interest, can they actually abstain? You have done it --

**Harry Auerbach, Sr. Deputy City Attorney:** It's a judgment call that each of you has to make. All right.

**Katz:** I don't think that you have a conflict of interest since you are paying it. All right. Roll call.

**Francesconi:** Well, it is appropriate that the property owners pay because they are going to get increased value from this, but it is good that the property owners recognize that, but I also want to acknowledge roger shields for the work that he's done with the property owners to make this situation a win for everybody. And as a brief comment now, actually, let me thank commissioner Hales again for, for helping push this so aggressively. Now as a member of the streetcar board, I really see, not only the value of the streetcar, at a deeper level than I did before but also the value of our public, vickie, private partners, roger, and how hard they worked to make this for the good of not only the property owners but the city, as a whole. Aye.

**Saltzman:** Good work, aye.

**Katz:** This is the beginning of moving the streetcar down to north macadam, and we had to get it to river place first and then it will, it will traverse down to the development in north macadam, and then hopefully across one of the bridges to the east side. Thank you. Aye. All right. 1259.

**Item No. 1259.**

**Francesconi:** Aye. **Saltzman:** Aye.

**Katz:** Mayor votes aye. And we have no business before us for this afternoon, so we adjourn until thursday, 2:00.

At 12:04 p.m., Council recessed.

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2:00 PM

**Katz:** Good afternoon. The council will come to order. Karla, please call the roll.

**Francesconi:** Here. **Saltzman:** Here.

**Katz:** Mayor's present. Commissioner Sten is on a personal leave. Okay. Item 1260.

**Item 1260.**

**Katz:** Okay, this is what we are going to do. You have gotten the packet of amendments. John and I -- i'm sorry, and --

\*\*\*\*\*: Jeanne

**Katz:** Harrison, see, I remembered the last name. I have gone through them -- well, we have gone through them, and rather than going through each and every one of them, they will identify the key ones, and if there are others that you want to discuss, we will flag them up. And then we will have folks testify on just the amendments, and then we will act on the amendments and then next week, or in two weeks, we'll pass this. Then, we'll also talk about the regulatory reform issues. Okay? All right, folks, why don't you go ahead.

\*\*\*\*\*: Commissioner Francesconi, do you have any comments to begin?

**Francesconi:** The mayor did a better job. Just by way of follow-up, if we could do it October 30th because I am not going to be here next week.

**Katz:** That's what it is. I am sorry, I should have mentioned it.

**John Gillam, Project Manager, Transportation System Plan:** I am John Gillam, project manager of the transportation plan. This is Jeanne Harrison and Deena Platman, transportation planner. Also present, which we may call upon for questions is, Steve Gerber and Jessica Richmond is here who may be called upon regarding questions regarding code amendments. If he previous council heard testimony of the TSP and the planning commission recommendations. In particular, there is supportive testimony concerning elevating the priority of safe routes of school, some project lists, adjustments in the vicinity of Stevenson School, the need to undertake truck access and the need for an interdivision street, land use and transportation plan. The mayor asked the staff to respond to issues and requests heard at the first hearing, so we are going to provide a brief overview of the recommended TSP amendments and staff recommendations and the regulatory impact analysis.

**Katz:** Right. And remember the OHSU and --

**Gillam:** Yes, and an additional question from Mr. Don Baack. We have reviewed our staff recommendations with the TSP citizen advisory committee as requested from Commissioner Francesconi. Regarding the amendments' package, if you look at it, the amendments request are categorized as policy, projects, refinement plans, moto plans or implementation and they are numbered as such. So, that's the way we categorize those and will refer to those. Also, on each amendment request in the upper right hand corner, the issue is indicated as to whether it had been previously heard by the planning commission or if it was first heard at the first city council hearing on the TSP.

**Katz:** Okay.

**Gillam:** Okay. There are 32 amendment requests in the packet plus two additional amendments you have indicated. And of the 34 amendment requests, seven are technical corrections from staff, 27 are from the public, and of the 27 amendment requests from public testimony, 12 were previously heard by the planning commission. In most cases, we found no compelling reasons to recommend the city council overrule the planning commission recommendations. However, there are three amendment requests previously heard by the planning commission. We are



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recommending some modified language from the request that may warrant discussion after the testimony. Those three are p-3, southwest urban trails, m-2, transportation options --

**Katz:** Hold on, hold on, hold on. Okay.

**Gillam:** And i-2, short-term bicycle parking.

**Katz:** Okay.

**Gillam:** And there are also 13 amendment requests that were not previously heard by the planning commission, and in some cases, in talking to the person who made the request, they have concurred with the staff recommendation but in other cases, we're not sure if there is a consensus on it. So, there are six additional ones.

**Katz:** Which ones are they?

**Gillam:** Pr-2.

**Katz:** Pr-2.

**Gillam:** Yes. Southwest urban trail projects.

**Katz:** Right.

**Gillam:** Pr-4.

**Katz:** Pr-4.

**Gillam:** Hillsdale to lake oswego trail --

**Katz:** This is all Don Baack?

**\*\*\*\*\*:** Pr-11.

**Katz:** We need to find you a job. [ laughter ]

**Katz:** Pr-11, all right.

**Gillam:** Pr-11, intersection at southwest capitol highway in terwilliger --

**Katz:** That's pr-11.

**Gillam:** Pr-3 --

**Katz:** Pr-3.

**Gillam:** Sorry, that's back on page 9. I'm sorry, r-2, which is page 22.

**Katz:** Oh, why don't you give us the pages. That would be better. I have got it.

**Gillam:** And i-1.

**Katz:** Page?

**Gillam:** Page 27.

**Katz:** All right.

**Gillam:** And then there are the two new requests that came in after the amended package was published, and that's concerning a southwest trails connection along the i-405 right-of-way, and that would also include a policy amendment and a recommendation for that is that be deferred to the first tsp update. We haven't had an opportunity to check that out with odot yet. Although, we feel that the project suggested by that request could go ahead and move forward separate from the tsp.

