



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 7th DAY OF MARCH, 2001 AT 9:30 A.M.

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

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Harry Auerbach, Senior Deputy City Attorney; and John Scruggs, Sergeant at Arms.

Item No. 264 was pulled for discussion and, on a Y-5 roll call, the balance of the Consent Agenda was adopted.

- *257** **TIME CERTAIN: 9:30 AM** – Grant Specially Attended Transportation permit to New Rose City Cab Co. (Previous Agenda 193 introduced by Commissioner Francesconi)

Disposition: Ordinance No.175388. (Y-5)

- 258** **TIME CERTAIN: 10:00 AM** – Appeal of Neighbors West/Northwest Review Board against the Noise Review Board decision to grant a noise variance to Jan Babendererde for Tanner Creek diversion work (Hearing introduced by Auditor Blackmer)

Disposition: Withdrawn.

Motion for a Suspension of Rules to hear the 11:00 a.m. Time Certain, Item 259, at 10:12 a.m.: Moved by Commissioner Hales and seconded by Commissioner Sten.

- 259** **TIME CERTAIN: 11:00 AM** - Establish a Temporary Light Duty Position Policy and a Pregnancy Leave Policy for sworn members of the Portland Fire Bureau (Resolution introduced by Commissioner Francesconi)

Disposition: Resolution No. 35972. (Y-5)

CONSENT AGENDA - NO DISCUSSION

- 260** Accept bid of W.G. Moe & Sons, Inc. to furnish NE 59th Place pump station remodel for \$799,450 (Purchasing Report - Bid No. 99830)

Disposition: Accepted Prepare Contract. (Y-5)

- 261** Accept bid of Moore Excavation, Inc. to furnish Alder Basin relief and reconstruction project phase 3, unit 2 for \$2,748,745 (Purchasing Report - Bid No. 100518)

Disposition: Accepted Prepare Contract. (Y-5)

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Mayor Vera Katz

***262** Extend Legal Services Agreement with Hoffman, Hart & Wagner, LLP (Ordinance; amend Agreement No. 32205)

Disposition: Ordinance No. 175377. (Y-5)

***263** Grievance settlement of Timothy Pahlke (Ordinance)

Disposition: Ordinance No. 175378. (Y-5)

S - *264 Authorize a labor agreement between the City and the Portland Fire Fighters Association relating to terms and conditions of employment of represented personnel (Ordinance)

Motion to accept substitute ordinance: Moved by Commissioner Francesconi and seconded by Commissioner Saltzman.

Disposition: Substitute Ordinance No. 175387. (Y-5)

Commissioner Jim Francesconi

265 Accept contract with Nielsen Dillingham Builders, Inc. for the construction of the Southwest Community Center as complete, authorize final payment and release retainage in the amount of \$24,721 (Report; Contract No. 31431)

Disposition: Accepted. (Y-5)

***266** Contract with four professional, technical and expert services for special inspections as required to support Portland Parks and Recreation projects (Ordinance)

Disposition: Ordinance No. 175379. (Y-5)

Commissioner Dan Saltzman

***267** Authorize a contract and provide for payment for the construction of the N. Gay Ave. and N. Wygant St. combined sewer replacement and detention project, Project No. 6347 (Ordinance)

Disposition: Ordinance No. 175380. (Y-5)

***268** Authorize a contract with the lowest responsible bidder for the construction of the Operations Building at the Columbia Boulevard Wastewater Treatment Plant, Project No. 6613 (Ordinance)

Disposition: Ordinance No. 175381. (Y-5)

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- *269** Authorize three year contract with Merina, McCoy & Co. not to exceed \$155,000 to conduct annual financial reviews of franchised solid waste and recycling companies and provide advisory services for City rate review and other analytical purposes (Ordinance)

Disposition: Ordinance No. 175382. (Y-5)

- 270** Amend City Code to modify Solid Waste and Recycling Regulations for commercial permittees (Ordinance; amend Code Chapter 17.102)

Disposition: Passed to Second Reading March 14, 2001 at 9:30 a.m.

- *271** Accept a grant from Oregon Housing and Community Services in the amount of \$6,753 for the Neighborhood Mediation Center to implement the Manufactured Dwelling Park Mediation Program (Ordinance)

Disposition: Ordinance No. 175383. (Y-5)

- *272** Authorize an application to the National Institute of Justice for a grant to Metropolitan Human Rights Center in the amount of \$126,790 for examining minority trust and confidence in the Police (Ordinance)

Disposition: Ordinance No. 175384. (Y-5)

- *273** Accept a grant from PGE in the amount of \$1,750 for FY 2000/2001 to support the direct delivery of community services by North Portland Neighborhood Services (Ordinance)

Disposition: Ordinance No. 175385. (Y-5)

Commissioner Erik Sten

- *274** Authorize an intergovernmental agreement with Mt. Hood National Forest for reimbursement of administrative costs associated with the Larson's conduit intertie permit and easement (Ordinance)

Disposition: Ordinance No. 175386. (Y-5)

City Auditor Gary Blackmer

- 275** Approve Council Minutes for January 5, 2000 through May 3, 2000 (Report)

Disposition: Approved. (Y-5)

REGULAR AGENDA

Mayor Vera Katz

- *276** Authorize Master Interlocal Mutual Law Enforcement Assistance Agreement with law enforcement agencies in the State of Washington and the State of Oregon (Ordinance)

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Disposition: Ordinance No. 175389. (Y-5)

Commissioner Dan Saltzman

- *277 Authorize an Intergovernmental Cooperative Agreement with the Regional Coalition for Clean Rivers and Streams to coordinate, develop and implement a regional stormwater pollution prevention and fish protection public awareness and media campaign (Ordinance)

Disposition: Ordinance No. 175390. (Y-5)

Commissioner Erik Sten

- *278 Authorize application to the U.S. Department of Housing and Urban Development for an Economic Development Initiative Special Project Grant in the amount of \$600,000 for the Portland-Vancouver Regional Housing Affordability Pilot Program (Ordinance)

Disposition: Ordinance No. 175391. (Y-5)

Communications

- 279 Request of Sandy Leaptrott to address Council regarding the conditional land use permit for Portland International Airport (Communication)

Disposition: Placed on File.

- 280 Request of Richard Koenig to address Council regarding a nine-page affidavit presented to Police Chief Kroeker (Communication)

Disposition: Placed on File.

- 281 Request of Patrick Dinan to address Council regarding rights with Police issues (Communication)

Disposition: Placed on File.

FOUR-FIFTHS AGENDA

- *281-1 Grant a revocable permit, with conditions, to Portland Public Schools for construction of a long jump/pole vault runway with two pits in U.S. Grant Park (Ordinance)

Motion to accept Four-Fifths Agenda: Moved by Commissioner Saltzman and seconded by Commissioner Hales.

Disposition: Ordinance No. 175392. (Y-5)

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

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 7th DAY OF MARCH, 2001 AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Frank Hudson, Deputy City Attorney; and Peter Hurley, Sergeant at Arms.

282 **TIME CERTAIN: 2:00 PM** – Consider the LUBA remand of the application by Metro and Bureau of Parks and Recreation for a conditional use review for a conversion of 129-space temporary parking lot to a 120-space permanent parking lot for the Oregon Zoo at 4033 SW Canyon Road (Hearing; 97-00127 CU MS EN)

Motion to tentatively approve parking lot as a conditional use: Moved by Commissioner Hales and seconded by Commissioner Francesconi.

Motion to amend by requiring a report from the parking lot committee in a year with a definitive answer for parking and discounted admission for use of transit: Moved by Commissioner Saltzman and seconded by Commissioner Sten. The motion failed to pass. (Y-2; N-Francesconi, Hales and Katz)

Disposition: Tentatively approve permanent parking lot as a conditional use (Y-5): Prepare findings for April 4, 2001 at 2:00 p.m.

At 5:30 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

A handwritten signature in blue ink that reads "Britta Olson/pu".

By Britta Olson
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.

MARCH 7, 2001 9:30 AM

Katz: Good morning, everybody. The council will come to order. [roll call] First of all, council meetings are broadcast on citynet, cable channel 30. They're also live on the internet, and can be accessed from the city's home page, if you click to the council agenda. It's also available on the internet -- the weekly council agenda is on the internet site as well. We're going to have two suspension of the rules. Let me flag the first one if anybody is listening or watching and wants to get here within the next half an hour. 259 is a time certain at 11:00 a.m. I've asked kevin to notify all the people that I thought might be interested in testifying on that. And he said he will. And i'm going to ask for a suspension of rules to move it up to 10 o'clock, because the 10 o'clock has been continued for a week or two weeks, they want to have another meeting to work the issues out.

Then there's a four-fifths. So just flag that. All right. Consent agenda item. 1264 is to be pulled for a substitute. Any other consent agenda items that anyone wants to pull off the consent agenda item? Anybody in the audience want to pull a consent agenda item? If not, roll call on the consent agenda. **Francesconi:** Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. [gavel pounded] consent agenda passes. Item 264.

Item 264.

Katz: We have a substitute. Who's going to talk on this one? David will. Do you want to tell us what the substitute is before we accept it?

David Shaff, Bureau of Human Resources: I will indeed. There were -- david shaff, employee relations managers. There were a number of rounding errors in the salary rates we put together after checking them with the fire bureau, different methodology for computing the wage rates for a firefighter and the other classifications, the 42-hour rates.

> the 52-hour rates. And this substitution fixes those. It also takes the last best offer, which was the original document, with the original ordinance, an agreement that we're going to be able to sign with the president of the fire association. No other changes, just changing the format and fixing the errors and the salary rates.

Katz: No substantive changes?

Shaff: No.

Katz: Okay. All right. I'll take a motion.

Saltzman: Note changes to the overall --

Shaff: There were no changes whatsoever. The only difference -- they really were pennies. There would be a rounding up or down of one penny on about a dozen of the rates. It was a different methodology using different spreadsheets.

Katz: All right. Do I hear a motion for the substitute? **Francesconi:** I so move. **Saltzman:**

Second. **Katz:** So ordered. [gavel pounded] anybody else want to testify on this item? If not, roll call.

Francesconi: Again, thanks again, david, and to the city for all their work on this. It would have been better for everyone had we been able to settle this without going to arbitration, but what this award does is -- and this ordinance, it authorizes the last best offer that was made to the firefighters,

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which did not include longevity. I had met after meeting with the council with the firefighters, and the union myself to encourage them to consider an offer where long evident could have been tied to -- longevity could have been tied to fire inspections, but they chose not to proceed. So I appreciate the efforts of everybody. We're going to continue the union has told me that they do not intend to appeal this. They're not happy with it, they're not pleased, and it has caused some morale issues, but we're going to proceed with this. We're also talking to them, and chief wilson has a plan to begin how we institute fire inspections, and we'll be talking with the council and the union about how we proceed in that regard in the coming weeks. So i'd like to thank the council for their support on this and the staff for working on it, and the union for being very professional, especially the members. I have not received one complaint from any citizen about any performance of any firefighter during these past six months. And that's remarkable. Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: I'm going to vote aye. I want to just add to what commissioner Francesconi says, that as part of the budget discussion we'll be looking in the long run on the inspection for a variety of reasons, just want to flag that. That may be coming to you a little soon era they're than later. Aye. [gavel pounded] thank you. All right. We are now at time certain, 257.

Item 257.

Francesconi: John, you can come forward. I'm not sure we need add time certain. I met with new rose cab company myself, and they've decided they want to proceed with this sat application. And so there's a variety of reasons, but basically we need to better serve our diverse population, and demand is growing in this regard, and this is also a way to try to get some resources and some business to some of our smaller companies. So I think that this is a win-win. We don't really are -- have a formal presentation here, but we wanted john available in case any commissioner had any questions.

Katz: Remind us why this wasn't folded in with the earlier actions. I remember there was some discussion, but remind us.

John Hamilton, Bureau of Licenses: I'm john hamilton, bureau of licenses. New rose city, at the last minute, before the last session when you entertained broadway cab's permit and issued a permit, the day before that they decided they didn't want to go forward. They thought that it was improper, or not fair for them to have to put on s.a.t. Vehicles when they had asked over and over again for taxicabs. And so we, upon their request, pulled it, and then after commissioner Francesconi spoke with them, I guess they changed their mind and decided to come back.

Francesconi: Let me be clear. They would much prefer taxi permits, and they still want more taxi permits and they still think it's unfair of the city to have a system which is not -- has not allowed them to get more taxi permits. Let me be very clear about that, because they were very clear with me. But I think the view they now is -- have is this could also help them, but they wanted to make it clear that this is not a substitute. In their mind, for additional taxi permits. And this should be not used against them. I told them specifically that it would not be. That this is not a substitute for future taxi permits, that they would be requesting. I specifically told them that. And that's right, too, john, isn't that the way it works?

Hamilton: Absolutely.

Francesconi: What we're waiting for is the demand study to come out again, and commissioner Saltzman has been very helpful, we're putting performance measurements on taxicab companies so that there's a way to evaluate actually taking permits. Believe it or not, in our history we've never had performance measurements on taxicab companies, which I find a little hard to believe. But we're doing that too. So there's either by expanding the pie, which will be a much easier approach,

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or taking away some, which would be very difficult, even with performance measurements, that's an approach to try to give some new opportunities for companies like rose city and others.

Katz: Okay. Questions of john or commissioner Francesconi? Anybody else want to testify on this issue? Roll call. **Francesconi:** Aye. **Hales:** Aye.

Saltzman: I appreciate your efforts, commissioner Francesconi, to get new rose city back into the s.a.t. Vehicles, but I also more appreciate your comments about we need to move ahead with performance standards, because we need to figure out a way we can get smaller cap companies up to the threshold, number of per mets you yourself stated were necessary to be viable, which is 40 permits, 40 to 50, as I recall, and we have some small companies and we need to figure out a wear to get them more permits so they can prosper. Whether it's taking away existing permits or as commissioner noted, growing the pie, number of permits, one way or another we need to figure this out, and i've committed to work with you and commissioner Francesconi to try to figure this out. Aye.

Sten: That's -- I want to thank commissioner Francesconi. I think they made the wrong move when they first looked at this, and i'm glad you reached out to them. Aye.

Katz: I'm going to vote aye. I just want to say that my hope is that as we complete the expansion of the convention center, that not only will the vacancy rates drop, but they'll also be additional business for the cab companies and maybe that's when we may entertain the notion of further expansion after you do your report. Aye. [gavel pounded] all right. As I announced, 258, I need a motion to continue it.

Item 258.

Sten: So moved.

Katz: All right. Britta, do we have any idea --.

Olson: At least for two more weeks.

Katz: All right. Let's put it out for two weeks.

Olson: I need to read the title.

Katz: Okay. Any objections to continuing this for another two weeks? Hearing none, so ordered. [gavel pounded] all right. I need a suspension of the rules to move, though I don't see the people that probably need to be here. We wanted to do it at 10 o'clock instead of -- all right. Why don't we take a recess until 10 o'clock, and then i'll ask you for the suggestion pension of the rules, and Britta, if we can notify --

Hales: There's regular agenda stuff we could do.

Katz: Is there any way to notify our communications people that we're probably going to end soon era they're than later?

Olson: Koenig called this morning and I let him know the time certain had gone.

Katz: Sorry. We do have a regular agenda. All right. 276.

Katz: Anybody want to testify on that item? Roll call. **Francesconi:** Aye. **Hales:** Aye.

Saltzman: Aye. **Sten:** Aye. **Katz:** Everybody knows that this is an agreement on what happens to pursuits as we cross the state lines. Aye. [gavel pounded] 277.

Item 277.

Saltzman: I'd like to have someone explain the nature of this program here. This is basically work as you know we work on a comprehensive permit under the federal government to control storm water, and part of that requirement is to have an effective public outreach program, and this is a program as every other government also has to have these permits, I guess this is a collective program where we're combining our resources to do more effective outreach about the importance of controlling storm water. But i'll let b.e.s. Describe 90 more detail.