**Katz:** Okay. And ohsu?

**Gillam:** And ohsu, we have a modified response to their request and that is that we would -- and this is -- refer to say some key action items from the marquam hill plan recently approved by city council --

**Katz:** Right.

**Gillam:** We recommend a new tsp project for southwest 6th avenue and that a specific project designation be given for the aerial tram. The tram is already in the planning commission recommendations but it was identified as a set of north macadam transit improvements but significant enough project it warrants its own identifier.

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**Katz:** Okay. Why don't you then, unless the council has any other items they want to bring forward, why don't you then go through the ones that you flagged and then we won't adopt them. We will listen to the testimony, and then we will -- I will ask the council whether she anybody wants to move on them.

**Gillam:** Should I run through the list one more time?

**Katz:** No. We have got them all.

**Gillam:** Okay. And then we also -- Jeanne was also going to speak briefly about the regulatory --

**Katz:** Right. Let's get through the -- oh, okay. Because it was -- is tom wright here? Well, he wanted -- did you want to do that now or did you want --

\*\*\*\*\*: I can do it.

**Katz:** Okay.

**Jeanne Harrison, Office of Transportation:** Jeanne harrison, office of transportation. Council directed us to prepare a regulatory impact analysis report and we have done that and it's in your packet near the back. It includes and addresses the costs and benefits associated with the proposed regulations and it includes a matrix on page 8 of that part of the report that summarizes the changes that we're proposing, including those that have a substantive impact and indicates the cost benefits, the potential modification process has relief from those regulation, whether a nonconforming situation is created and whether the regulation is mandated by state and our regional requirements. And based on that analysis, there's only a few of the requirements that are -- that have a substantial or potentially substantial developer cost, whether that's soft costs or hard costs. And in all cases, those are mandated by the state. They relate to connectivity and they relate to adding what are called "streetlight," features. I say this and nobody understands this, street-like features to large parking lots to provide connectivity for the future.

**Katz:** All right. Let me ask you the question -- on the -- all of those flagged by tom wright, you have that list. Are all those dealt with because of state --

**Harrison:** The ones on the mackenzie memo are actually several of those have no impacts. It was, perhaps, not well understood by them what the code changes actually were. Some of it relates to reformatting. It looks like it's a change to the code but when you -- it's really a reformatting. It's a simplification. It's a consolidation of tables. So, in most cases, those really are not substantive changes and many of them are not listed on our list because they are not substantive.

**Katz:** Would you do me a favor? Commissioner Francesconi and jean or whoever is to get back to him and respond to him because --

\*\*\*\*\*: He's here.

**Katz:** No -- is tom wright here? Because this is to me and to the council members and you probably need to respond to them.

\*\*\*\*\*: Right, and we are prepared to do that.

**Francesconi:** Just -- I looked into this after we talked this morning, and it turns out I didn't -- that the bureau actually called him after the letter came in, but there wasn't a response. But, we will follow up, but we tried to follow up already.

**Katz:** Then we will set those aside and you will get back to him. And then we have another week. If there's one that both of you agree needs to come up and flag, then you will have an opportunity to do that. My hope is that it won't. All right. Go ahead.

\*\*\*\*\*: Well --

**Katz:** P-3, you want to do it that way?

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**Gillam:** All right. We could go through it that way. I can give a real brief response to each of these.

**Katz:** Well, describe -- describe it a little bit because there are people who are watching. Not everybody is here. Okay.

**Gillam:** P-3 involves a request to adopt the urban trail plan as part of the comprehensive plan rather than in the appendix document, and our feeling is that the urban trails plan is an important component of planning for southwest, but it is a district plan and the tsp is a city-wide document and so we feel that it best lays formally within the southwest community plan. But in order to recognize the importance of this plan for guiding and developing trail segments and southwest, we are recommending a new objective be added to the policy 6.40 southwest transportation district. That clarifies that the urban trails plan is a guide to dedicating developing trail segments to the southwest.

**Katz:** Okay. This was heard by the planning commission and they were not as generous as you on this one?

**Gillam:** Yes. [ laughter ] I think that's the way to answer that question.

**Katz:** I think that's right. All right. So don't forget that one. You got it.

**Gillam:** M-2 --

**Katz:** I think. Yeah, all right. Go ahead.

**Gillam:** M-2, new transportation options for southwest, and that's on page 25 --

**Katz:** No, let's go to page 8, pr-2.

**Gillam:** Okay. Page 8. These are a series of, of recommended new urban trail projects and each of these trail segments are identified in the southwest master street plan and so as part of development, then they would be provided as part of redevelopment and so they do not warrant special status as individual projects.

**Katz:** Okay. Pr-3, page 9. If council has any questions, please jump in.

**Gillam:** Actually, pr opinion 3 -- pr-3, this might have been misnumbered.

**Harrison:** No, that's the nevada court pedestrian ridge --

**Gillam:** Okay. Actually, the person who requested this is satisfied with our response.

**Francesconi:** Which one are we on?

**Katz:** Pr-3, page 9. They are satisfied with the response, okay. So we are going to have to take a look at p-3 and -- i'm sorry, p-3 and pr-3.