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Joan Saroka, Bureau of Environmental Services (BES): This is Joan from b.e.s. The regional coalition for clean rivers and streams, we have a five-year history. The group of agencies we are required under our npds storm water permits to educate on storm water issues. The permit does not say exactly how we're supposed to do this, but we decided as a community we can get bigger bang for our buck if we pool our resources into a campaign together because each of the communities that's involved has an npdes permit. This year we decided in the next five-year agreement that we would join forces also with Clark County, the city of Vancouver and Metro, to expand our message to be storm water pollution prevention and also fish recovery. So we put it all together in one, pooling our resources, and hopefully we won't duplicate services regionwide, and then we'll also be able to have a clean, clear message about fishery -- fish recovery and storm water pollution prevention for all our residents in the region.

Katz: Questions? Anybody want to testify on this item? Roll call. **Francesconi:** Is good work. Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Katz:** Mayor votes aye. [gavel pounded] all right. Item 278.

Item 278 -- brought up again, see below.

Sten: I was expecting Tom Cusack from HUD to stop by, so if he does maybe we could give him a 30-minute communication. But this is just good news I want to -- wanted to bring to your attention. This is an interesting situation where the grant has already been -- either authorized or appropriated, and we actually have to apply to get it, but we think we'll win because it's been authorized for us. This is actually a really I think groundbreaking step, although it's a relatively modest amount of money, we've been -- have some money set aside at HUD, a lot through Senator Smith, to actually standard a regional affordable housing fund. I think it would be the first in the country where all of the jurisdictions, in this case it includes Vancouver, Washington, would join together to look at needs in the region and spend this money as best sees fit. Obviously \$600,000 is not a huge amount in the affordable housing field, but the idea of taking the money and forming a fund which I hope someday will be bolstered by about \$50 million a year with a regional fund that we hope to bring forward in the next -- if we can get it authorized in the session, so this would actually allow us to start the fund be begin to do work. Even though the grant flows through Portland, my recommendation is all the money be spent in the suburbs. So very good news, and an -- it allows us to begin what we hope will be a much larger effort once we can find a funding source as a community.

Katz: Good. Anybody want to testify on this? Roll call.

Francesconi: This is a big deal. It's the beginning of a big deal. I want to congratulate commissioner Sten. The scene is about five years ago, 5 1/2 years ago, city club debate, commissioner Sten and I, when we were running against each other, and commissioner Sten floated the idea of a regional investment fund and the city should put money there. And I didn't think it was a good idea. I was wrong, commissioner Sten was right. So it's good to see this. So this is the beginning of a process. I guess the other thing is, did I push hard for mandatory inclusionary zoning throughout the region, because we need a regional approach. But we need -- so that's the stick. But we need a carrot, and the regional housing investment fund, with an inclusionary zoning policy, is the direction I think we ultimately need to go. But we need the carrot. Or else we're never going to get there. So this is very good. Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Thanks, Jim. Aye.

Katz: You know, I almost forgot. The political history. It's been a while. My hope is that with the targets that we identified in the Metro housing affordability targets for the region, that this money will be used to try to reach those targets. So that there isn't any excuse that they don't have the resources to make this happen. Including Portland. But we do -- I think it's fair to say we do a

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far better job than some of our suburban areas are doing. So hopefully this will help. Aye. Good work. [gavel pounded] all right. We're going to take a ten-minute recess. Is -- before we do that, is sandy leaptrott here? Is that you? Why don't we read your number and have you communicate with us. 279.

Item 279.

Katz: Sandy, you have about three minutes.

Sand Leaptrott: Okay. I live in the wilkes neighbor association group area, and i'm here to ask about the conditional use permit planning for Portland international airport. This is really a -- unnerving for me.

Katz: Relax. You see, we can't ask you any questions. So you can say whatever you want to say and then you can walk away and nobody's going to ask you any questions.

Leaptrott: I do want to thank commissioner Saltzman, and frank dixon, who isn't here at the moment, for making it possible for people in my neighborhood and the community to sit down with the city of Portland, office of planning and development review, to work on a planning document that will be presented to you here in the not-too-distant future, I think in the next four to six weeks, possibly. It's called the alternatives to the conditional use approval process for Portland international airport. And I just can't thank the planning bureau and dan Saltzman enough for giving us the opportunity to be part of this process. And I want to say, after having read the draft plan, that of the 7 conditional use processes presented in the plan, I personally support option 6, which is creating a plan district for Portland international airport. That particular option allows for public input. It's stated in the planning document really well, so i'm going to quote it there. It just says, the planning district provides the greatest flexibility to craft a process incorporating a public involvement component that places difficult issues before the planning commission and the city counsel. Where I would like to see those issues discussed. It's very important to me, this particular issue, and thank you for listening.

Katz: Thank you. All right. We're going to take a ten-minute -- seven-minute recess. [gavel pounded]

Olson: We could do the four-fifths if you'd like.

Katz: No, let's wait until the end. If we waited --

[seven-minute recess taken]

Item 278 -- discussed above, too.

Sten: I was just a tad remiss in the remarks on the regional fund. One is partly why we got the grant, we won a national best practices award for the regional plan that kathy brugatos put together. And briggs put together. We actually have a plan of action for the \$600,000 that I wanted to ask kathy to share very briefly. So tom first, then kathy.

Tom Cusack, US Dept. of Housing and Urban Development (HUD): I'm tom cusack, with the u.s. Department of housing and urban development. Today, along with what happened last year -- we have an internet system now that essentially allows people to input nominations for best practices around the united states. Last year there were more than 2,000 best practices nominations that are now part of this internet system. So anybody who is in, let's say, detroit, michigan, can go in and find out what's going on in other parts of the country and try to share the expertise that exists around the country on problems that clearly have common concern for all cities. Money certainly is important, but sharing this information from our standpoint is very, very important. Last year as I mentioned, we had more than 2,000 nominations, and at a meeting last august, this bistate cooperation that is occurring received one of the top 100 best practices in the country, and so we attended a meeting last year, and we're able to share that information with other people in terms of the regional cooperation that takes place here in the Portland metropolitan area. And I guess in

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concluding my pitch on the best practice, I really do want to say a lot of the things that have happened around this cooperation in the last year or so have really been driven by erik Sten. The willingness to share information within the city of Portland has really receipted in -- resulted in them buying very much into having really good conversations about things that are of common interest to all of us. I really want to commend commissioner Sten and steve rudman for the spirit of cooperation they've demonstrated in those meetings.

Cathey Briggs, Planning Bureau: I will just spend a couple minutes -- i'm kathy briggs, with the neighborhood partnership fund. I wanted to let you know what the common thread that pulled people together was the receipt of federal entitlement funds, also public housing authority. Over the past year i've been facilitating meetings of the entitlement jurisdictions in four counties, clark, clackamas, Multnomah and Washington. Plus all the housing authorities. In that process we've worked together to develop a five-year vision which is basically to reduced barriers that sometimes are created by political boundaries when you talk about use of federal funds, and also to have a plan of action to basically add value to what's happening in the region. The groups prioritize what they want to do with the \$600,000. I'm going to go through the list of priorities. Starting with what's going to kick off first. The regional lead paint program. This is to help all of the jurisdictions comply with federal lead paint regulations. The risk is that we lose what we already have in terms of affordable housing for a lack of ability to mitigate lead paint. Second is affordable housing clearinghouse. This is to increase capacity regionwide from the city's grant they just received from the department of commerce on a internet clearinghouse for housing, so people have access and they know where it is. That would be expanded to four counties. Our regional section 8 homeownership pilot, hud changed regulations so section 8 recipients can use their voucher to become homeowners. There's a lot of work that needs to be done that we don't want to duplicate, so the housing authorities are going to work to the on that.

Katz: Quickly.

Briggs: There's three other programs, housing affordability awareness --

Katz: Not you, get the homeownership done quickly.

Briggs: It's gearing up. Big-time. A lot of issues about housing is an economic engine and how do we make sure people understand this, especially employers, people coming into the region. Housing affordability tools and best practices, we have an ambitious metro framework plan order regional affordability issues. There's a lot of tools Portland is using that a lot of jurisdictions isn't. A lot of cities need technical assistance so they set aside somebody to help with that. And then a housing incentive fund that is -- the idea is how do we create incentives to actually reward jurisdictions for doing the kinds of things that need to happen? So that's just in a nutshell the six main elements of the grant. It's a five-year grant, and the group has hung together and worked very hard. So I think they all need to be commended. Also, the city's office of intergovernmental affairs, our congressional delegation was fabulous, including brian baird across the river.

Sten: If I could just -- since we've already voted, i'd like to thank you. Kathy did all the hard work to coordinate this, and tom has been a great example -- he's been terrific. So thank you.

Francesconi: Just one question. It's separate from the grant. What's the status of the discussions on regional inclusionary zoning? Kind of the stick side of the carrot? We've been talking about the carrot so far.

Briggs: I think as far as -- as I understand it, it is still an optional incentive-based idea that it is not being proposed as a mandatory provision at this time. There's been a lot of discussion about it. But that is something that, as I understand it, metro is putting it out there as an incentive-based program, and that -- the idea was let's see how it works to make it incentive-based, and see how

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we're doing in tracking on the goals that the region has established, and if we're not getting there, we may need to relook at some of these things.

Katz: Just remember ballot number 7 with regard --

Briggs: That has also changed the climate very much.

Sten: My position at this point is i'm waiting to see if the legislation that allows local governments to enforcement a regional housing fund comes out of salem. If they say no to that kind of local control, then i'm going to be much more inclined to come back and say, local governments aren't left with anything september a regulatory approach. I do think they could be complimentary, but I think we're waiting to see what options we're given in the legislature and see how inclusionary zoning fits in at that point.

Francesconi: So on the question of incentive-based, so is one of the incentives that you allow more land to come in, or at least you prioritize the land if they agree to house poor folks on the land? Is that one of the incentives that's --

Briggs: I think that's a separate discussion, because the criteria for bringing land into the urban growth boundary is separate, relates to resource base and asset base of the land itself. So I certainly am not the one to speak to this. I think whether or not that's a quid pro quo, I think the land is looked at in terms of its resource value first.

Katz: Okay. Further discussion? Thank you. Good work. Thank you for the award. We'll display it. All right. I need a suspension of the rules.

Hales: So moved.

Katz: Motion to allow an 11 o'clock time certain to be heard at 10:12. Do I hear a second?

Sten: Second.

Katz: Any objections? Hearing none, so ordered. [gavel pounded] all right. 259.

Item 259.

Katz: Well, well, well. What should we do, ladies and gentlemen? This is his maiden voyage. It's nice to see you here, and we're going to have to be kind on this one, because it's a good idea, and it's a nice maiden voyage for all of you, the union, the bureau, fpdr.

Edward A. Wilson, Division Chief, Bureau of Fire and Rescue: Good morning. For the record, my name is edward a. Wilson, division chief for Portland fire and rescue, and very proud to say Portland's next fire chief. I'm here to share with you another success story. I'm proud to have been involved in the development of a temporary light duty policy that we're presenting to you today. Before we get to the details of the policy, i'd like to take the time to acknowledge tom chamberlain, president of the Portland firefighter association. Without his excellent leadership we probably wouldn't be here before you today. I'd also like to acknowledge babette and julie from the fire police and disability retirement fund for their willingness to look at creative ways to assist our members and returning to work. Julie will have a few words in a few minutes. I also want to thank donny and mary from human resources for their work in melding the policies together and thanks to rudy from the city attorney's office for his technical expertise. I also want to thank our women firefighters who were involved not only in the development of the policy, but also who waited patiently for the policy to be developed. And lastly, commissioner Francesconi and his chief of staff, kevin for their support and their active interest in seeing the policy as it was developed in a timely fashion. Portland fire and rescue is a leader for this city in diversity hiring. And now it's time to take the practice to the next step by improving the environment for our diverse work force and specifically firefighters need for light duty family planning. Many of our female firefighters have less than 5 years of active service and therefore have limited numbers of sick leave hours to use for pregnancy. Our temporary light duty policy protect them from on the job hazards. The policy we present is a result of labor and management coming together to resolve a serious need in

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our organization and i'm proud of the work that's been done. This policy has two components. First it allows for three temporary light duty position that's are jointly funded by the bureau and fire police disability fund for members with service-connected disabilities. This allows them to return to work while they're recovering from their injuries or disabilities. The second component is the ability to place pregnant firefighters in temporary light duty assignments so they're not subject to the hazards that are routinely encountered in normal assignments. This allows for two light duty positions for pregnant members per year. In closing, I want to point out these temporary light duty positions are not budgeted positions, they're being funded -- they're continued upon our ability to absorb costs within our current service personnel services budget, and finally, a policy is only as good as our ability to effectively implement our policy, and I believe labor and management are both committed to this process. At this time i'd like to turn it over to tom.

Tom Chamberlain, President, Portland Firefighters Assn.: I'm tom chamberlain, president of Portland firefighters association. Thank you, ed. This is a very important policy. It's a good policy for the citizens, the pension board, and the firefighters. It's good for the pension board because it's going to drive down cost and what we know about light duty. When it's available, people return to work quicker than they normally would. That drives down cost. It's good for the bureau because there's tasks that need to be done that aren't being done and we can use this program to get those tasks done in the most cost effective manner. And it's good for the firefighter in that those injured firefighters oftentimes when they're on disability loose touch with the bureau. They feel detached. What this does, it brings them back to work as soon as we can bring them back to work, it gets them into a position that's productive, they feel again part of the team, and again, they're going to return to work faster than they normally would. For our women firefighters, it gives them a safe haven while they're pregnant, and that's real important. Also, this was a joint labor management collaborative process. We used male and female members of the Portland firefighters association. That was a union picked committee and they worked very well together with their management counterparts. And again, the Portland fire and police disability fund representatives. Thank you very much.

Julie Leonard, Fire and Police Pension Fund: Good morning. I'm julie leonard, the assistant administrator of the fire and police pension fund. On behalf of the pension fund, i'm very happy to be here this morning to communicate to you our very strong support for this proposed limited duty policy. As i'm sure you know, one of the things that we do at the pension fund is administer the disability benefits prescribed by chapter 5 of the city charter. This fiscal year the pension fund is projected to spend close to \$10 million on disability costs with just under \$3 million being spent on short-term disability or disability under one year in duration. In the disability and workers' compensation industries, it is widely accepted that the longer and -- an injured worker remains off work, the less likely he or she is to ever return to work. The condition of being disabled is often a result of physical and psychological factors. During the recovery period after an injury, workers can quickly lose strength and sam that if they don't stay active -- stamina, and psychological fall -- psychological factors, like a worker's fear of never being employable again, can promote depression and anxiety. The most effective way to reduce time loss from work and consequently reduce disability costs is to establish an effective limited duty program. Studies show that limited duty programs can lead to substantial reductions in disability and workers' compensation costs. For example, studies show that employees with access to modified work assignments return to work after a disabling injury about twice as often as employees without access to any form of modified work. Unfortunately, currently most of our members who are released to limited duty remain on disability even though they are capable of working. We see the fire bureau's proposal as an opportunity to positively effect disability costs by tapping into the potential savings, not to mention

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the increased productivity, created by returning these workers to limited duty assignments. The vocational rehabilitation subcommittee of the board of trustees approved the funding for the three limited duty positions described in the fire bureau's proposed policy. Although the 75/25 proposed cost split does not result in an immediate savings to the pension fund, we strongly believe that we will experience long-term cost savings in time loss compensation benefits and disability benefits overall if effective limited duty options are made available to firefighters. We very much appreciate the fire bureau's willingness to work with the pension fund to create these limited duty opportunities, and we urge you to support the policy.

Katz: Thank you. As a member of that subcommittee, the vote -- voc rehab committee, and tom is our chair, you educated me on this particular program. I didn't realize at that time that de -- the details of the resolution, and I just want to share with the council that the subcommittee authorized five police officers on limited duty as well. I figured, this is a great opportunity and a great program, and for 25 cents on the dollar, we ought to grab ahold of it. And so that's going to be work -- work through our budget process. And I will have to be working with the union as well as with management. So I want to thank commissioner Francesconi, I want to thank the fire bureau, the union, and fpdr.

Francesconi: We appreciate the police bureau once again following the good leads that by -- set by the fire bureau.

Katz: You didn't need to do that.

Wilson: It sounds like you're very positive of this, but i'd like to take the opportunity to bring up firefighters amy rooney and kim kosmos, who helped develop this process.

Katz: Fine. Thank you.