**Gillam:** Pr-4 is the next one. Pr-4 is on page 10. And this is a request to, to add the trail from hillsdale town center to lake oswego and the tsp and metro is currently working on urban trail networks and we would be looking at adding that after the next rtp update. We think it's premature at this time because it doesn't have a specific alignment.

**Saltzman:** What is the schedule for the next rtp update?

**Gillam:** It actually begins this fall.

**Harrison:** They are going to begin the update as soon as all of the local jurisdictions have completed their tsp's. So, the sooner we get done, the sooner they will start.

**Katz:** Okay. Page 18. Pr-11.

**Harrison:** Pr-11 is intersection improvement at southwest capitol and terwilliger. We do not recommend that this be added to the tsp because it is inconsistent with the desired character of terwilliger by adding capacity on the approaching legs.

**Katz:** All right. Page 22. R-2.

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**Gillam:** R-2 is the macadam highway 43 refinement plan, the request was to accelerate the timing of that plan. This is an rtp refinement plan, not a tsp refinement plan so metro sets the schedules and priorities for those refinement plans.

**Katz:** All right, for those who are as I am, rtp is a regional transportation plan. Page 25.

**Gillam:** Page 25 involves a request to add to the tsp, water bus, water taxi service to north macadam and a monorail from psu to lake oswego and our recommendation is that we add a discussion regarding water taxi service in our public transportation modal plan but we do not include the monorail project.

**Katz:** Okay. So, it's m-2, partial recommendation. All right. We will come back to these, folks. I'm sure folks are going to want to testify on them. But we will come back anyway. All right. And page 27.

**Gillam:** Yes. This is a request to modify the environmental review process for regulations for trail construction and our recommendation is not to adopt this. We think that the proposal has merit but we think it's better handled as part of the stormwater advisory committee work rather than the tsp.

**Katz:** Okay. Page 28.

**Gillam:** 28 is short-term bicycle parking. And Jean has been more involved in this than I have, so I am going to turn to her on that.

**Harrison:** Okay. This is a little complicated. What we heard on the 25th was a discussion of whether the short-term bicycle parking location should be folded into regulatory reform in the item that was in that package, and what we believed we heard was that we not do that and that we continue to look at opportunities for clarifying the language that the planning commission adopted.

We've been working with the bureau of planning, the bicycle community, the bureau of development services, and we have language that we think resolves a portion of that issue without dealing with bicycle parking in the right-of-way, whether that's a good or bad thing. This just clarifies that if bicycle parking is in a building that is only allowed if there is no surface parking lot to put the bicycle parking in and the -- part of the building, the bicycle parking goes in is not the parking structure which is what the bicycle community was originally asking for at the planning commission and at council but it's worded in a different way that's now acceptable to all the parties that have been involved in the issue.

**Katz:** So, describe what the implications are --

**Harrison:** Different from today?

**Katz:** Different from today.

**Harrison:** Okay. Today the regulation says that you can put your short-term bicycle parking within 50 feet of your main entrance to the building or as an alternative, you may place it in a structure as long as it's accessible to bicycles. The outcome --

**Saltzman:** 24 hours?

**Harrison:** Well it, doesn't say that right now but accessible is presumably to all users whenever they need it. But that's never been clarified. The result has been that bicycle parking has been placed in parking structures frequently and that parking is typically locked during all or parts of the day so it's not accessible to bicycle users.

**Katz:** What happens to the car users?

**Harrison:** The car users are usually have card locks so, it's like a rollup gate that you have a card, and if you are a permanent resident of the building, you have access to the parking structure, but if you are a visitor, which is what the short-term bicycle parking is for, you don't have that access. So, the, the bicycle community has asked us to insure a way that the short-term bicycle parking is

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truly accessible and not locked away. So it could still be inside the building as long as that is not the parking part of the building.

**Katz:** So it can be in the hallway?

**Harrison:** Correct.

**Katz:** It doesn't have to be in the right-of-way?

**Harrison:** Correct.

**Saltzman:** So --

**Francesconi:** Can it be in the parking structure then if it's accessible?

**Harrison:** Not the way we have written it in this version of the amendment. And the reason we did that is that it's just been difficult to find any situation where the parking is always accessible. A building either had it locked up all the time, the parking is always locked or it's locked for some substantial part of the day. And there's no way of knowing when a bicycle user is going to want to have a place to park their bicycle, so it's really not been working out the way it was intended. The original intent was that the short-term bicycle parking be very accessible to any visitor to the building any time, and we just feel that the way the current code is working, that's not happening.

**Katz:** Can I -- planning commission heard this? Did not accept this? Would they -- not knowing what the issue -- I mean what they heard and how they felt about it, can somebody address that?

**Harrison:** The planning commission was somewhat divided on the issue. There were several suggestions, sort of thrown out and sort of after a bit of discussion, one of the commissioners suggested well, let's just say it has to be accessible 24 hours a day.

**Katz:** Right.

**Harrison:** And that's turned out not to be an acceptable solution to the bicycle community or to the bureau of development services. They just feel it has too much latitude and the result will, again, be that even though that's what the regulation says, the bicycle parking will be placed in the parking structure and again, locked up.