Aimee Rooney: Good morning. I'm amy, from station 19.

Kim ?: I'm kim, from station 9. I'm here today on behalf of the women of the Portland fire bureau. We feel the city of Portland and the Portland fire bureau have made every effort to protect its personnel from the risk of firefighter duties. We feel this policy that we are presenting today is of great importance to continue these efforts. The current and growing number of women in the fire service believe it is a necessity for women to continue their employment throughout their pregnancy and in an environment that is nonhazardous to the unborn child. We want to be a contributing part to the organization and limiting our choices by not providing an alternative work assignment will limit our ability to be effective employee and pose a risk to the child. We would like to take this chance to point out that we did a lot of research and we found over 30 departments that are implementing or making available alternative light duty work assignments to women who become pregnant. These fire departments are comparable in size and have about the same number of women or even more currently working on their line at this time. So we know that the research -
- flew our research this type of policy is working well for other departments and hope this policy can be an integral part of providing an opportunity for continuing employment for the women of the Portland fire bureau during their pregnancy. First and foremost, we want to stress the safety that this policy can provide for the unborn child. We feel that because of hazard that's firefighters face, like environmental hazards, diseases, exposures, stress and lifting of heavy objects, that this policy will provide protection for any of these exposures. Secondly, this policy will provide women in the fire service the assurance of benefits and no loss in pay and the opportunity to continue being a contributing member of the Portland fire bureau. And then lastly i'd like to say that I think not only is this part of this policy important, but I think the entirety of the policy is important for all the members in our organization. Thank you.

Katz: Thank you.

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Rooney: I just wanted to follow up by saying that I appreciate all the work that's been put into this and the time that we, especially amy has put into putting this together and helping as far as getting this policy put together. It is important for the women of the bureau to be able to have this choice to continue to be a vital part of the work force. And so I greatly appreciate it.

Katz: Thank you. Ed, did you want to close?

Wilson: I think it's pretty much been said. We really support this. This has been an issue we've been struggling with for several years, it's -- and also we've over the years had disabled firefighters that want to come back to gainful employment but their physical limitations don't let them come back to full duty. So this gives us a great opportunity to bring very good talented people back and we've always got plenty of work to go around. So this is great.

Katz: We try to sort through the history of this. We used to do it, but it was more costly to the general fund.

Wilson: A the more costly, and it also had limitations. For instance, the policy used to be that when you had to be within 90 days of returning to full duty and had to come back to shift work, and so it really wasn't necessarily as productive for the bureau and it was sometimes -- plus it didn't cover the females at all for pregnancy. So again, babette and julie have just been great to work with by allowing the -- allowing the rules to change and making it more usable for us. And reducing the costs.

Saltzman: First I want to say this is really a nice example of a tangible family friendly policy. All of us, the city council want to make the city a more family friendly place, not only for citizen, but particularly for our employees. And a lot of times we kind of skirt around the edges of sort of policies, nice-sounding policies, but this is really a tangible idea. So this is really a good thing. But I did have a couple of questions. Do I understand that the cost sharing for -- applies between fpd&r and the fire bureau for all five --

Katz: Forget the five.

Saltzman: We're doing five --

Francesconi: I'm going to bring up rich grace, who helped cochair the committee. He'll be able to speak to specifics of the policy.

Katz: It's three for the fire bureau, and i'm going to bring a resolution that you don't have yet, for the police bureau. And they get five just because tom agreed they were larger.

Saltzman: Okay. Three positions are two are reserved for those who are pregnant.

******:** Yes. Rich --

Francesconi: No, five.

Rich Grace, Fire Bureau: We have five total positions, three of those are jointly funded with fpdr, and two, the bureau is responsible for funding. For the pregnancy.

Saltzman: Those two are for the pregnancy.

Grace: Yes.

Saltzman: How -- is that -- is it eligible for the full term of the pregnancy? As soon as the member is pregnant they can apply? Is that how it works?

Grace: They're eligible as long as their doctor says they can continue to perform the functions of that light duty assignment.

Saltzman: Okay. How many females do we currently have in the fire bureau?

Grace: 30.

Saltzman: I was curious how we came up with two, whether two was enough. In must be some model --

Grace: In our scientific modeling, which was pick up the phone and call other departments that had significant numbers of females, what we were able to determine rather unscientifically, for

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every 30 female firefighters there was one pregnancy a year. So we believe that the two will cover it.

Saltzman: If you did have a third, that would be in your discretion? You wouldn't have to come back to us to authorize a third position?

Grace: We would always accept additional resources, but --

Saltzman: As long as you're doing it within your existing budget, you have the authority to -- or the discretion to --

Grace: Yes.

Saltzman: Okay.

Grace: If we had one of the other three positions open, then we would fill that with a pregnant firefighter.

Saltzman: That's true. Okay. Great. Thanks. Good work.

Katz: Further questions? Julie, why don't you figure out the ratio for the women for the police bureau. I didn't -- find out what the fertility model is. Thank you. Anybody want to testify on this? All right. Roll call.

Francesconi: This is a terrific thing. It's just part of being a responsible employer. We're responding to our work force, and we have a changing work force and we're proud of our changing work force, and we want to not only send psychological signals that you're important to us, but we want to give you some real benefits. So this is the right thing to do. It's also the right thing to do for our injured firefighters. Not only do we want to send psychological benefits that you're part of our family and our team, but we want you to return to productive work as quickly as possible. From my prior life, I've actually represented thousands of injured workers. Getting them back to work as quickly as possible is the responsible thing to do for them and for the work force. This is also the most responsible thing for the taxpayers. This does save money. Returning injured folks to work as quick as possible is a cost efficient way of doing business. And it's also responsible for the taxpayers because we're not asking for new revenue. Council, there is a significant serious issue that over the last five years the revenue stayed flat for the fire bureau while emergency services have increased 30%. I'm saying that not only because of the upcoming budget, but because of the issue of how important this policy is to the bureau. We're willing to do this from existing resources, which is send a signal to our female firefighters. But I also want to thank the pension board. Without them funding half of the three positions, we would not be able to do this. And I guess I also appreciate what the mayor just did, because she's expanding this policy to the police, and this frankly should be the policy throughout the city, because frankly the private sector is far ahead of us in this regard. I would like to add my word of thanks to several folks as well. I'm going to say more about our new fire chief Ed Wilson, but I guess one thing I want to mention, I also appreciate how this was done, this last ordinance. It wasn't just done through a mandate, it was by involving the online firefighters and the union. So it was the labor/management group that produced this, which proves we can work together. I guess I also want to thank the labor/management folks who participated in the selection of the new chief. We had online firefighters who gave me terrific input on who our next chief should be. I'll save all the introductions for Ed Wilson for later. But I'm very proud to work with him. And I would like the council if you would to come to his swearing-in, which is probably going to be in two weeks. A week, next week. And we'll have a few more things to say. By the way, I appreciate the council's input on the selection of the chief as well. But I'd also like to thank Rich Grace from the bureau, who is very helpful. And Runy, Kim, Sarah and Donny. All from the bureau. We have a terrific very responsive bureau. I love working with you folks. I'm very proud of you. Labor, Tom, for his role, and the others on the labor/management committee. It proves the labor/management can

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work. I know we have significant challenges, both within our bureau, but citywide. But we can do this. We can rebuild the labor/management issues. Fpdr, there's some issues out there, again, without julie and babette this would not have happened. This is in -- enlightened leadership. I think frankly they were ahead of us. Rudy, where are you? I knew rudy from my prior life. We used to have cases against one another. He came in this morning and said, this guy's good. So I just want to tell you, we appreciate your work on this. I have several exit plans with several other city attorneys, so the names when I leave public office, so I guess we're going to have to add you to the list. My job will be to get the business. You're going to have to do the work, rudy. Human resources, mary, I would like to add thanks to you, mary, for the work with human resources. This was a great partnership that benefited the female firefighters, benefited the injured firefighters, benefited the bureau, will but also benefited the taxpayers. So thank you all very much. Aye.

Hales: This is fun. This is great. For most of the long history of the Portland fire bureau, we haven't had this problem. Because it was -- well, it was physiologically impossible to have this problem. So it's great that we have this problem now and that you have all come up with a responsible solution so we can accommodate our growing cadre of female firefighters and still have them work productively during their pregnancy. Thanks all of you. Aye.

Saltzman: Good work. Aye. **Sten:** Very glad to support it. Aye.

Katz: Let me just make it very clear of the three covered by fbdr, it's a 75% share from fbdr and a 25% share from the general fund in this case the fire bureau. The other two are 100% general fund. And I want to thank everybody, and especially having a positive -- an informational experience with -- as a trustee of the board, we always get stuck with some very controversial issues. So this was very upbeat, very positive, very productive, good public policy, and I will apply it to the police bureau. I don't know if i'm going to have as much time as you all did working together, but i'm going to give it a try, and we'll deal with it as a budget issue. I'm very pleased to support this. Aye.

Francesconi: Sarah, you just came, thank you for your work on this too.

Katz: Okay. Thank you, everybody. Next time we'll see mr. Wilson, we'll be at swearing-in. All right, everybody. I need a suspension of the rules for 281-1. For four-fifths.

Item 281-1.

Saltzman: So moved.

Katz: Hearing no objections, so ordered. Why don't we wait until the place is cleared. Who wants to introduce this?

Francesconi: This is a way to help grant track -- grant track coach and commissioner Sten, a grant alum my. These are all good reasons to do this. And parks support this, and so do i.

Katz: All right. Further discussion? You know, four-fifths policy is kind of touchy, but this one i'm not even sure we needed to have it here. So we went ahead and we decided to put it on four-fifths. Anybody want to testify? Roll call. Did you read it? I keep forgetting to have you read it, Britta. My apologies.

Francesconi: Parks and schools is a magic combination. This will make it a great park even just a little bit better. Aye. **Hales:** Aye. **Saltzman:** Aye.

Sten: It's an unusual item, but my old track coach made it clear this would get the long jump ramp red any time for the invitational, which is important. I appreciate your help. Particularly commissioner Francesconi. Aye. **Katz:** Mayor votes aye. Okay, everybody. Item 280.

Item 280.

Richard Koenig: Good morning. Richard koenig, buckman. I see you're in quite the communicative mood this morning, mayor. I hope we can look forward to that. That's what i've signed up for, is communication. You will be agreeing by nonrebuttal with everything that transpires here. And you may assert your right not to incriminate yourself if that's how you feel.

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We are definitely making progress in exhausting my administrative remedies. You have in front of you a package which includes --

Francesconi: Progress is good. This is good. We like to hear that. Sorry.

Koenig: Thank you for your communication. You can disregard for the moment the first couple pages addressed to the city attorney. I just want to make sure you all get a copy of that. You can also for the moment disregard the cover sheet to the chief, although you should take the time to read it. That follows. For the moment you can disregard the pages from commander foxworth, except to note that that is an indication of that administrative remedy exhausted. He says, I don't want to talk to you, i've never -- which is a misrepresentation of the facts, which will be referenced in the nine-page affidavit following. So with that, I will start and we'll go through this three minutes at a time, week-to-week. I wrote this august 29th of last year, because captain robert coffman of the training division said that nothing that I had told him, which is essentially the story, could be happening in this city. He said this doesn't happen in our police bureau, or it shouldn't be. And he said, you need to bring this to the attention of chief kroeker. So it was hand-served on chief kroeker on september 7th. I've previously been in error and said september 9th, but if you look on the front it says september 7th. Okay. Last week addressing the chief, you were courtesy copied with a letter directed to city attorney david lesh. You can be sure there's a great deal of history underlying that correspondence. I look forward to appreciate your leadership and therefore submit the following sworn statement so you may most properly exert administrative oversight. Number 1 -- I witnessed judge paula kitcher in commit the crime of official misconduct. Failing to do a duty imposed by law with probable cause to believe it was in the first degree intending harm to another. Number 2 -- the district attorney's office repeatedly directed me to file a police report. Number 3 -- the first time I made contact with the ppb for this purpose resulted in a special report by james bella, dated 2-27-96. 4 -- in that report it was alleged that I attended a meeting of the metropolitan human rights commission, then and there speaking of judges and making threats against the life of judge kirchner. That's a good start. I heard the bell.

Katz: Thank you. All right. Everybody we'll go on to 281. Before you start, patrick, we dealt with that issue earlier. Okay.

Patrick Dinan: I need --

Olson: I'll start the timer when --

Dinan: I'm going to go right into referencing those. Good morning. My name is pat dinan. My three minutes is to let you know this citizen is asking you to open your eyes and ears and realize the case that I brought before you that has been investigating is very serious. It strikes the very purpose of having a police bureau and guarding our citizens' rights. As you understand, i'm here to exhaust all the administrative remedies available to citizens. I like richard am bringing forth to you facts that you need to either act on or agree that where they are. Your silence will show why the current piii program is not protecting the people of Portland. Before you are three letters. The first letter is my letter to assistance chief berg, january 4th. And agrees with her that this is a serious allegation plus requesting for a copy of a lawful exclusion order. Police note I -- please note I told her I enclosed a check to cover the cost of a copy of that order. Since it was used to deny me access to the northeast precinct in my efforts to collect evidence for a pending criminal trial. Then I told berg if she couldn't, the general orders would require investigation. This is based on general orders 330 and 343. Finally invited her to come before you, the city council. Turn to page 2 and you will see berg's reply to this community partner. She acknowledges the letter, carefully considers the request, and then returns my personal check. Like captain smith, and you have a letter from that last week, she uses the term "it is your belief." City council, I deal in facts, which seems to be missing in the police investigation. However, she does admit sergeant

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stevenson denied me access to the precinct may 10th. The next sentence should concern you because assistant chief berg has the background I believe she has 19 years in the police, to know from for me to be excluded the order would have had to have been done prior to the date of may 10th. Therefore, it should lead you to believe she would be trying to avoid admitting the true facts. Note the last sentence. And I quote -- you were not given an exclusive order in reference to this incident and there will be no copy of such order enclosed in my letter to you. Please turn to the front page from me. The third paragraph, it states, and your review you found no exclusion order or any lawful instrument which would deprive me of my right to inter -- enter the northeast precinct to collect evidence for a criminal trial. Stevenson did not right -- have the right to deny me access. The iad report to piii, which is you, looks to not even mention stevenson was the arresting officer, I was getting the evidence again. Is that a conflict? And not in character with what the policy of the police department is? My time is almost over. Look at the last sentence and note on page 2, berg's, the written statement all matters in any way relate to the your exclusion, so she's admitting i've been excluded -- berg admits the exclusion yet cannot produce any written facts, looks and smells like a cover up. That should concern, you city council. This should concern the people of our city because of what it's doing to the credibility of the police department. Especially when she states she has no more response. Problem solving is our community partnerships' rights. The third letter that's not been replied to by the mayor. Be bold, mayor, and make up your mind and have the Portland police make up their mind. Was I excluded or was I trespassed? If either one of those are your answer, you better be able to back it up with a lawful order and justification, because you didn't do it. Thank you.

Katz: Thank you. All right, everybody. We stand adjourned until 2 o'clock.
At 10:50 a.m., Council recessed.

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Item 282.

Frank Hudson, Deputy City Attorney: Good afternoon. Today's hearing is an evidentiary hearing. This means you may submit new evidence to counsel in support of your arguments. This evidence may be in any form. Such as testimony, letters, at the pigss, slides, photographs, maps or drawings. You -- if you haven't given the council clerk a copy of the evidence you plan to submit, you should give it to the council clerk after you finish your testimony to the council. Any photographs, drawings, maps or other items you show to the council during your testimony should be given to the council clerk at the end of your testimony to make sure that it becomes part of the record. The order of the testimony will be as follows. We will begin with a staff report by opdr for approximately ten minutes. Following the staff report, the city council will hear from interested persons in the following order -- the appellant will go first and have ten minutes to present their case, following the appellant, persons who support the appeal will go next. Each person will have three minutes to speak to council. This three-minute time limit applies regardless of whether you're speaking for yourself or on behalf of an organization such as a business association or neighborhood association. The principle opponent will have 15 minutes to address the council and rebut the appellant's presentation. After the principle opponent, the council will hear from persons who oppose the appeal. If there is no principle opponent, the council will move directly to testimony from persons who oppose the appeal after supporters of the appeal conclude their testimony. Again, each person will have three minutes each whether you're speaking for yourself or on behalf of an organization. Finally, appellant will have five minutes to rebut the presentation of the opponents of the appeal. Council may then close the hearing and deliberate. After the council has concluded its deliberations, council will take a vote on the appeal. If the vote is attentive vote for council, they'll set a future date for the adoption of findings and final vote on the appeal. The council takes the final vote today, that will conclude the matter before council. Do you wish to -- if you wish to speak, and have not signed the list located outside of the chambers, please sign up at this time with the council clerk. I would like to announce several guidelines for those presenting testimony and participating in the hearing. These guidelines are established by the zoning code and state law and are as follows. Just a second. Here we go.

Katz: Got it?

Hudson: Any testimony and evidence you present must be directed toward the applicable approval criteria for this land use review or other criteria in the city's comprehensive plan or zoning code which you believe apply to the decision. The planning staff will identify the applicable approval criteria as part of their staff report to council. For the close of this hearing -- before the close of this hearing, any participant may ask for an opportunity to present additional evidence. This kind of request is made, the council will either grant a continuance or hold the record open for at least seven days, provide an opportunity to submit additional evidence and will hold the record open for an additional seven days to provide an opportunity for parties to respond to that new evidence. Under state law, after the hearing is close, the appellant is entitled to ask for an additional seven days to submit final written arguments before the council makes its final decision. If you fail to raise an issue supported by statements or evidence sufficient to give the council and the parties an tint to respond to the issue, you will be precluded from appealing to the luis board of appeals based -- based on that issue. Before I turn it back over to the mayor, there's one last legal issue I need to address. As many of you know, this case is back before council on a remand from court of appeals. Today's proceeding is the limited -- is a limited public hearing. By limited I mean the scope of

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today's hearing is limited to one specific issue, namely whether the appellant's proposal to convert the subject parking lot for temporary to permanent satisfies the zoning code's conditional use criteria. Now for the benefit of those folks in attendance who did not participate in the original appeal, I just wanted to make clear that the limitation on the issues to be addressed today is not being imposed by the zoning code or the city council. This limitation was agreed to by the parties to the appeal and is set out in the remand order issued by the land use board of appeals. And luba's order reads as follows -- the parties have agreed that the hearing on remand will be expressly limited to deciding whether conversion of the 129-space temporary parking lot to a permanent parking lot complies with the Portland city code's criteria for conditional use permits. Other aspects of the original approval will not be at issue.

Katz: For some clarification, the council had approved this and this was remanded back to us by luba because of an issue of possible lack of notification or additional notification to the community on this particular issue only.

Hudson: Correct.

Katz: Okay. All right. Declaration of conflicts of interest -- declaration of conflicts of interest? Ex parte contacts on this issue, this issue alone?

Hales: I have one to report. Last week at the opening ceremonies for the children's museum I had a brief conversation with one of the parties to the case, jeff boley. He articulated his opinion on the case and it was not new information to me, but it was technically an ex parte contact. So that is on the record.

Katz: Okay.

Saltzman: I have a contact with mr. Boley last saturday at the neighborhood summit, brief conversation, simply more of in the nature that I knew this case -- did I know this case was coming up this week, and that was more or less the extent of the conversation.

Katz: Anybody else?

Francesconi: Yep. I had several. Mr. Boley was busy.

Katz: Mr. Boley, we need to find you a job. You have too much time on your hands.

Francesconi: He wasn't the only one, though. Or at least I wasn't as successful. We did have mr. Boley at the neighborhood summit who told me he thought it was important to preserve existing green space for the benefit of park users and the neighbors. At the opening of the children's museum, mr. Veccio was there, who wanted to talk to me about it. I really didn't talk to him about it and told him he should come to this hearing. There was a brief conversation with no real substance that I recall. I was briefed by my own staff parks. I don't know that I have to require this -- disclose this, but I will. Who told me the history of this regarding the parking and the open space issues why Washington park -- in Washington park. Before I realized this was even an issue, at snakes northwest on february 12th, carol -- I was there for a neighborhood meeting, carol ruth talked to me about the parking lot issues. She followed up with an e-mail, I sent her back an e-mail from the prior year about this, and i'll enter it into the record. If anybody's interested. And finally, peter frye tried hard to talk to me. I did avoid that, but he did talk to my assistant, michael harrison. Peter conveyed his concerns about the case, he talked about management issues of the large lot, et cetera. That was it.

Katz: Hopefully everybody who announced their ex parte contact can still have an open mind on this issue and recall that I think with the exception of commissioner Saltzman -- all of us had heard this -- I don't remember the timing of it -- had heard this prior. Correct? Okay.

Francesconi: I do have an open mind.

Katz: Okay.

Sten: I haven't had any ex parte contacts. They were looking for me. [laughter]

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Katz: All right. Let's have a staff report. Maybe -- do a little history, since I can't remember, was it 1997?

Duncan Brown, Office of Planning and Development Review (OPDR): Yes. It will be a brief history, because I wasn't here either.

Francesconi: I had breakfast with Joe Angel, and Joe did not even bring it up that I recall. So anyway.

Brown: Before you today is land use review 97-00127, currently under review, the Oregon Zoo master plan. It was remanded from the Oregon Land Use Board of Appeals, LUBA. The request is for a conditional use to convert a temporary parking lot in Washington Park to a permanent parking lot. As I had mentioned, it was as a result of a stipulated voluntary remand to the City of Portland's approval of the master plan back in 1997. Specifics are to first convert from a 129-space temporary parking lot to a permanent 100-space parking lot. The area is about 39,000 square feet, just under an acre. The lot is to be used primarily for the parking of buses, visitors to the Oregon Zoo, Children's Museum, World Forestry Center and other uses within Washington Park in the immediate vicinity. It would be managed in tandem with the main parking lot facilities that are medially east of this site. -- immediately east. The approval criteria are 33.815.100 uses in the open space zone in the conditional use chapter of this zoning code, and also goal 6, transportation element of the comprehensive plan. The history, briefly. There have been numerous lapped use reviews -- land use reviews. There are three that are directly related to the present hearing, and we have the files for all three hearings here in the room. The first is a 1993 conditional use, 93-105 CU, that related to light rail construction and the main parking lot improvements that revolved around the light rail stop. It allowed the site as a temporary parking lot, but they've also acknowledged the possibility for conversion to a permanent facility and there was a following condition, condition F, and it -- the condition itself related initially to the reconstruction of the large 800 -- 840-space parking lot. Then it went on to say, if the new Washington Park Zoo master plan, when it is adopted, provides for the 129-space temporary parking lot to be permanent, then during the final appropriate planning -- planting season it shall be landscaped. This was the first recognition that the temporary parking lot could in fact become permanent. So a few years later, along came the master plan for the Zoo itself. LUR 97-127, it included the conversion of the temporary parking lot on the site to a permanent facility subject to a future type 2 review. The -- this was appealed to LUBA and the Court of Appeals, and resulted in the stipulated motion and voluntary remand back to this hearing. That motion and voluntary remand has -- as the city attorney pointed out is limited on the to the conversion of the temporary facility to a permanent facility. The third land use case that relates directly to the parking lot is LUR 98-864, also a conditional use and adjustment. It was a type 2 conditional use for conversion of the parking lot from a temporary to permanent facility. And granting of an adjustment for interior landscape requirements to allow bus parking maneuvers. This case was also appealed to LUBA at the time as the 1997 master plan, but it was dismissed. The site that we're dealing with is in Washington Park, about midway in the -- on the west side of the City of Portland, found by the red dot. This is a site plan of the Zoo master plan. Zoning that's primarily -- it's an open space, with environmental conservation and environmental protection zones located in the Zoo proper and on portions of the -- of Washington Park, Washington Park to the north of the site. The Oregon Zoo is shown in the center of the screen. Also the World Forestry Center, and the Children's Museum will all be facilities that will be directly impacted or benefited from the parking lot. Access to this area is the -- via Canyon Road, a major arterial, an intersection, and up Knight Boulevard, a private street, or from Fairview Boulevard also a neighborhood collector transit street and bikeway. Up to the north. Knight Boulevard, which runs from Fairview Boulevard to Canyon Road is a private street owned by the City of Portland. It's part of the park bureau

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infrastructure. It is a transit street and the bike pathway as well as a local service street. Main parking lot is located right in the middle of these three major attractions. There's the light rail station in the northern portion of the parking lot, and this site is located just to the west. Circled by green. This is an aerial photo showing the Washington park complex that I just described. Also the veterans memorial located immediately to the north. You can see to the west a residential neighborhood that would be directly impacted by the zoo and, well, what we refer to as the zoo campus activities, which include the forestry center, and the children's museum. Here's the parking lot in question. It is paved, it's serving as a temporary parking lot now. And this is an ugly rendition of our zoning map. You can see to the northeast environmental zone, this is a large area of open space zoning without any overlay zone. On canyon road we have the scenic overlay zone near the interchange and environmental zoning to the east. This is a site plan of the parking lot, and this particular one shows buses, how the buses would maneuver in and around the parking lot. There would be spaces for 31 buses, 31 are shown being parked here. This is the proposed parking lot landscape plan, approved as part of the 1998 adjustment case. It includes some fairly healthy screening between Washington park and the residential -- residences to the west, as well as some landscaping around the perimeter. The parking lot, an adjustment hearing was to reduce the interior landscaping to allow for bus maneuvering. This photograph of the enfriday of the site, taken from the parking lot and looking to the west. This is another photograph taken more of the southern area of the site. You can see right now it just is plain asphalt. And there is very little landscaping around the perimeter. This would be corrected or landscaping would be put in if this were approved for permanent facilities. Another picture of the parking lot looking north this time up toward the forestry center. And to the right is knight boulevard and then there's a gray building off to the right, even further, which is part of the light rail station. And knight boulevard, showing the broadside walk bicycle lane. -- broad sidewalk bicycle lane. Then the entry of the site, and some of the interior. This is along the east edge, the downhillside. The site itself slopes and you can see that it does slope. It's at several percent. In addition there is a cut of several feet along the west edge. This is looking more toward the west, and you, see that the ground does slope up toward the residential area to the west. And this is standing on the uphillside looking back east -- uphill side. It is maybe five feet of cut down to the level of the parking lot. And looking along the west side, landscaping would occur from there, and then looking back across the lot and toward the zoo, across the main parking lot. Now we're flipping back to the west. I apologize for that. This is the landscaping that is present along the residential boundary at the edge of the park. And that would be enhance handsed, and the marquam trail that goes along the westboundary between the parking lot and the westboundary of Washington park. And then back toward omsi, the old omsi site that's now the children's museum. That's immediately -- you a -- the approval criteria, as I mentioned, are 38.815100, and goal 6 of comprehensive plan. The transportation element. Subsection a deals with character and impacts for conditional uses. We believe that the parking lot supports the zoo, which is in the open space zone, and it also supports other opportunities for public and outdoor recreation within Washington park area. It's a relatively small portion of Washington park that's being converted for parking use. Let's than -- less than an acre. This conversion allows the other open space uses to be enjoyed by more visitors. And the landscaping around the site will ensure the natural character of the area and it will be retained and enhanced. Subsection b deals with public services, primary issue as I understand it is transportation, street and other transportation systems are capable of handling the additional visitors. The zoo does have an ongoing program to develop and implement incentives for alternative transportation. We have representatives from our Portland transportation bureau and representatives from the park bureau here to talk more about the handling of the transportation system. The site is set back from

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adjacent residences and it will be heavily landscaped to reduce the impacts. Transportation element of the comprehensive plan, as I mentioned, the primary use -- primary issue is transportation. Our bureau of transportation feels that the services are available and can handle the additional parking lot. The request is for conversion to a permanent status of a parking lot that was originally used as a temporary facility for the light rail construction. The request is being made under an order of voluntary remand from Luba to address issues relating to improper or incomplete public notification associated with a master plan. And the review is limited only to conversion of the parking lot site from a temporary to a permanent status. The possibility of the parking lot becoming permanent was noted as early as 1993, as I showed you early -- earlier in my presentation. The hearing's officer and city council in the master plan require 1109 parking spaces, and in fact that required an adjustment to reduce the number of parking -- required parking spaces to the 1109 there. Are 144 employee spaces, 840 spaces in the main parking lot, there is a need for an additional 125 spaces somewhere. Right now there are satellite parking facilities as well as the temporary facility. And they can handle several hundred vehicles. However, that may be reduced or eliminated in the future at the choice of the property owner. And that might leave the zoo parking deficient. The site we believe is also specifically needed for bus parking with overflow parking the secondary use. Therefore, OPDR does recommend approval to allow conversion of the parking lot to a permanent facility subject to all of the conditions of the prior land use approval.

Hales: I have a quick question. It might end up going to the folks who are here to present this proposal, because it may be more of a management issue than a land use issue. Are -- our packet includes two different site plans. Actually it's the same site plan, I think, but there's exhibit 2 and exhibit 3 that show the parking lot striped for cars, but then parked with a pattern, a diagonal pattern of buses.

Brown: Yes.

Hales: Can you shed any light on that? Is it intended that the lot is going to serve both of those functions some it's going to be bus parking part of the time and automobile parking part of the time? Is that's what's going on there?

Brown: Yes. The primary use is for bus parking, oversized vehicle parking. And -- but it will serve and be striped to use for overflow parking when the bulk of the 840-space parking lot is exceeded.

Hales: And maybe this is -- you know the answer, that's fine, what's the management regime here in terms of, does this lot serve just the zoo, does it serve the zoo and the children's museum, does it serve the zoo, the children's museum, the forestry center and everything else going on up there, and who will control access to and from the site on a daily basis?

Brown: I'm going to defer to the appellant on that.

*******:** Ever.

Hales: Obviously I'd like that question answered later on by the appellant. Thank you.

Saltzman: I have a couple questions about storm water. All of the storm water from the zoo goes into Tanner Creek, which is a major project we have underway now to divert clean water directly into the Willamette Valley to get it out of our sewer system. So all this water goes into Tanner Creek and I'm concerned about this parking lot in particular, if it -- as I understand it, if we do approve it to become a permanent parking lot, it has to meet the requirements of our storm water manual. Is that correct?

Brown: Yes.

Saltzman: Okay. But we have just recently adopted new parking lot requirements under title 33 also dealing with storm water. So would this parking lot also have to meet those new storm water requirements as well?

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Brown: Yes, it would.

Saltzman: Thank you.

Katz: All right. Further questions of duncan? All right. Helen -- appellants, you have ten minutes.