**Katz:** Okay.

**Francesconi:** So, if we run this by the development community, this amendment, will it have the effect of requiring bicycle parking, for example, in lobbies sometimes?

**Harrison:** Not necessarily. There are exemptions, by the way, for older buildings in the central city where they don't have surface parking. They don't have an opportunity to put the bicycle parking any place else. They are not required to provide the short-term bicycle parking at all. So, there's already some other exceptions built into the code. What we think is happening, we think the architecture community is getting more sort of savvy about this issue and they are providing the bicycle parking in niches and little cutouts of the building near the main entrances outside where it's accessible, but on the private property and just integrating it into the design of the building, and that's probably the ideal that we are aiming for.

**Francesconi:** That is. We need more bicycle parking, and this is clear to me, if we had more bicycle parking, it will help promote more bicycle use, number one. It's also clear to me we can't have bicycle parking stuck away in garages that are not accessible so, that part is clear to me. I thought the idea of having more -- mayor, just looking through your process to see if there could be bicycle parking in the right-of-way, was an, an idea to try to explore, to have more bicycle parking in fronts of the buildings where it's easy in the way that you just spoke about if there's not enough private space to have that happen. So, what I'm concerned about is two different processes separated. I know we need more bicycle parking and I know it needs to be more accessible and again, I am repeating myself, and not in the garages but I don't know how the two interrelate. So, I don't like having separate processes here. So, what do we do about that?

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**Harrison:** Well, we think that there are two issues. We think that they can be separated. I think the bicycle community, at least the people that we've been talking to would, would be amenable to having the two blended into one process. What they would like to make sure, though, is that that process is truly going to happen and their concerns can be addressed and then it's not kept to the narrow perspective of, should it be in the right-of-way, or not in the right-of-way. What --

**Francesconi:** That's what I want, too.

**Harrison:** But, they also believe that we can do as, do it as separate discrete processes and the language we propose now addresses one aspect of that issue. It does not address whether a developer should be able to waive some portion of the bicycle parking if they have it in the right-of-way. They believe that's a distinct issue.

**Katz:** Well, I am sure that we will hear some testimony on it. Go ahead, John. You have got -- you have got the ohsu -- keep going.

**Gillam:** Yes. Well, I think I had indicated that on the two new requests with the ohsu, we recommend adding a project for southwest 6th avenue and then also pulling the tram out as an individual project from the north macadam transit improvements and then the other new item is from Mr. Bock concerning the trails connection along the I-405 right-of-way, and we recommend deferring that to the next update. However I did notice I overlooked one other. I had it numbered incorrectly, and that is pr-1.

**Katz:** Hold on, what page?

**Gillam:** That is page 20.

**Katz:** Yep.

**Gillam:** This request concerns moving the time frame up for the hillsdale pedestrian district from year six to year one through five and we do not support that recommendation. All of our town centers, Hollywood, Lents, St. Johns, Hillsdale, have it scheduled within that middle time frame so, this would be consistent with the approach with other town centers.

**Katz:** Okay.

**Gillam:** And that, actually, concludes our list.

**Katz:** All right.

**Saltzman:** So, is this the right time?

**Katz:** Go ahead.

**Saltzman:** Why are we pulling the tram out from the language? We are speaking to other transit -- our north macadam framework improvements?

**Gillam:** Well, currently the tram is identified as part of the north macadam transportation improvements and so it's, frankly, listed along with several other transit improvements, but because from the time when the tsp document was first put together until the Marquam Hill plan was developed and heard by council, then the tram became a more specific and distinctive project so we think that rather than have it be part of north macadam transit improvements, that it warrants its own identified project.

**Saltzman:** Okay. And then down here on the "money," part, there's a reference of \$15 million years one through five. And I guess we just had the discussion, was it last week on the north macadam framework plan? And the whole question of infrastructure cost, which I assume this is part of that, and how much is being paid for by us, how much is being paid for by pati and pdc, I guess, was not resolved. So why are we plugged in here for \$15 million?

**Gillam:** Well, actually, all the projects in the tsp have a rough cost estimate, and it's only a guideline for communication about what the project scale consists of. It does not obligate any party to a particular dollar amount or it's not a final cost amount. So, all our projects in our tsp

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have a rough cost estimate and a rough timing. That is another requirement that they have. As projects are developed, more specifically and move forward through the capital improvement program and other processes, those details are then worked out.

**Saltzman:** And this is a rough estimate of total cost?

**Gillam:** Yes.

**Saltzman:** Okay. Okay. Do we only reflect government funders or should pati be deflected down here under --

**Gillam:** Well, in the letter from ohsu, there was a statement indicating a willingness for participation. We didn't think it was necessary or appropriate as part of tsp, which is the general plan to get specific about that. That's better handled in a separate process.

**Saltzman:** Well, i'm not sure I agree with that. I mean do, we -- are there other points in the tsp where we identify l.i.d. Participation or private funding participation? We only refer to public? Which agency in the public?

**Gillam:** Well, what we have is we have a financial plan that in some nation, in summation, as all the different funding sources, so be they a range of public funding sources, there's also some assumed amount of private funding in our overall financial plan, as well. But, there's -- having it listed there is not necessarily an obligation that it be all public or all private.

**Saltzman:** Yeah. I guess what's the difference between obligation and insinuation, is what I am thinking about.

**Deena Platmann, Office of Transportation:** I was to say, are you asking regarding the lead agency piece on there?

**Katz:** Identify yourself.

**Platmann:** Deena platmann, office of transportation, i'm sorry. Are you asking regarding the lead agency listing on this in terms of whether you --

**Katz:** Portland pdc's on that list.

**Saltzman:** It says Portland, comma, pdc, so city and pdc. I am wondering why isn't Portland -- why isn't Portland aerial transit, inc., also listed and why isn't ohsu --

**Platmann:** We haven't done that. I don't --

**Francesconi:** Let's list them.

**Katz:** We don't know who's going to take the lead on that one yet, quite frankly.

**Saltzman:** So given it's part of a \$70 million question, I think it would be important to list Portland aerial transit, inc., and ohsu. That will be my preference.

**Katz:** And others.

**Saltzman:** And others. [ laughter ]

**Katz:** All right. So, we need to amend that. All right.

**Gillam:** I could suggest we can and go ahead put that right in the project description.

**Katz:** Okay. What does that mean?

**Saltzman:** I would like to see it deflected here, too -- I would like to see it reflected here, too.

**Gillam:** That's all we have.

**Katz:** All right. Let's open it up to public testimony.

**Katz:** Folks, we are going to have to work collaboratively here. There's three of us. Any amendments need to be agreed by all three of us, otherwise they don't happen. That's the good part of only having three of us but that's also the bad part about only having three of us.

**Don Baack:** Mayor, commissioners, this reflects a lot of work from a lot of people besides me. I just happen to be the man on this. First, the urban trail comp plan, I would like to suggest what we do is take --

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**Katz:** Give us the number, would you?

**Baack:** I'm sorry, oh, dear. I'm don baack, southwest trails -- hillsdale. You want the address?

**Katz:** No, no, no.

**Baack:** I'm sorry, mayor -- I am all discombobulated here. I would like to suggest we take the southwest off of it and talk about urban trails, just like the massachusetts map that we have, there's interest expressed around the city for doing the same thing. My vision is that we do this across the city. And rather than say, well, we haven't got any other place, let's open the gate and make it part of the, not the district plan but the whole plan. I appreciate the district plan. I think that's a good step in the right direction. But, i'd like to have someone have some vision and saying, can we do this around the city.

**Katz:** But don, we are responding to your amendment.

**Baack:** I understand that, but I am saying --

**Katz:** You are broadening your amendment.

**Baack:** I apologize I didn't understand the significant of what I am asking for, this is the learning process for this little guy.

**Katz:** You will have to come back and respond to that. All right.

**Baack:** And anyway, I appreciate john's willingness to address this in the comp plan the way he has. Moving to the -- we had a proposed bicycle designation parallel to Multnomah and they suggest that we not do that. Basically, this came out of people really saying this isn't safe for our kids to be on anything for a substitute of fanno creek trail, which is what this route would be, so ride on and we need an alternative, and they were willing to say, we will push our bikes up the hills if they are steep.

**Katz:** Which item are you talking about?

\*\*\*\*\*: I'm sorry --

**Katz:** That's why I went through by page and number.

**Baack:** I have it here. P-4. I am reading off of my text as opposed to yours so I apologize. But what we are trying to do here is just basically make a safe place for the families that want to ride on our, what we view as the interim fanno creek trail. Now, let me explain why I say interim. There's going to be feasibility study on the electric, which will probably result in some numerous and long-to-solve right-of-way problems. We anticipate the need for and certainly have a high desire for and interim way of walking and riding from the river to garden, basically garden home. And we've developed two routes. We had two routes that we've had open houses and a lot of discussion about. The one being a pedestrian route and the other one being a bicycle route going down Multnomah. The response we got when we took it to the last open house was, that isn't a safe place for families to ride in, and if you have tried it, it's not. So, we have said, let's figure out another one and that's what we added this, we asked that be added in.

**Katz:** Doesn't that go through a lon, lengthy process in terms of developing the bike routes?

**Baack:** Right now we are in the middle of a feasibility study in metro to do this, and it's down to the counting time, as I see it. And what we really are interested in, is signage, you know, and something that says, yeah, this is the route to follow, and that's why this is important. It's not a big dollar deal, just matter of getting the id.

**Katz:** Go ahead.

**Baack:** Safe routes to school, I thank you for the solution proposed by staff. The projects on southwest urban trails, again, I guess the question we would like to raise is where do we go from here? I am on, now on --

**Katz:** Page 8.



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**Baack:** Where do we go from here? We viewed the tsp as a way of getting these on the radar screen and moving forward and if we can't put them in here, then we don't have any place to say, even if we want to get fundraising, people will say is it in the city plans. Well, we say no, they are not. Then, we are sort of in a vacuum and we need some staff help to sort of ease this to make it work and we've been a great team making this construction. We are looking for these as ways of making that happen so I don't -- I don't disagree with what staff is saying because it fits into the context of what they have done, but it leaves us nowhere to go so we would like to figure out a new alternative and it just doesn't seem to fit --

**Katz:** Keep going.

**Baack:** All right. Better pick out the important ones for you.

**Baack:** I am trying to, ma'am. Mayor, I am sorry.

**Katz:** It's not that you are being ignored.

**Baack:** I understand. Hillsdale, lake oswego trail, that's fine. Intersection improvements --

**Katz:** Keep going. Go through yours.

**Baack:** In this case --

**Katz:** Which one?

**Baack:** On pr-11. What we are asking is that we look at a left turn lane at capitol highway and terwilliger. What we would like to do is take off a lane at barber and terwilliger, that would be one zero-net change in the intersection. Our channelization. It will improve the barbur end and terwilliger end and the flow of traffic will improve dramatically and I recognize that this is policies, but it also violates other policies if you look far enough about what accessibility to neighborhood streets is.