Andrew Stamp, Schwabe, Williamson and Wyatt: Good afternoon. I'm Andrew staff, an attorney here representing arlington heights neighborhood association and a variety of other folks. With me is peter finley frye, a land use planning consultant. I guess i'm the reason you're here today. I hope you don't hold that against me, given it's a sunrise sunny day. I'm hear to talk about that empty parking lot you saw in the photos. I'm actually not surprised that he showed you photos of an empty lot, because according to their own data, 330 days out of the year it's going to be empty, because it's not needed. Before I get into that, I want to dispel any rumors about why we're here. There's been some suggestion that my client's real motivation is to get leverage for a park and ride. And they'll talk more about that, but I want to say that is not our motivation, and it's fairly clear to anyone who thinks about it for a second that taking parking out is inconsistent the -- with the idea to have excess parking for a park and ride. Enough on that issue. Next, i've submitted a 23-page memorandum that deals with the legal issues in detail, I think. I sent them yesterday, hopefully you've had a chance to look at them. I'm not really going to focus on the minutia of that. I'd like to cover about five broad themes with you so that I can give you a flavor of where we're coming from on this. First of all, the region made a visionary decision back in the early '90s to put light rail at the zoo. That was a very expensive decision, but part of the reason they did it was to not have to put an 825-two-level parking garage on the site. The idea being that light rail would take up the slack. And from all the data that's come in, it has done that and it's done that beyond anyone's expectations, which brings me to my first item, which is, if you build it -- in other words, the parking lot -- they will drive. The logical corollary is if you don't build it, they'll take light rail. Now, under the applicant's theory of the case, if you remove parking, people won't come to the zoo. I think that's been dispelled by the data in their own application. First of of all, in the winter months transit users average about 15%. That's when the lots empty, it's not at capacity, about 15% of the people plus or minus a few percent, take light rail. In the summer, during the peak events, you have light rail ridership averaging 32%. What does that tell you? That tells you that the 15% of the people that come when the parking lot is empty are going to come no matter how much parking is at the zoo. They either don't have a car or it's more convenient to use light rail. The other 17 -- the other 20 some-odd percent come during the summer peak events because parking congestion occurs during that limited amount of time. And they think, okay, instead of having to search for a parking -- parking spot, i'll be smart, i'll take light rail. That's what's driving this. If you giver them more parking, there won't be that impetuous to take light rail. Now, the code requires council to make a decision which promotes transit use as the primary mode of travel to and from light rail and discourages single occupancy vehicle usage and also restricts the development of new parking spaces. That's policy 614 of the comprehensive. I do not see how adding parking meets with any of those goals. I respectfully submit that the council take that into consideration making its decision. Staff's admitted so much in saying, quote, continuing use of the item prix lot runs counter to building ridership on the light rail line. Frankly, we agree with this. And we think that the decision to add parking subverts and undercuts light rail ridership which is contrary to public policy. Secondly, we shouldn't plan to meet peak-hour demand. If lloyd center were to come before the council and say, you know, during the month of december, we don't have enough parking and therefore we want more surface parking, city of Portland. I think they would get laughed out of the planning bureau. Why? Because we as a region do not plan to meet everyone's peak-hour demands. We simply look at the average for the year and determine what the needs are

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based on that. The comprehensive plan says that you shall allow adequate but not excessive parking. In my mind, allowing parking to meet that peak demand only creates a need for excessive parking, which is contrary to the comprehensive plan. So the bottom line is, you can't let demand drive your supply, because the demand will always exceed the supply. This is especially true where you have light rail ridership available. Third point. This is about leadership and about setting example, and about reaffirming our commitment to light rail and to the environment. You know, the city has -- and metro and everyone else in this region has told the costcos and the wal-marts of the world to live with less parking. And I think we need to make our own city's institutions do the same thing. Unless I -- I ask you to be mindful of the precedent you set today. The zoo also needs to show leadership. Right here I have before you the framework, the zoo master plan. They define a great zoo, and I quote, we aspire to be a zoo that among other things carries a clear and urgent conservation message to visitors in the community. Sets a sterling example in earth-friendly operations. Honorable mayor and commissioners, I say to you today, that approving additional parking on this site does not set a sterling example for environmental stewardship. It does not sent the right message to our children and our children's children. But as long as we're talking about consistency with master plans, let's talk about the kitleson study paid for by metro in 1997. You'll hear them say oh, they recommended putting in more parking. Of course to solve parking problems I guess that is sort of an out of the box solution to add more parking, but I would say the kitleson study also makes two key recommendations -- charge for parking at the zoo. That's one of the primary recommendations. Let the market decide who wants to park and who doesn't. Second, give incentives to use light rail usage. That has not been done. At this point in time, if you take light rail, you still got to pay your \$6.50, just like the person who drives their big ole suv. And that's just not right. Especially when we've got a \$40 million, or whatever amount it is, in light rail. And so finally, my fifth earn point, a promise is a promise. Back in 1993, this lot was put in, tri-met made specific promises to the neighbors that this lot was coming out. City made the same promises. And I think we'll have people here to testify to that fact. I submit to you, council, that from a leadership standpoint, the city needs to abide by those types of promises. I think that's critical. Now, some language did get snuck into the '93 land use approval that suggested that perhaps in the future someone might consider it to make this permanent. I think today the council has an opportunity to put that suggestion to rest. And with that, i'll turn it over to mr. Frye.

Peter Fry, Columbian Pacific Planning: 2153 SW Main St., No. 104, 97205. Peter finley frye. I have available the aerial photo you saw on the screen in a far more detail. The purpose of the aerial detail is simply to show that at that time the parking lot was in fact unused with two buses, the aerial -- the photos I presented to you exhibit according to the pictures I took two weeks ago on friday, also shows the lot vacant except for two buses. It also shows that the lot north of the light rail station is partially vacant. I'd like to correct the record. I never made any attempt to talk to commissioner Francesconi. I talked to his staff because the city of Portland is actually an appellant. They act as a judicial body and as the applicant, for example Francesconi is the manager of the of of that bureau. And we have attempted to work with the applicants, both metro and the city of Portland, to resolve this issue outside of an up or down, win-lose situation.

Francesconi: Peter is correct. I'm sorry, I didn't understand that. There was nothing inappropriate about that. I didn't mean to imply otherwise.

Fry: I just want to be clear I know how this works. [laughter] the zoning criteria a-1 for conditional use is in the open space zone, requires that the use is consistent with the intended character of the specific open space zoned area and with the purpose of the open space zone. The city asserts that the purpose of this specific open space area is to provide a pleasant, park-like

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setting for major destination facilities. I'm sure they mean park as in nature, they -- the actual setting for this is a park for parking. And that is when you enter it, you see a sea of parking. You don't see natural areas. They are getting eaten away. The city staff asserts and the zoo that this lot is essential. According to their traffic estimates, the linkage is the zoo is in the setting of open space character. The open space, parking is accessory to that, therefore the parking is essential, therefore the parking should be allowed under criteria a-1. However, the facts are that in the year 2007, the parking will overflow 51 days a year with the lot, and 89 -- so it's going to overflow no matter what -- and it will flow 89 days a year without the lot. So we're talking about 14% of the time it overflows with the lot, 24% of the time it overflows without the lot. So it overflows anyway. This also buy the -- by the way assumes there's only a 20% light rail ridership and that omsi's generating a thousand trips per day. Obviously we're arguing that you can increase a ridership of the light rail, in fact it has increased to 32% during peak hours, and theoretically you could be far more. So what is the problem? Why should we asphalt grass and prohibit public use this lot? This is public open space land. It can only be used for parking when it's striped and built for parking. You can't picnic on it, there's no propose for joint use of this space as we have done reasonably, as of today we got a decision for a parking lot that in fact allows for joint use. But there's nothing of that. This is exclusive for parking.

Katz: Do you have much else -- no? Okay. Questions? I need to -- refresh my memory. Wasn't there some tension between the neighborhood association and the neighbors and the use of the parking lot for them to take the light rail down to the core of the city?

Stamp: Mayor Katz, i'm -- I was not directly representing the neighborhood association with regards to those issues, so i'm perhaps not the best person to discuss those issues. My understanding is there was some folks living in the neighborhood that did want to use or perhaps even continued to want to use the parking lot for park and ride. However, that's not my constituency today. We're representing the position that we would like this restored to open space.

Katz: I understand. I just needed a little refresher course, because I remember getting a lot of e-mails, whether it was from jeff or some other people, that the community wanted the use of those parking spaces free as good neighbors to the zoo, and to the zoo complex, and I understand that you've made it very clear this is not an issue before us today.

Stamp: Plus it was never this lot they were speaking of.

Katz: It was the entire -- okay. That was the question. In your memo on page 23, you envision a long-term solution whereby the entire existing surface parking on the site would -- should go underground.

Fry: That was a vision along the lines of Portland be a visionary city, that the parking, if you charge for it, would generally revenue stream, which could be used to do something different so that when people entered this space in between these institutions they could enter an open public space that you might find in vancouver bc currently, there are spaces that I can give you examples of. Downtown san francisco, union square, for example, is a parking structure underneath the square that's the center --

Katz: I understand that. But is that a vision --.

Fry: It's purely a vision.

Katz: The need for additional parking, but you didn't want it in a parking lot, you wanted it underneath.

Fry: We argued if they could prove they needed more parking they should start to move towards a structure, which is the way the city would like it to go.

Katz: Okay.

Fry: Underground in this case.

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Katz: Okay. Any further questions? Thank you. Let's hear from the appellants, three minutes each. Do we have a sign-up sheet?

Olson: Yes. We didn't do pro or con, i'm sorry. I'll read your name out. If you're for the appellant, please come up. If not, i'll call you later.

Katz: What are you doing, Britta?

Olson: I'm calling three -- we didn't have a pro and con sign-up sheet.

Katz: You need to do a pro and con sheet, but if you don't have one --

Hales: It's not really an appeal, it's folks that are backing -- don't you want to take 90 order? I think you do. You want to take folks that agree with --

Katz: Excuse me. I was listening to Frank's --

Hales: This is not technically an appeal, it's a remand from Luba. We can call the parties anything we want, but --

Hudson: Probably -- that's correct.

Hales: So if you want to do it in the usual way, you want folks that are in agreement with the presentation we just heard, we can call that the appeal or --

Katz: That's exactly what I did.

Hales: I think Britta was keeping going because --

Katz: I know. The appellants, Jeff, if you want to identify two of the folks --

*******:** Yes. Joe --

Katz: You'll all get a chance to testify. Okay. I don't care. Just somebody else on the appellant side come up.

Jeff Boly, Vice President, Arlington Heights NA: Yes. Jeff Boly, vice-president of the neighborhood association. I want to tell you why I've taken such an active role in opposing more parking at the zoo. When I first found out about the conversion plan in the fall of 1998, at the same time the zoo light rail station was about to open. As president of my neighborhood association, I was a new member of the zoo traffic demand management committee. I have lived near the zoo since the early '70s, and so I know that their main lot is usually empty. Adding more parking at the same time that light rail was about to open just didn't make sense to me. I asked how often the additional parking was needed. The zoo said, about 3% of the time. But they also told me this auxiliary lot was a very convenient place to park school buses that arrive from out of town. I asked if these buses could be parked in the main lot. Yes, they said, but it was inconvenient. I asked if they made any effort to schedule these out of town bus visits so they wouldn't all arrive at the same time. They said no. I asked where local buses park. They said, away from the zoo. I asked if they would consider requesting out of town buses to stop near the main line in order to let students experience the new light rail tunnel and station at the zoo. They said no. I asked if the zoo would try to reduce the demand for peak period parking by charging for parking during peak periods. They said no. I asked if the zoo would try to encourage light rail by discounting admission prices for light rail users. They said no. They said they would need additional parking when the new children's museum opened. I asked how use of the children's museum was predicted to compare with the old OMSI use. They said the children's museum use would be much less than the OMSI use. I asked if children's museum use would conflict with zoo use. They said no. People typically come to the zoo when it is warm and dry, and the children's museum when it is cold and wet. Since I'm a start-over dad with two little boys, I know how much they enjoy the open space around the old children's museum. I asked if the new children's museum would have such a space. They said no. That is where the additional one acre of parking would be. I asked if there was any large, flat, open, sunny, free-of-charge place near the zoo to play. They said no. That is where the additional one acre of parking would be. I have heard it said that my motive for opposing this additional

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parking was so neighbors would be able to use the zoo lot as a park and ride. Nothing could be further from the truth. And think about it -- if the neighborhood priority was more parking for ourselves, would we be opposing additional parking? It doesn't make sense. Just like their application for more peak-period parking. It doesn't make sense.

Joe Angel: 356 SW Kingston. My name is Joe Angel. I'm here to request that you not make this a permanent parking lot. The historical context in which this decision was made originally I think you need to understand that there was a lot of give and take. There was a negotiation going on between the neighborhood associations and metro and the city and there was a lot of talk, a lot of desire on the part of everybody to make sure that we live in this community in a different way. The whole reason the neighborhood association came down in support of the light rail station and what was going on in the plan and the temporary lot was that the deal that was struck, despite the one sentence that somebody found in the record, and I can tell you after eight years on the planning commission, these guys can write more than you can ever read in 100 years. Despite that fact, the preponderance of what I think you will hear about the facts of the time that was going on was that everybody agreed that because of construction, there needed to be a temporary lot, but everybody agreed that open space was what it would return to. That was the deal that was struck. I am simply here to ask you to honor that. I think that we need to know that when a deal is struck, when people give their word and say they're going to do something, they actually do it. There is an alternative to the need here. They can park buses down by the old zoo entrance. That area is now underutilized too. There are other alternatives that Jeff brought up. But the alternative for this open space, you can't get it back. We don't need to pave it over. We don't need to pave over a lot when it is only going to be used during a small percentage of the time. And we don't need to pave a new lot when the paved area in front of the old zoo entrance could be as easily configured for this type use as any other. I simply would like for you to think about the lip service that appears to be going on where we say we want to go to a new mode of transportation with all the commercial interests that come in here, and we have an institutional interest that thinks they should do it a give way. I don't think that's right or fair.

Katz: Thank you. Anybody else with this particular opinion, come on up. There are three chairs. First-come, first-served. Okay. Go ahead, sir.

Mike Sublett, West Hills Intermodal Magic: 1244 SW Upland Dr., 97221. Yes. My name is Mike, I'm here on behalf of West Hills Intermodal Magic, care of Neighbors West/Northwest. We are an on-volunteer transit group founded to promote use of the Washington Park West Hills Max station. The gist of my testimony is, granting this parking lot is akin to giving a farmer a donkey who's shown he can't use the carrot or a stick. There is neither incentives to use Max to come to the zoo and there's not pay parking as a stick to force people to use Max or to train or date or allow people. I may be the only person in this room who rather than being here, not wanting to be outside, I'd rather be at my daughter's school where Metro is putting on a puppet show today to talk about water quality. I don't know if it's punch and Judy or Pinocchio or what, but having missed that school visit I want to share with you a visit I had yesterday at the environmental middle school. I had the pleasure of making a presentation on this issue to the environmental middle school and I found all the accolades that that school has received are pretty well received -- earned, rather. The students were very keen -- is there a comprehensive? And I was quite impressed. That was their immediate goal -- what are the compromises? We're talking about 10% of the spaces, 90% of the spaces are in conflict. No one's doubting 860 spaces, it's just this 120. And they know about Anwar and the Alaska oil issue, and we said, what part of Anwar shall we compromise on? And they were pretty keen not to compromise on that, that a deal had been struck. Essentially it came down to, what part of a promise do you compromise on? What part of a promise don't you uphold? Now, I

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promised them unlike a lot of people who blow in and never come back, that i'm coming back and i'm going to share with them what's decided here, whether it's today or down the road. They voted. We took a straw poll -- vertically unanimous say save the acre.

Katz: Did they hear the other side?

Sublett: I asked for devil's advocates, and I presented the other side that they need it for school buses, that they need -- they said, you know this, is not for the children. So whatever you decide, let's not say we're going to pave over the acre that it's for the children. Thank you.

Doris Carlsen: 211 SW Wright Ave., 97201 My name is Doris Karlson. I live in the Arlington Heights neighborhood, and my interest is sort of twofold. One, I have become something of a -- an advocate for open space, and two, it's partially because my daughter was employed by Tri-Met as the community relations specialist for this section of West Side Light Rail. And she at the time that she was working in this capacity, is when the commitments were made to the neighborhood. She was working with neighborhood associations and the trade-off was that if they would not oppose the application for the temporary parking lot that every one agreed was pretty necessary during construction, that they would be assured that it would never become permanent, that it would be reverted back to open grassy space. So she was kind of shocked when I mentioned this. But I told them all it would never happen. When you -- so she -- she has submitted testimony to you by e-mail. She's now living in London, and I hope you've read that, because she states her own position pretty well. My other is, if you look at a zoning map and you see OS everywhere, Washington Park is one giant OS. But then you look at the aerial photos, particularly in this area, and there is none. I mean, it's buildings parking lots, and in other parts of the park the actual level accessible, usable open space is very nearly nonexistent. It is at a total premium. Over the last few years, it's been fast disappearing with converting just general open space into single use open space. And with the children's playground, the archery range, the soccer field, the rose garden gift shop, and some of these are wonderful, i'm not saying these shouldn't have happened, but they all have converted total open space into a single use. And I would have to say that in my opinion, the absolute lowest priority for -- priority for converting -- the last -- the only piece of open space up there is to use it for a parking lot. So I think if you approve this conversion, we not only lose the open space, but another layer of trust in government. Thanks.

Katz: Before you start, Frank, you might want to let Amy know she needs to come back to Portland in the fall. There's a reunion at Lincoln High School and all her friends are coming from all over the country.

*****: Is that right?

Frank Bird, President, Neighbors West/NW: Good afternoon. My name is Frank, the president of Neighbors West/Northwest. Two years ago February, Neighbors West/Northwest, which is a coalition representing ten close-in southwest and northwest Portland neighborhoods, wrote to the city in support of Arlington Heights Neighborhood Association by advocating for these essential principles. Accessible open space, fair process, and public transit. I wouldn't be sitting here today if the fate of this parcel of open space had been decided by a collaborative process involving all of the stakeholders rather than by a unilateral lapped use application. We continue to support Arlington Heights' right to challenge this application. Thank you.

Katz: Okay. Anybody else taking this position? Come on up. Go ahead.

Peter Williamson: My name is Peter Williamson, I live at 1930 Southwest Highland Road. I live closest to the parking lot, and my home overlooks it. I wish that the parking lot wasn't there to begin with, but in the 20 months that i've lived there, and watched what's gone on, i've seen an -- a necessity for it. I don't like it, I wish it was open, but I have seen where there are days when they do need the parking. People don't want to use Tri-Met for whatever reasons. My main issue that if

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you do approve this is what i've observed is the lack of nighttime security. As you saw in the pictures, there's not much temporary about it. It's a behaved lot, it has a gate, a booth at the gate. The first 14 months I lived in that residence, those gates never closed. They were open 24 hours a day, seven days a week. People do come and use the lot. People picnic out there, people do use their buses, people go there and walk their dogs. I've seen a lot of use for it. I believe there is open space there. Not as much as i'd like, but it is there. The biggest thing I see is that after dark there's nothing happening. Nobody seems to be responsible for it. We've had a couple of incidences, residential burglaries, people using the park at night, and having access to this parking lot. Specifically. My one condition that I ask is that other parts of the park are restricted to access from 10:00 p.m. To certain times in the morning. They have a gate, it says park access closed. I ask that you as the city council as a condition use the instance stallation of or use of ore installation of the gates that adhere to a uniform hour of operation. Parts of the park already have restricted access house to vehicles and hours posted when the gates are open and closed. Rarely do the surrounding attractions operate after 10:00 p.m. And restricting vehicle access would not affect their operations. What that would do is give me as the neighbor who sees that thing, would give me the peace of mind that I know someone's not going to drive their vehicle up within 75 yards of my house and walk over and do what they feel like they want to do. I have contacted zoo security several times. They did start closing the gate after I contacted them. They gave me specific hours they were going to do it, but have never adhered to those hours. I contacted them before, told them I was monitoring it, but the situation hasn't changed. So my feeling is that even though I have seen the need for the parking lot, that I feel there should be some kind of condition set so that there is a uniform code of security that there's some kind of uniform policy about who has access to those parking lots especially at night. And i'm willing to answer any questions that you have.

Francesconi: How far away again do you live?

Williamson: When you saw the pictures, I guess -- ayou saw a hedge that runs along between the private resident neighborhood and the parking lot. My house is five feet from that boundary, and it's probably less than 50 yards from the parking lot to my home. I can clearly see the parking lot from my home from the upper windows of my living room and bathroom.

Francesconi: Why did you say you thought there was a need for additional parking in that parking lot?

Williamson: I think everyone is fine because they don't want it, period. I have sieben that you're right, sometimes it is empty. But I have seen a lot of uses that aren't having to do with parking. Many people go to the park because they want to access the trail, which is right there. They walk their dogs on a daily basis. I've met a lot of people that come there every day to walk their dogs and use that access. I think it's necessary because on days when they have zoo events, especially with the opening of the children's museum, it overflows. Yes, it does. But what happens is the zoo does a very good job of keeping those people out of my neighborhood and not parking in my driveway. I think they've made a good faith effort to try to control the impact of it, and I think that the parking lot is necessary because even if it isn't full 100% of the type, no parking lot is no matter where it is.

Francesconi: Is it like 25% of the time, 50% of the time?

Williamson: I think the figure the one gentleman stated about it's only occupied full like 30 -- I think that's low. I would probably say in the summertime, you could count on it being 50% full half the time of the week. The zoo uses it, kids when she have zoo camp, monday through friday during the summer, they use it every morning, parents bring their kids there, she have an area where they group the kids all together and they walk them over, you know, parents can come in, drop their kid off, they're not competing with regular traffic going to the zoo. I've lived there two

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summers and experienced it. Does it annoy me? Yes. I have two or 300 children outside my home at 9 o'clock in the morning. Does it bother me? No, because I appreciate that I have these things around me. But I don't -- I think that trying to go back and trying to change and say, no, we need to convert this open space, I don't feel there's a true. There's one picnic table and I see many people use it. [laughter] they should maybe add some picnic tables. One other issue I have is in the course of the landscaping, they would like to change the trees, they want additional trees along my barrier. One issue I have, what I've heard is that they want to put that as a buffer. I have 25-foot hedge. Via pretty good barrier. It doesn't affect me. It protects my house. But it leaves it open for sun, because I also have old growth trees. If they put in new stuff, it'll kill my existing hedge which protects my privacy. They're going to block the sunlight to that, it's going to be planted up close to there, over the couple years if you put trees there, not only is that hedge going to die, but I'm going to have trees that aren't going to provide me in the protection in the winter time. Now, when I have some, I won't have any.

Francesconi: Thanks. **Katz:** Thank you.

Louisa McCleary: 231 NW Seblar Dr., 97210. Lieu yankees -- louisa mcclary. I went over there yesterday, I wasn't going to testify, I was really struck. I walked around, and thought this is what the area needs, is a little area that's open and accessible and easy to use because otherwise when you go over there, you might as well be in Washington square or Disneyland. It's all cars and paid attractions. I think if you come there it's nice to have that breathing space, even though you're surrounded by open space, it's not immediately accessible to you. And I think it would be perfect, particularly if you have a family, you know, you can let your kids run for a while and regain their attention span so when they go into the museum or zoo they're going to see what they're looking at. So I think it would be a nice amenity for the area as far as that goes. And I can't help also but be struck by the fact that we're looking all over the city for land to buy for park land, and here we have something right in the middle of one of our choicest parks and we're cutting a little chunk out of the heart of it to sacrifice it on the altar of the -- fantastic size it on the altar of the gasoline engine. It appears to me that the alternatives haven't been sufficiently explored. So I just like to urge that you don't go ahead with this conversion until at least that's thoroughly looked into. It sounds like we're making a lot of space for one use and restricting other uses that are just as legitimate or in my view more so. Thank you.

Sally Kneuen: 5200 SW Barnes Rd., 97221. Hi. I'm Sally, and I live in Sylvan Highlands neighborhood. I have two brief points to make about the conversion of the parking lot at the zoo. My first point concerns the actual need for additional parking space. Twice daily I make a round trip to the MAX station to enable my son to ride MAX to Clackamas for school. And rarely this school year I have seen more than 25 cars in the main parking lot of the zoo. And I realize that it is winter season, but I would maintain that the majority of the year there is adequate space and I have heard suggestions that incentives be given to summer visitors to ride public transportation, perhaps discounts on zoo admission. My second point is the issue of park space. Louisa just mentioned it. Actually tonight along with other residents of the northwest, I will be attending a meeting sponsored by Portland Parks and Recreation at the Northwest Cultural Center concerning the adequacy of park and rec services for the 21st century. At issue are the green spaces and facilities necessary to serve a growing population. Last summer I and my neighbors participated in the online parks and rec survey requesting information about usage. And this moved to absorb a temporary parking lot rather than return to it green space seems to send a mixed message about the city's intentions. Thank you.

Katz: Thank you. All right. Further supporters of the appeal? The appellant, or the green space area. Whatever. I want you to save one chair. Okay. Go ahead.

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Mike Dowd: 2722 SW Cutland Terr., 97201. Ike mike, I live in arrington heights. First I was at the parking lot today at 1:00 p.m. There whether two buses there on this beautiful day in the main lot -- and the main lot was about two-thirds full. And that's, you know, on a beautiful spring day. Second, my daughter's kindergarten class went to the zoo in december. The teacher schedules visits in the winter because there's no crowds and you can see the animals better. And it seems like it would be easy for other groups that arrive in buses to schedule trips when it's not the peak times. The more parking there is, the less likely that people will visit the zoo during nonpeak times or use light rail. All of the bus traffic could easily be accommodated either by scheduling differently or by restriping the existing lot. Finally, if you allow the destruction of a public open space next to a light rail station to accommodate the peak parking demand for parking that insist on parking during the peak hours, how will the city ever be able to argue credibly for parking limits or for mass transit, or for preservation of open space and how will the city ever be able to argue that something is going to be temporary, because no one will believe them.

Ruth Raske: 208 SW Marconi. I'm ruth, i'm a resident of arlington heights. I agree with the testimony of my neighbors, who advocate that the paved area of the temporary parking lot be restored to the original green meadow. It is the only open space left in this area. While open spaces in Washington park are important to all citizens, they are of special importance to senior citizens whose enjoyment of the park is limited to safe, level, open green spaces. I trust that you will have the wisdom and foresight to keep your promise.

Liz Callison: My name is liz, and the address is 6039 southwest knights bridge drive. I'm also a member of the west Multnomah soil and water conservation district. That includes this particular area. I run -- I was elected at large. I warned to say that I support the position of the neighborhood association and jeff boley and his many supporters. I also supported at metro a couple of years ago the neighborhood's request to use the existing add joining asphalt parking lot so local residents to cues light rail. I was notified of the original temporary conversion to a permanent parking lot through the city's process -- partially notified, anyway, and party to the earlier appeal due to inadequate public notification because I wasn't -- hadn't been apprised of the decision. There are many cases similar to this one where a land developer wants to bull doze green space, even right along streams and environmental area and build over it. I hope city council will do the right thing today by denying this proposal of city staff to asphalt over the playground and make ate permanent parking lot. The neighborhood is lucky to have legal assistance and planning advice from professionals. There are losses of green space and build-out of environmental areas all over this city, but usually these are uncontested not because the public condones the city's lack of enforcement or waivers and variances to allow building, but because most neighbors lack the money and resources to defend themselves in their neighborhoods. I serve at large as one of the directors of the west Multnomah soil and water conservation district. I'm not -- I don't have the time in three minutes to address storm water issues, but i'm very interested in -- and -- in council legislator Saltzman's involvement in this. I will say city codes are not very well enforced, and the conditions of approval are also not enforced or even monitored in many cases, so I certainly wouldn't trust to the sufficiency of a process under our existing storm water rules or new storm water rules until enforcement is improved. I oppose this encroachment into green space for two main reasons. One it demonstrates a lack of continuity and enforcement of city code. The city agency is the applicant and appears to be in the role of looking for loopholes rather than showing a good example to citizen and private developers. The city has put itself in opposition to the neighborhood association and opposition to the preservation of green space. We have trouble attending city council meetings because there is so little parking near the building. So we know -- why not in this preland use case use mass transit? I can't emphasize this number. The city needs to

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limit paving over more -- anymore good land. The city is awarding right now large contracts and subsidies to bureaus and private developers to restore endangered species and deal with our polluted river and extremes. We don't want this to just be lip service. The city is asking our public to make sufficient large significant public investments in cleaning up contaminated soils, old industrial toxic areas called brownfields, there are currently instances of partial clean-up at some public expense of old landfills as well. The idea seems to be that parents and children and pets and wildlife would eventually use these converted or partially cleaned up brownfields or landfills for recreation and play while I certainly agree that we have a civic responsibility to keep up these dumps, I don't agree with the conversion of clean open space park land into asphalt parking lot.

Katz: Thank you.

Callison: Thank you very much for your time.

Katz: Okay. Three more chairs. How many more people want to testify on behalf of the neighborhood association? And interested citizens on this issue? On this side of the issue? Are you the last two? Okay. Go ahead.

Carol Routh: 1650 SW Highland Parkway, 97221. I'm carol ruth, i'm a resident of highland park, which is nearby. I will admit that one of the things I would like for my own safety would be to be able to park at the zoo after hours in the winter because it's dark and it's really proven to be dangerous walking to and from. But that's not why i'm here today. I'm here because I would like to see the picnic acre restored. It's true that leveled open -- level open area is virtually nonexistent in the park, and as far as the picnic table that's there, it's very rickety and sits right at the edge between the street and the parking lot. So it hardly counts. You couldn't have kids there. I couldn't help notice that the zoo has 144 employee spaces. And what I wonder is, what are they doing to get their employees to take light rail to work? They make the same trip every single day and could probably figure out a way to use less than 144 spaces for employees which could then contribute to the number they want to add without taking the picnic acre away.

Rose Marie Opp: My name is rosemarie. I'm here as an individual citizen. I became of -- aware of park problems about five or six years ago. In outer southeast, the city and county proposed to put a parking lot in a bird sanctuary. Even though they had 99 spaces aever available. My partner and I got a land use attorney, came into council, i'm happy to say the bird sanctuary is still there. In fact, mayor Katz, you helped us to keep that sanctuary that day.

Katz: I think that was the last time you and I agreed on something.

Opp: That's right. [laughter] and then i'm going to lead into my next statement. Since then, there's been no help. [laughter]

Katz: You were right then.

Opp: And anyway. There's been no or little help, and park problems have come up all over the city. In fact, the mayor could have taken the parks bureau away from the commissions when some of these problems came up, but you didn't. I don't think the public is willing to give up perfectly good ground. Our open space park land to be paved over, traded or sold. The parks bureau tells us we will get future park land, but where? In east county we recently got a landfill. We need to keep the good ground that we have, our open spaces that we now have, and I feel it is up to you to protect it. For all of the citizens of Portland. Why do citizens have to keep coming into counsel on all these cases to plead with you to protect our open space public land? It's your job. So I don't think you've done a good job, which is why, number 1, you've lost our trust. Various cases, gabriel park lost space, mott, I witnessed, grove 30 doug fir trees cut out of mott park. I do feel there were other options. And then in the northwest areas, the who 'cause memorial. I think the public needs to know, it's not a tiny memorial. Would it be taking a beautiful meadow and putting in a reply call -- replica of a railroad track. Do we really need this kind of thing in our park? Number 2, because

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of your actions, and I don't go by the park's public relations, but by what i've seen, you did not get a parks bond passed again. And hopefully you won't get money from the citizens for parks through parks bond, until we have new people in council who can be trusted with our parks or until you decide that you will stand up with the citizens, because the parks in -- and our green space is very important to us, and particularly with all the addition, it seems like there's -- the focus is on density and housing. And we need every inch of public land that we have. Thank you.

Francesconi: Just one question. How many acres of park land has the park bureau and the city purchased in the last four years?

Opp: Well, I hear this about your adding new acreage, but it matters where it happens. I mean, if you add, like, say, to certain areas that are large parks, that's one thing. But then to take a neighborhood park that's -- that's strategically place second degree another. We need to look at, I think, the kind of properties that you are adding versus the good ground that I feel our parks have been. I'm sorry, but I know that some neighborhoods might be glad to get landfill, 20-some acres new, but I would prefer to keep our good park ground that we have in a neighborhood park, so I don't like this kind of transition.

Katz: Okay.

Francesconi: There's about 550 acres. Does that sound about right?

Opp: I think i've heard that number.

Katz: Thank you.

Opp: I think that we need to look at the total picture and what those acreages are. And where they are.

Katz: Thank you, rosemary. Thank you. I didn't see anybody else volunteer for this side. All right. Applicants. You have 15 minutes.

Deborah Wakefield, Portland, Oregon Visitors Assn. (POVA): I'm deborah wakefield, representing the Portland Oregon visitors association today. I applaud the residents' efforts to maintain Portland's green spaces, because I think that's what the city is well known for. However, i'd like to see us balance that against the tremendous use of the park incurs. We've got an extremely popular Oregon zoo, we are putting in the new children's museum in that area, and that's going to drive more visitors and more residents into the area who need parking, not all of them can benefit from light rail. I think light rail is wonderful, it's a great addition to the park, but unfortunately for many of our visitors who come from out of the area, and out of town, they don't have a light rail connection to Portland. So parking is important for them. The motor coaches that are using the parking areas around the zoo aren't just coming during the winter when the parking lot is not tremendously full. The majority of visitors who take a motor coach tour unfortunately come during the summer season. That's the busy travel season for our area, and that's when they have time off or their children are out of school and they can take a trip to the area. So i'd like to see the issue balanced. The green space would be wonderful to keep, but it sounds like we really need the parking for those visitors and i'd like to see that brought into the equation. Thank you very much.