**Katz:** Keep going.

**Baack:** Pr-12, thank you. Pr-13, we want to move a million dollars -- hillsdale was the first town center to do improvements. What we are trying to do is get things that we can do safe routes to school in the town center, the pedestrian district, and that's why we asked for a minor amount of money to be moved, not the whole thing. Environmental review for trails. I would be very happy to participate in some general thing. I don't know if the stormwater review is the appropriate place, but there is a couple of things that I would really --

**Katz:** Where are you?

**Baack:** I'm sorry, I am on i-1. There's a custom things that i, I would really like to focus on and that is there's been additional things to consider for streets put in here or any improvements in right-of-way, but they ignore a few things. For example, there is no provision to say consider existing utilities, sewers, water systems, and so on where people are working all the time. And we actually spray to keep the vegetation down in some places, and yet not being -- we throw up a lot of additional impediments for trails to be built.

**Katz:** Yes, but this may not be the place for it. Okay. We will hear back from john in a minute. Thanks.

**Ellen Vanderslice, Environment Pedestrian Coalition:** Good afternoon, mayor and commissioners, I am ellen, speaking for the environment pedestrian coalition, which is a grass-roots organization of people working to make things better for walking in Portland. In the Portland region. We're pleased to support the adoption of, of the Portland transportation system plan. We believe this plan contains many elements that will make the pedestrian environment better in the city of Portland and make Portland a truly multimodal city. I didn't understand that we were only going to testify on the amendments today.

**Katz:** Yeah, that was last week.

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**Vanderslice:** We missed the 25th so, I won't bore you with all our testimony, except to say that as a grass-roots advocacy group, we put in hundreds of volunteer hours reviewing plans and policies and we're always delighted when our advice is actually listened to, so I wanted to say particularly thank you for the classification urban highways that we had suggested to address roads like southeast McLoughlin and highway 30. So, I won't go on about all of that. But specifically on, what's in the amendments, I wanted to say that we do support the amendments in p-a 5 on page 6 that strengthen the policies and the projects related to safe routes to schools. And I know that the transportation system plan has been a long process to get to this point, but I have to say that I think that it truly meets what the transportation planning rule is attempting to get out of jurisdictions by really being a multimodal plan and I think that that's exceptional and kudos to the staff. One more second to say thank you to our policy analyst, Doug Claws who puts in the volunteer hours looking at things for us. Thank you.

**Katz:** Okay.

**Alan Beard, GBDR Architects:** Mayor Katz, excuse me, and members of the council, my name is Alan Beard. I am a principal at GBDR Architects, 920 Southwest 3rd. I would like to talk to you about short-term bicycle parking. We applaud the city's support of the use of bicycles and safe, secure parking. We have a -- and deal with this issue on virtually all of our downtown urban projects. And I'd like to illustrate with our Brewery Blocks Five project what's needed and what we must go through. The building is 300,000 square feet, 241 apartment units. It has a requirement of 20 short-term parking spaces, bicycle parking spaces. The code says that we have to accommodate these on our sites since we are building from property line-to-property line. And also that the parking must be within 50 feet of an entry. To accommodate 20 spaces, we must carve out a chunk out of the base of the building, which is some of the prime retail space for the building. That's a very expensive proposition. It probably equates to in excess of \$10,000 a year in grant and you capitalize that value for the building and it's, it's \$100,000 easily in value. We feel that we ought to be able to work out a situation where we can park in the public right-of-way. Use bicycle parking in the public right-of-way, and it wouldn't occur in all places, but in the furniture zone or even taking parking space, I've had a developer client say that they would be more than happy to pay the rent on a single parking space to accommodate bicycle parking. Parking should be allowed in garages. Yes, they have to be able to be accessible, but they should, and I think our clients would allow them to be brought up to, in some cases, would be the, the public right-of-way for parking. The 50-foot dimension, I don't understand. Our new ticket system for automobile parking, let's say a woman with her child parks at the corner goes up to buy a ticket dragging her child, goes back to put the ticket on her car, walks four times what a person riding a bicycle is required to walk, if they are parking in short-term spaces. So I encourage you to, to support the continued use of bicycle parking. Consider the public right-of-way as a logical area for convenience, safe bicycle parking.

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

**Francesconi:** Ellen, did I hear you say that on the garage part, if it was allowed in the garages, they would have to be accessible as part of the deal?

**Beard:** Yes, I think so.

**Francesconi:** Okay. Thanks.

**Saltzman:** I was curious, how many bicycles can you park in a automobile parking spot? Or can you accommodate? Any idea?

**Beard:** Well, it would take about 12, 12 square feet per bicycle, so what's parking space, 8-by-20. I counted walking up here, the Portland building, there's 16 spaces on the north side, and that's about 35 feet long.

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**Saltzman:** So two parking spaces could accommodate --

**Beard:** Two could accommodate, and if you had some ribbons, you know, five bicycle per block face on a full block development isn't -- doesn't seem excessive, you know. Ought to be able to be accommodated without building a fence. People can't get around that. So, I think there are solutions --

**Katz:** See, now you are getting into the other issue, which is what jim was talking about.

**\*\*\*\*\*:** Yeah.

**Katz:** No, that's all right. What you have just shown us, how they truly --

**Beard:** They are intertwined.

**Katz:** You can do them separately but you are looking at them as if they were together.

**Saltzman:** I guess i'm not confused, or i'm confused about why we're -- what's the need for this distinction? It seems like we should be looking at this issue all together?

**Francesconi:** I agree.

**Katz:** Well, that's the point that I think he's making.

**Beard:** I'd like to see it -- this is part of the top ten, 15 list, whatever it is. I would personally like to see in the next six-month period that this be part of the, of the consideration.

**Francesconi:** Mayor, here's what I am going to propose. I was going to do it at the end, we will have to do it either way. Either we do it as part of yours and we, me and pdot help you, or we -- I have to do something separately to bring them together. So the call is up to you.

**Katz:** We can decide how we want to treat this particular amendment that deals -- that solves a portion of the problem, and then we need to figure out, well then how do we integrate the two because it's going to be -- it's going to be a while before the top ten get resolved. So, all right. We will go through it before the end of the afternoon. Thank you.

**Beard:** It seems like a minor issue but it's a big deal.

**Katz:** Yeah, I know. All right. Thanks. You will have people arguing they are taking off two car spaces on the street is a big deal, as well. Anybody else want to testify? All right. Come on back and talk to us as to why you are not recommending some of the issues that don raised. Bicycle bicycles.

**Katz:** And then let's discuss the bicycle thing.

**Gillam:** I think the first one that don talked about again was p-3 on page 4.

**Katz:** He wanted to extend it to all trails. All city trails rather than southwest.

**Francesconi:** Seems reasonable. Is it?

**Gillam:** Yeah, I think that because the regional transportation plan is beginning to engage in the concept of regional trails, I think that our proposal is that we would follow the rtp as it is developed so, it wouldn't just be southwest.

**Katz:** So we are going to make the -- you want to propose the language to the amendment or conceptually -- right now, we will act on it.

**Harrison:** I don't think that we want to change the objective that's, that we are proposing because right now the southwest urban trails is the only trail plan that's complete, and we don't want to use as a guide something that still is at a conceptual level. I think that that's definitely a future work item for us to follow along with the rtp and make sure they are put into the tsp as they are completed and specific alignments are decided upon but right now, we don't have that, other than in southwest.

**Katz:** Can you use, as an objective, "e," use the southwest urban trails plan as a guide to dedicating and development trail segments in the rest of the city?

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**Harrison:** Well, this particular objective is listed under only the southwest district, so we would need to put it in a different, a different place in the tsp, like under the pedestrian policy or the bicycle policy that's in the -- that applies city-wide.

**Gillam:** If the objective is to carry that same thinking city-wide, then we can find a place for it.

**Katz:** Is that the objective of the council?

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

**Katz:** Fine. Find a place for it. All right. Let me see --

**Saltzman:** Other than the appendix I can. [ laughter ]

**Katz:** He wanted to discuss p-4, which you didn't flag.

**Gillam:** Okay. P-4. All right.

**Katz:** Page 5.

**Gillam:** Yes. Well, basically, the, the bikeway network is part of a city-wide plan and this route would be parallel to and propose to serve the same basic function as Multnomah boulevard, which is very closeby and I think that the objective here is that for this, as an alternative plan to develop signage for it but that's almost like two separate matters, frankly. It's not -- it does not really qualify as a bicycle route. Now if there is a signage program that can be developed to look at specific links, then I think that that's separate from the tsp, but to add this parallel route in as a policy change or amendment of the tsp, we recommend against.

**Katz:** What's the --

**Gillam:** We also have not taken this back to our bicycle advisory committee because it was a late proposal.

**Harrison:** I'd like to point out that some of this parallel route goes through city parks and the parks's bureau indicated that they are not necessarily comfortable with the kind of signage or having them signed as routes through the parks with the level of information they have today.

**Katz:** All right. Any other items? The reason I flagged that one because you didn't comment on that one. Is the council interested in making any other amendments that don't flag?

**Saltzman:** I did have a question about pr-2 on page 8. It's suggested we add specific projects, pedestrian or urban trail projects and we are saying that these will happen as land develops or redevelops. It seems to me some of these segments might be in places where, if I am understanding this, some of the easements might be in places that might never be affected by the development or redevelopment.

**Gillam:** Whenever -- parts of the urban trails plan that are on private property, then the, the best approach for that is to include those in the master street plan, which we have, but we don't call out individual projects unless they are in public right-of-way. So, the way that the tsp is constructed is that the projects are either on the public right-of-way or extensions of public right-of-way and if there's a connectivity issue that would be satisfied through additional trail connections, that that would -- the reference there would be back to the master street plan where these projects are included. I don't know if you want to elaborate on that.

**Saltzman:** The master street plan -- this document contains these type of easements?

**Gillam:** Yes.

**Saltzman:** It may not be part of right-of-way but are connectivity issues?

**Harrison:** The master street plans are adopted as part of the comprehensive plan just as the designations are and they show where we need future connections but they are not classifications. So, we are not saying a private property owner that you are going to have a street running through your property, but what we are saying is as you come into redevelop your site, say the church, for instance, where one of these is located, you need to address that issue of connectivity as we have

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identified it in the master street plan. That could be done in a variety of ways, but it does not tell the church that we are essentially saying that we want a public right-of-way through your property, which is really what our classifications do, say that that's what, where we want public trails and public walkways.

**Saltzman:** So pedestrian trails are clearly identified in the master street plan?

\*\*\*\*\*: Correct.