Katz: Are you the principle?

Mike Pruitt, Harper Hauf Rigallis: 5200 SW Macadam, No. 580, 97201. Yes, I am. I'm mike pruit, a planning consultant. You've heard a lot of testimony today, it's made me vary how my testimony is going to occur, but much of what's been said today is that the zoo is basically just interested in keeping and converting this parking lot just for overflow parking in that what they're doing is really contrary to supporting light rail use and multimodes. Much of my testimony today is going to be focused on the primary use, which was spoken to by duncan brown and others, that they really want this auxiliary lot for bus parking. And overflow parking is really a secondary use. Let me back up a little bit. According to zoo attendance records, over the last decade the number of

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visitors to the zoo has actually gone by about 28%. It's gone from 952,000 up to over 1.2 million. During the same time, the number of parking spaces that were available to the zoo has dropped from 1,97 down to 840. -- 1,097 down to 840. There has been very tremendous use of light rail since this opened up for people coming to the zoo, depending on the event, gates survey show people arrive on light rail anywhere from 11 to 31% of the total number interviewed. So in -- typically the higher uses for -- come for some of the evening events where they have people arriving -- 30% of the surveyed arriving by light rail. Despite all the success, they still have an overwhelming need for more parking, and a lot of this is due to the conflicts that occur when you have buses parking in the main lot. Because the main parking lot, if you -- I don't know if you have the parking lot diagram available to you, there's a raised concrete median between the head-in parking spaces, so when school buses are forced to park in the main lot, they have to park longwise. And they take up six to seven parking spaces. So when you've got up to 80 school buses arriving in the springtime during the peak period when school children are coming to the zoo, that eats up a tremendous amount of the zoo parking lot. In addition to that, kind of the safety issue, yes, you can drop school children off at the entryway to the zoo and pick them up even if the school buses are parking in the main lot. But there are other people in the parking lot, there are other children in the parking lot, and mixing buses and automobiles and pedestrians in a very crowded parking lot is not -- is a safety concern, something that the zoo really wants to keep this auxiliary lot open so they can keep all that activity separate. One of the points I like to make is that by providing this parking lot, we're actually supporting the use of alternative modes, other than light rail and tri-met. These each -- each one of these buses holds approximately 40 to 50 kids. If you've got up to 80 buses coming per day, that's a whole lot of children that are coming. Via an alternative mode. And I think that's something that the city is in support of. It's not something where these kids are stuffed into single occupancy vehicles and being dropped off, it's just another way to get a large number of people to the zoo. As far as some of the testimony that the -- it seems that some people are not aware of or they're saying the zoo is not doing anything or enough to try to encourage use of the light rail station for alternative modes to the zoo, in the application that was submitted, there's actually kind of a bullet item list of what they're doing for employees and also to encourage visitors to use light rail or other modes. For employees, all employees are required to reduce their single occupancy vehicle use by 20%. So at least one day a week they've got to come by another way to the zoo. All the employees are in a mandatory carpool when they work at the zoo. They're also given a 50% subsidy on a transit pass to encourage them to use other modes. That's just some of the things they're doing. As far as patrons, they haven't been directly subsidize are or reducing the ticket rides or entry into the zoo, but they've been doing other things. They've been basically doing advertising in terms of encouraging people to take light rail to the zoo through a promotional programs, through television, radio, through advertising on the buses. There's a number of things that the -- they have been doing to try and get people to take light rail to the zoo. Even with these efforts, there's still the additional overflow parking need in I believe cathy is going to submit some evidence to the record that indicates how many times a year there are over 3,000 people attending the zoo. The 3,000 appears to be the magic number, because based on their estimates of occupancy in each vehicle, 3,000 people tend to fill up the 840-unit parking lot. And the number of times that it's over 3,000 is substantial. I'd also like to say something about -- in terms -- there's been a lot of discussion about the city breaking their promise. I can understand where the people that testified are coming from. That was something that was said at the time. People have to understand that master plans and the needs for public facilities change over time. They're not set in stone. That's why we do master plan updates on different sites. Project needs change. And that's why it was approved earlier by the city, because it was shown that this parking

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lot was needed because of the growth in the number of visitors to the zoo. And for the need for having a separate bus parking and maneuvering area. So what happens if this parking lot goes away? I believe one gentleman that was up here that lives next door really put his finger on it. We lose 129 parking spaces that are used for buses. If the buses are faced -- forced to park in the main lot during peak-use times, the people that could have ordinarily parked in that six to seven parking spaces are now looking for other spaces, and it just -- it just multiplies on itself. And the result is you -- although the zoo currently does a very good job of trying to keep parking infiltration out of the adjacent neighborhood, you've got people that are going to be cruising looking for other places to park. That basically sums up my testimony for now. Do you have any questions?

Katz: Do you -- we do that, you've got about seven minutes left. Is there anybody else that would like to join as a -- come on up.

Susan Hathaway-Marxer, Property Manager, Parks Bureau: Good afternoon. My name is susan hathaway, the property manager for Portland parks and recreation. The parking lots that are accessible from knights boulevard at work Washington park are owned by the city and assigned to parks. There is the main lot that has 840 spaces, and there is the small lot, the subject of in hearing, that is across knights boulevard. It is in its ultimate final design factoring in the landscaping intended to have 120 spaces. These are accessory parking lots. They serve the park itself and the people attracting facilities up there. You'll see the formal institutions on the hill represented here today, but there are other investors to this side of Washington park as well. And we wish for you to be mindful of their needs. There are the people who use marquam nature trail, visit hoyt, visit the vet memorial and people who like to walk their goings up there or just take a walk themselves. The main lot was leased to the three institutions, which would be the zoo, the forestry center, and the old omsi, in 1979. And the control of the lot is governed by parking lot agreement between those three parties. Parks stepped into the plays of -- place of old omsi when the city acquired that facility a couple years ago. So these three institutions govern and maintain the lot and they share the responsibility for all things connected with it, although it's very appropriate to say that the zoo has the main burden of management and security there. When the decision was made to construct and operate a light rail station at the main parking lot, there were 1,005 parking spaces in the main lot. The institutions wanted and welcomed the light rail station and are more than satisfied with its ability to attract their patrons when -- we're enthusiastic about the service it provides. Their riders, our visitors are enthusiastic about riding light rail. Nevertheless, after the station was built, there were -- there are 840 spaces in the main lot, and more and more people coming from destinations near and far. When the mall outlet -- the small outlet was built, it quickly became apparent its use was significant. Truly significant in terms of safety for patron and vehicles and reduced impact to neighbors. It's a design -- if the design is basically -- is based on school buses, its proposed landscaping was developed in conjunction with arborists who worked with immediate neighbors involved in the selection of the sides of the plant material -- size of the plant material. The things that are chosen are complimentary to the arboretum. The small outlet has proven to be a boon to the management of the lot in general, but specifically because of the space it provides to keep school buses, a form of mass transit, after all, and recreational vehicles out of the main lot. Not everyone can come by light rail. No one goes to the zoo alone. We don't expect people to be going to the children's museum on their own either. It's frequent. It not unusual to see this situation in the main lot at the zoo. You see a car or van pull in, it's driven by parents. Usually two adults. The doors open. The little kids get out. The moms or grandmas are trying to get the baby out of the car seat. The little kids are fidgeting around outside of the van. All the time the parents are trying to deal with the little ones who are still in the car, the others, there is always the threat they're going to be darting into those traffic lanes. To put school buses or large vehicles back into this mix

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does not seem like a good idea. We need the small lot. We say that -- we need the small lot. Parks does not normally advocate the paving of open space. The need is genuine, and it serves a park and recreation use. We are real excited about the new children's museum at Washington park, and the kids and the parents and the grandparents that we see coming to use this wonderful new space. And we believe this small parking lot contributes to the safe and efficient management of the whole space that serves the existing institutions and this new and equally dynamic one. So we are demanding of the children's museum that it equal the zoo's sterling record of promotion of transit for patrons visitors, volunteers, and staff. But we still need the small lot. We are asking you to approve the conversion of the lot to permanent status. It is parks bureau's belief that the conversion of the lot enhances the open space use and does no harm to Washington park.

Saltzman: 80 school buses a day. That was a static that you -- statistic that you mentioned. As the maximum. Those buses are primarily kids?

Hathaway-Marxer: Primarily.

Saltzman: Okay. I guess what i'm trying to put sort of a season at to all of this, because I know very well the use of this parking lot very much depends on what time of day, what season of the year.

Hathaway-Marxer: The weather.

Saltzman: But school buses mean school kids. That means kids in school. That means somewhere between the hours of 8:00 and 2:30 p.m. On a weekday. So i'm trying to figure out how does 80 school buses a day during that period conflict with a parking lot, the zoo parking lot which during those hours is underutilized substantially so. Maybe you could talk --

*****: I believe --

Saltzman: I guess i'm somewhat concerned that school buses, we're using school buses when what you're really concerned about is rvs. And let's be honest s. That what we're talking about? The problem is where do we park rvs in the summertime as opposed to using school kids here as the foil, so to speak.

Pruitt: I think it's all oversize vehicles. And I think there's also kind of a misunderstanding of how the parking lot is used during the peak hour season. I asked cathy yesterday during these spring peak hour uses of buses arriving to the zoo, is the main parking lot empty, and her answer was no, not always. There is -- there's quite a bit of use on certain days where if they did not have that parking lot, separate parking lot for buses, that there would be problems with having the buses park in the main lot, because they have 2,000 visitors or 2400 visitors that day which is nearing parking lot capacity.

Saltzman: It would also seem to me school bus use would not be prevalent on the weekend either. Saturday and sunday, which are also peak days for -- peak days for those driving automobiles.

Pruitt: On those days you might have oversize vehicles in that lot, overflow parking, but there are also occasional bus tours that come -- that are separate from school, and I -- they'll be able to speak to that, as to how many they have.

Saltzman: Another question I have is, part of the justification given for us to consider converting this to a permanent parking lot is that the current overflow system, which seems to be has worked for these many years, is not reliable because it's subject to the whims of a private property owner, whoever owns the property over in sylvan that massive parking lot. Now, it seems to me whoever own that's property in sylvan, it's always going to be a good deal for them to have overflow parking on the weekends when their office tenants are not there. Is this again -- what's wrong with the current overflow parking system?

*****: I think --

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Saltzman: Other than sort of being at the whims of private property owners that may do evil down the road against their own economic interests. And also on the bus issue, did you look at the suggestion of mr. Angel about bus parking where the lower entrance used to be for the zoo, and also I guess I would ask what about bus parking at the overflow parking lot at sylvan? Drop the kids off, let them have a two-hour tour, come back in two hours and pick them up rather than needing to park on what used to be open space. Those are some questions I have.

Katz: Why don't we -- identify yourself and please respond to the questions commissioner Saltzman just asked.

Kathy Kicunis, Deputy Director, Oregon Zoo: My name is cathy, i'm the deputy zoo director at Oregon zoo. I'd like to start by just passing out a piece of paper to you all.

Katz: If you're going to answer beyond your testimony, i'll give you a little additional time, but I think your testimony is going to include the question. -- the answers to the questions. Okay.

Kicunis: I'll start by explaining what I just passed out. This --

Katz: Do you want to start three minutes? Please? Thank you.

Kicunis: This for the year 2000 is our zoo daily attendance. And i've highlighted every day of that attendance that is 3,000 or over in attendance. In the year 2000 we had in excess of 1.3 million folks. The number you hear most often is 1.2 million, because we keep track out of fiscal year, but I thought this is about the most recent data. Over 1.3 million visitors at the zoo. Before light rail, guaranteed that when we hit 3,000 visitors the parking lot was overflowed. We average based on our surveys between 3.2 and 3.6 people per vehicle visiting the zoo. After light rail, where it's been explained a few different times, our fundamentals are anywhere from a low to 11 this past percent, this past november of light rail ridership, up to peaks of over -- peaks of over 35% for things like consets where people know parking is going to be a nightmare and they're out of their cars, some days because of light rail we can hit upwards of 4500 in attendance before we need -- before we're out of parking spaces because of the ability to use light rail. However, we still need parking. We significantly reduce the amount of parking we had with the additional light rail. It took over 240 spaces. This additional lot only brings back a part of that. Even so, we've had tremendous attendance growth and if you add the combination of those things, less parking, higher attendance and the special needs. We really -- we need this lot. To address your question, though, about the -- in particular the use of this -- of our sat lie lot, we do have -- satellite lot -- we've had a long-term relationship and it's been solely through the good graces of joe, who is the owner of that property. We've used that lot 79 times in the last 12 months. However, it comes with a bunch of provisos. We can only use out evenings, weekends, therefore, it wouldn't be suitable for weekday school-time bus use that's never an option. We have no permission to use that during the week. There's a church across the other side of the highway through -- also through their good graces and a hold harmless agreement allows us on free tuesday, which is another day that we are very hammered after 1 o'clock, we're free to everyone, we get incredible numbers on those days, upwards of 11,000 folks. The church, which has much less parking than the sylvan property, allows us to use their property, but that's only on those free tuesdays, prearranged, maybe if we think on a labor day or something we might really need some space they might also prearrange and allow us to use it. But we have -- we think we're very innovative, we've worked very hard at trying to come up with solutions to safely park folks. The lot, we're even concerned about the landscaping, because we know bus less run over the trees, so we've parked hashed at trying to combine those uses and still be able to park as many buses there. When we have an 80-bus day, we ask anybody who's closer than 50 miles to go back to their bus yards and even so, we don't have enough room.

Saltzman: So the satellite parking works fine on weekends and evenings and holidays. Which is - - which coincides more or less with your peak times, except for summer?

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Kicunis: We had 171 days in this last calendar year where we had over 3,000 visitors at the zoo. Our peaks are becoming most of the time.

Saltzman: What about using the area near the old entrance for bus park something.

Kicunis: We could probably park about six buses there. I think he's talking about just the road that comes into the zoo, and a lot of times that's used for in grass. It -- there's not a lot of land there that would be a solution or alternative parking lot.

Saltzman: Are you using it now for bus parking?

Kicunis: No we're using it for ingress. When we have 30 or some buses, they all have to unload at the tri-met station. But when they reload their kids, they can park up along that sidewalk and we get folks back in that way. But that's only parking to load. Otherwise it does block the traffic lane, so it's really not a good solution.

Sten: A question? I'm sure it's complex and more than just you, but why no economic incentives to build light rail?

Kicunis: We've done surveying, actually, and for the folks if -- we ask them, did you ride light rail, and if they said no, we've said why not. It's not an economic reason. 1% have said cost too much. People have said it's not -- the main reason is it's not convenient to their home. Or it was too much hassle. Those are the two biggest reasons. And as a regional attraction, it really makes sense that if somebody had to come from salem, they're not going to drive up to the closest light rail spot they can find and then perhaps get out of their car to get to the zoo, or if they're family vacationing, there's -- there are legitimate reasons why light rail doesn't work for some people, and we know we probably will never get those folks out of their cars. But we've already done incredible numbers as far as light rail usage. So we're very proud of that.

Sten: I think that's terrific, but do you -- do you know what percentage of your customers come from salem versus Portland?

Kicunis: In the last two survey that's we've done, between a spring and fall survey this past year, 33% of the folks came from inside the city limits, but sometimes in the summer we can get upwards of 40% of the people being from out in the east. The majority of our attendance is in this - - in the metro area, in the vancouver area.

Sten: Okay. Thanks.

Hales: I've got a series of questions. Go ahead, jim.

Francesconi: My only question is on that security issue that was raised by the neighbor. Can you address what's done now for security for this lot, and what could be done to enhance it?

Kicunis: I actually was surprised to hear that based on his own monitoring that the gate arm he said is up, so that is something I will go back and double-check. But they are controlled by a computer system. We manage both the auxiliary lot and the main lot as one. There is no security in the parking lot. We patrol the grounds 24 hours a day within the zoo, and during the day when there's visitors there we patrol the parking lot. But we'll double-check to make sure manually if we have to, make sure the gate arm is closed. And just in addition, he's raised the concern about the trees, and eric hoffman, the property owner there, i've spoken to him and told him we'd be happy to work with him to make sure we're not doing a disservice by adding trees to his property.