**Saltzman:** I guess that his point, though, was without having some sort of a more formal status, that it might be hard to, to really galvanize citizen interest as don has done a very good job in southwest of getting people really out there to help build trails and sounds like even fundraisers to make these trails happen. It seems some of the easements are not going to be on a public right-of-way.

**Gillam:** The master street plan concept is new, and so there's -- it is true that I think some of the cases that, that don may cite as examples where they have been overlooked but with the tsp being adopted, they are part of the comp plan, and so that does give the authority for investigation of where these new trails may need to be applied as part of the development.

**Francesconi:** And then there is other projects and we don't -- these are good projects, but then we have to compare them to other projects that are not out there and we don't want to get this specific right here.

**Katz:** You heard don's issues. Help him understand what needs to be done to get to though issues if we are not going to adopt those changes.

**Harrison:** Well, I think the southwest urban trails group needs to continue to be advocates for the trails. The documents that we're proposing to be adopted gives them the tools to be an advocate in the process as sites develop, as they request funds for making the trail improvements. Having a designation on the map does not assure that a project will happen. What makes the projects happen is the community advocating for them and we believe the tools we are providing will allow them to do that.

**Francesconi:** One other thing we need is money. To build sidewalks, to do a lot of things where development is not going to happen, like you said, commissioner Saltzman, but we don't have that at the moment.

**Katz:** All right. Let me, before I go, let's -- we adopted p-3 and with the change of the language, that that was to reflect southwest trails reflect the model for all trails in the city. Pr-3, you are recommending --

**Harrison:** Pr-3 is the southwest nevada court -- oh, it is southwest nevada court pedestrian bridge, and our proposed language change was acceptable to mr. Bock.

**Katz:** Do I have a motion? Any objections for adopting that? Hearing none, so ordered. All right. M-2.

**Gillam:** M-2, there was no testimony on, so our previous comments, I think, stand.

**Katz:** So that was a partial?

\*\*\*\*\*: Correct.

**Katz:** Identify what it is that you want us to adopt.

**Gillam:** The staff recommendation on this, on m-2 --

**Katz:** Is the item one?

**Gillam:** Correct. Is item one, which would be to identify water taxi in the transit modal --

**Katz:** Any objection to say that? Hearing none, so ordered. All right. Ohsu, there were two items, southwest 6th and the tram. Identified as an individual project. Any objections to that? Hearing none --

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**Saltzman:** We are going to have that language about, including ohsu and --

**Katz:** And others.

**Saltzman:** And others.

**Katz:** Any objections? Hearing none, so order. That's it, right? Oh, the bicycle one. You want to talk about that. All right. So here's the dilemma. We can either -- here's the options. Well, we can either leave the language alone as the planning commission recommended, we can either, and/or, we can adopt this and the top ten will be looking at the right-of-way issue, correct?

\*\*\*\*\*: Correct.

**Katz:** Okay. So give me some options.

**Francesconi:** Well, or --

**Katz:** Or, you can combine -- or you can leave the planning commission language and take this notion and the right-of-way notion and combine it and have the top ten do that?

**Francesconi:** Right. And if you are not willing to do that, then pdot and I will figure something out, which is not as good as you doing it.

**Katz:** All right. Fine. We will do it. [ laughter ]

**Saltzman:** Also I want to add that I don't think that there's been previous discussion about the 50 feet.

**Francesconi:** You owe the mayor here.

**Katz:** You owe me, yes.

**Francesconi:** We have got to help her.

**Saltzman:** I think the point about being within 50 feet of the main entrance is a fair point, and I think that ought to be looked at, too, in this whole combined look.

**Katz:** Well, that would be -- so where we would end up with is the planning commission's language, correct?

**Francesconi:** Michael was just talking to me about that. If we do the planning commission one, we've done something that's not enforceable and doesn't make a lot of sense. We can't force the garages to be open 24 hours. What I would like to do is leave it the way it is and figure out what the right thing to do is.

**Gillam:** So the proposal would be to basically take it off tsp plate at this time and have another process for it?

**Katz:** That would be, that would take care of it.

**Francesconi:** But put it in the expedited process so we get right to it. Because I don't like the current situation.

**Gillam:** And what would be the replacement process?

**Katz:** The regulatory reform top ten.

**Francesconi:** And then as soon as it goes through that, then we will -- I will bring an amendment and I will amend the tsp to follow whatever happened in the regulatory process.

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

**Francesconi:** In fact, just do it simultaneously so whatever comes out of that process, have an amendment, and we will do both simultaneously.

**Katz:** So it will have to go back to the commission with all of this discussion and hopefully resolution that -- I don't think that we will satisfy both sides, but probably this is as close and at least temporarily, but I am willing to take both these issues to the top ten list. All right?

**Francesconi:** Thank you, mayor.

**Katz:** So we eliminate this from the transportation system's plan.

**Gillam:** That's "i" 2.

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**Katz:** Any objections? Hearing none, so ordered. So, things will be the way they are now until we resolve them. And then they will be included in the plan. All right. Anything else? Did I leave anything out? I need two technical --

**Harrison:** I need two things, one is to remind the council that the complete record is in the room and available and second, on page 19 there's a small typo that we want to have amended.

**Katz:** It's done.

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

**Katz:** Anything else? All right. Then we will bring this back to be continued on october 30th.

\*\*\*\*\*: In the afternoon.

**Katz:** In the afternoon. That's a thursday. Wednesday? Wednesday in the afternoon at 2:00. Thank you, everybody. We stand adjourned.

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