Hales: I may need to get into a level of detail that might test some patience here. Frankly, this presentation has raised more questions than it's answered for me, and I need to get some answers to those questions to get to the level of comfort that this makes any sense. I need to start by returning to something susan said, that you'd think from this presentation that this is the zoo's parking lot, but it's actually a shared parking lot subject to this whacky agreement, something that I didn't fix before passing on the problem to the next parks commissioner. Sorry, jim. But it's a mess. And as a management regime, and that's no one's fault in this room. But it's nevertheless a mess. And this

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presentation hasn't answered some basic questions. Like, this is right next door to the new children's museum. So how is it going to be managed? The typical family in the minivan who you described very accurately, been there, done that, is going to think that's the parking lot for the children's museum, absent instruction or intervention. So this is going to be staffed? Is the booth going to be staffed? Who gets to use this lot? How is this going to work, folks? This parking arrangement looks really cool, but after you put three cars in that lot, you can't do that pattern of buses anymore. So unless there's somebody at the gate at 8:01 a.m. Saying, sorry, no cars today, the first bus doesn't get to do this contrary parking pattern instead of -- that's at a 45-degree angle to the striping plan in the lot. So tell us how this is going to work. Because just drawing a pretty picture of bus parking superimposed on an auto parking lot with no management is frankly nonsense. So fill in the blanks, please.

Kicunis: Zoo security is staffing the lot when the zoo is open.

Hales: Zoo security? So how is it going to work in three months the -- months when the children's museum opens?

Kicunis: We actually all do work cooperatively now to manage the lot and let each other know when we've got big events coming, the world forestry center lets us know when they're going to have an early morning catered event and need the gates open early for a breakfast.

Hales: This is going to be gated and staffed?

Kicunis: It is now.

Hales: I know it's gated, but from what I hear the gates are up most of the time. And I don't know if there's northbound in the booth. So it's going to be gate and staffed on a daily base snow advisory.

Kicunis: That's how it's managed now.

Hales: There's somebody --

Kicunis: There's nobody in the booth. Zoo security is patrolling the lots.

Hales: This doesn't work the way your exhibit shows.

Kicunis: During bus season when we have a lot of buses we actually have additional staff. We have bus greeters that greet each bus and then know where they're supposed to drop off and park and tell them how they're supposed to get their kids into the zoo. We also have additional security at that point. We do have somebody staffing the lot, the lot specific during those times.

Hales: Let me stop you. I'm sorry. In the new world order, when the children's museum opens and this assumer -- summer things are going to be really busy this, lots is going to be in operation, is this booth going to be staffed every day? Yes or no?

Kicunis: Probably not.

Hales: And so are people just going to magically sort themselves out?

Hathaway-Marxer: No. They are not. It is signed, the gates, the arms when they're down, they don't open until 9:00 or 9 -- 30 in the morning. There is a lot of cooperation between the institutions on the hill. We have some bugs to work out about how it's going to work.

Hales: The children's museum, what's going to keep me from pulling into that lot and screwing up the bus parking notion before the first bus arrives?

Hathaway-Marxer: It's a problem we're going to have to address. We will address it before the children's museum opens.

Francesconi: I could be wrong, I don't want to cut in, but there were just a few issues left over, commissioner Hales, but this -- and I mean it, just a few, that wasn't sarcastic -- but this wasn't one of them. It hasn't been a big problem, and frankly I do -- there's been some issues to work through, but the three parties have worked pretty well together.

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Katz: But the issue that commissioner Hales is raising is one that hasn't been worked out yet. So the question he raises is -- is one you're going to have to solve.

Hathaway-Marxer: Absolutely.

Hales: We're going to go a little afield from the conditional use criteria, because we're going to have to deal with the parking crisis up there an hour later, since we're talking about it, i'd like to spend a couple minutes now --

Katz: Go ahead.

Hales: If you all don't have a management plan for this and the children's museum opens to great fanfare and there's a parking lot within 50 feet of the front door of the children's museum where you can just pull in --

Hathaway-Marxer: We will have a management plan in effect. When the children's museum opens, we'll have it in effect before the children's museum opens.

Hales: But we don't know today whether that plan says this site is for auto parking or bus parking or both. Right? We don't know. It could be either one. Thus the two versions of the site plan in the staff report.

Hathaway-Marxer: It could be.

Hales: Okay. So your case --

Hathaway-Marxer: We need the flexibility to -- in the management of the lot. They're managed in tandem.

Hales: Overall parking demands, not based on this necessarily being a bus lot.

Kicunis: In the summer actually it will be more car use than bus use. When it's peak school season, we don't allow cars to park there. In fact, probably the prime spot if you're going to the children's museum, which has been evidenced by where the contractor working on it like to park is in the main lot in those bottom rows. So the closest parking really to the children's museum is in the main lot.

Hales: Let me drill down a the more and then i'll abandon this, because this is gordon's partner dora's can of worms if there ever was one. Are the employees of the museum going to continue to be city parks employees?

Hathaway-Marxer: Some will, some will not. And there are a number of volunteers as well.

Hales: Will the employee and volunteers be provided with transit passes?.

Hathaway-Marxer: Yes.

Hales: Will they be provided with free parking?

Hathaway-Marxer: Behind the building. They will be -- the model that the zoo has set is a good, good model and it's what we are imposing, what parks bureau is imposing on the children's museum. They will provide free which it, passes to all their employees and make them available to volunteers. They will promote transit in every single bit of print media that they produce. They will put out their website to encourage people to go by light rail. The zoo set a great model.

Hales: Okay.

Sten: That -- what you describe is a great model. The zoo testimony is that you pay half.

Kicunis: That's half temporary, 100% for regular.

Sten: That's a big difference.

Hales: The children's museum is going to follow that same model?

Kicunis: With the employees. This is what's in the draft language.

Hales: Is the children's museum going to employ -- you inherit the transportation demand management plan that went with the original conditional use.

Hathaway-Marxer: We are willingly stepping up knee that, yes.

Hales: So you are going to follow its requirements.

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Hathaway-Marxer: Yes, sir.

Hales: Okay.

Hathaway-Marxer: And there's someone here from the children's museum who wishes to testify.

Katz: They'll have plenty of time.

Hales: That's enough for me for now.

Katz: Any more questions of these three?

Saltzman: One last question. That is going back to sort of the deal is a deal issue. You made the point that master plans are designed to be dynamic living document that's change over time, but wouldn't you expect when we as a region made sort of the gut decision to invest I think it was 40 to \$50 million extra in an underground light rail station about the same time master plan was approved that sort of the conventional wisdom of the neighbors are right in thinking parking demands over time would not surface, at least three or four years later in terms of needing new parking after having made a substantial investment in connecting the zoo to light rail, which I would remind the zoo people, they lobbied very hard to get that extra investment to be made to get light rail to the zoo. So wouldn't you think that would be the conventional wisdom, we wouldn't be dealing with adding more parking to the zoo some four years after we made a major decision to invest millions of dollars more to get a light rail there?

Pruitt: If you -- I think if you look at the issue of ridership, kind of simply, yes, it does -- there's a correlation between the number of easily accessible free parking space and whether or not you're going to make the decision to jump on light rail to come to the zoo. That correlation is made easily, but what you find in the gate surveys at the zoo is that there's multiple reasons why or why not people choose to take light rail as an option to get here. It's certainly been there, it's been available, and people are using it, they're using it beyond what was expected beyond the 20% ridership numbers, depending on the event. Like Cathy was saying for some of the evening stuff, they have very high ridership numbers, and for other times it's not as high. What is going to happen to ridership in the future? Right now that's an unknown. One thing that the zoo knows right now is that they have a definite need for this parking lot for overflow parking based on numbers that they have today with the light rail station in full operation, and for bus parking and circulation.

Saltzman: You have not actually tested any kind of incentive approach for discounts off of zoo admission if you show them your light rail or transit pass? You have not tried that? You've surveyed people and they've told you in the abstract it wouldn't work for them, but you've not actually tested that. Is that correct?

Kicunis: That's correct. And we've already exceeded the 20-year goal for light rail ridership as well. And we're not stopping, and we really -- we do a lot to get people out of their cars and into light rail, but we're also trying to be affordable to the region, and if we were to subsidize transit use, we would have to raise zoo admission to cover the folks -- to give back to the folks that we wanted to subsidize.

Saltzman: Or charge for parking.

Kicunis: And -- i'll let the zoo director talk about that.

Saltzman: Somebody ought to answer that question again. We're getting into issues that aren't -- you haven't actually tested any incentives or carrots, I guess --

Kicunis: Yes.

Katz: This is another issue that was -- I remember hanging --

Saltzman: Maybe --

Hales: Maybe somebody can address this question. What will it take -- you see the trend, increasing attendance, you know, excellent mode split in terms of transit so far, bravo so far, but select mode split, very limited parking resource for what's going on up there, that crunch is going to

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get worse when the children's museum opens, and that's great because it's a wonderful facility. But the crunch is going to get worse. What's it going to take? To convert to paid parking?

Kicunis: I'm not sure even at that point that would be the solution. But right now we've got great light rail ridership, but we still have times where we need this parking.

Hales: If there's outrageous parking demand, what are you going to do? If not paid parking, then what?

Sten: Can I ask, the split is on an average day 11% and --

Kicunis: That's our worst day. In november it was probably raining when we surveyed. Our best day is somewhere around 35%, I would say based on when we survey, averaging it out, it exceeds 16% and could be around 20. So --

Katz: Okay. Let's let some of the other folks testify, and if the council has any questions they'll bring you back. All right. Do we have the children's museum, the zoo director -- whoever else, come on up. Okay. Go ahead.

Jim Mark, Oregon Zoo Trustee: 5223 SW Patton Rd. My name is jim, I think it's an interesting discussion. I've been as most of you know a prone of light rail over probably the last 12 or 13 years, participated in downtown surveys, many many surveys of light rail, our company has been an advocate of light rail, and mass transit. But I think it's really relevant when you look at the zoo going from 950,000 people visiting to 1.2, and then we're increasing this year our numbers are even more, that you're not going to be able to accomplish that all by light rail. And I don't think that was ever the goal of light rail. I think light rail was to encourage the ridership into levels that were higher than people were using right now. And I think the zoo has shown great stewardship in promoting that. Not only through their employee and the way they use their employee lot, which is really just a back area of the zoo they dense pack their -- there and use every square inch, but also allowing them to use subsidizing that light rail usage. So I think they're using that, but I think you start looking at 250,000 new people to the zoo. That's an overwhelming success. And some of them have to come by car. For whatever reason, either grandparents or people out of the area, and you'll notice the name of the zoo is the Oregon zoo. Which is promoting it to the whole region. As a trustee of the zoo and a neighbor, we've gone outside of the Portland region. We're going to clark county, we have a board member that's gone out to eastern Oregon, we've outreached down to southern Oregon and central Oregon to get people to use the zoo as a regional asset. I don't think everywhere else in the region we can rely on people having zoos. So I think this argument of public transit's an interesting one and a good one and I advocate more people using it, because there's no way that we can accomplish everybody coming in by car. I think that's a great comment. But on the converse, not everybody can come by light rail, and by bus. I think it was also mentioned about the addition of the children's museum. That's going to put a tremendous load on the area. When omsi was open, I grew up in Portland, and the lots in that area have always been utilized, commissioner Hales brought up the point of how do you use that lot effectively. I can't remember a time where people have had a fight over that lot in the years. I think that all the competing agencies, if the zoo doesn't have a lot of children and buses coming up, they've tried to make it available. And I think the same thing with the forestry center is, you've seen pretty good access up there and pretty good utilization. The other comment that was brought up, there's only 25 cars in the lot. I'm up at the zoo, being a trustee of the zoo, i'm up there somewhere in the neighborhood of 40 to 50 days. I can tell you, on any sunny day, we're hitting capacity now on a regular basis. And it is a very real problem of how you utilize buses and parking in the same manner. Our company owns parking lots and parking spaces, so i'm very familiar were the overusages and the useages of different types of transportation. Buses use more than five or six parking spaces. They're not a very efficient use. As you can see around civic auditorium when

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children have to go down there and utilize that, we shut down streets. The other thing is, if we eliminate this parking lot, if i'm a neighbor in that area in the immediate area, i'm looking at these people parking in my street, in my area. So I think that's a very real issue. To sum it up, i'm in support as a neighbor, as a foundation trust member, i'd like to see this utilized permanently and I think -- thank you for your time.

Divonna Ratliff, Children's Museum: 3037 SW 2nd., Good afternoon, my name is divonna ratliff. With me is david cohen, director of operations. After many years of fund-raising and planning, this children's museum, the cm 2 children's museum second generation will open on june 30th, 2001. With -- this has been a long process and a huge public and private investment, nearly \$10 million raised to renovate this unused facility into a world class museum. Right now we're undertaking another campaign of \$3.2 million to complete our initial plans, finish exhibits, renovate the theater and provide dollars for long-term stability. It's our expectation that we'll see approximately 250,000 visitors in our first year, many of whom will also be going to the zoo. We expect these numbers will probably be reduced after the first year of operation, considering that the first year is usually a glut of visitors and will drop down and will gradually increase over the next three or four years to about 250,000 visitors. We expect probably 300 to 400 bus visits per year, although not having had experience in this site, we're not sure exactly how -- what our best traffic will be. Because we're an indoor facility, we feel our visitor number will probably remain high during the zoo's off-season, and we'll probably -- we'll probably have an evening out effect. Although again, our visitor patterns will be very different from what they are now, so we're not sure exactly how this will play out. We fully understand the polite and the cause of the neighborhood and have sympathy toward their cause and we support and defend the maintenance of green spaces in the park, and to that effect we are -- our plans do call for the development of the east end of the building as public playground and picnic area. And it will be available for use by the public free of charge. So that space will be a usable space for the public. Having come into this process after the fact, however, it's always been within the scope of our planning that the parking lot in question would be available for those times when demand existed, particularly for bus parking. Cm 2's committed to reducing single occupancy ridership, and to that effect we've promoted -- we are promoting mass transit through all of our advertising efforts, we're providing employees with transit passes, which -- a policy which is already in place at the children's museum in layerhill park, and we've -- we have showers and bicycle racks to promote alternative transportation for staff. We have no plans to use any of the parking -- main parking lot spaces for staff. All staff parking take place in the rear of the building and other overflow staff will be required to take mass transit. We'd also like to note for the record that the opal school, which will operate under a charter of Portland public schools beginning this fall, will not utilize this parking lot in any way. There will not be using school buses, they will not use that parking lot and the school in itself does not impact the need for that lot. So -- it's our commitment to be good neighbors both to the city, to the region and to the immediate vicinity. And we'll work in partnership with the -- with you and the forestry center to make the parka neighborhood asset rather than a liability. We're extremely excited about our opening and the opportunity to provide the community and the neighborhood with this world class facility and program which will significantly impact in a positive way the city and the region.

David Cohen, Children's Museum: I'm just here to help answer questions. David cohen, director of operations at the children's museum.

Katz: Childrens -- questions of children's museum?

Saltzman: Have you considered a discount for people that arrive at the museum by transit?

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Ratliff: It has been discussed. We have not finalized all of our pricing plans. We have conversations continuing with tri-met, we're thinking about -- we're looking for additional funds to be able to provide subsidies for school groups that come by transit. So it is part of our thinking and a commitment to increase -- because we know that parking lot is going to be crowded, we're making efforts in all of our relationships with schools with groups that come in and with our visitors to provide that subsidy, but we don't have any particular plans in place at this point.

Saltzman: Do you have to -- plan to have plans in place by opening day?

Ratliff: Yes. We will have plans in place by opening day.

Katz: Do you want to answer that question, sir?

Cohen: Well, again, just agreeing. We -- these are ongoing plans, ongoing discussions. Actually school groups will really pick up in october. We have some time to work things out, again, whether we will have something in place exactly in october is uncertain at this time. But it is a direction we're going in, and something we are definitely following up on.

Katz: Okay. Any further questions? All right. I just want to add, I can tell you with the opening of the chinese classical museum, all the things I had wanted to be in place the day the doors opened were not. It's not really possible, but over the months you begin working at them and pick them off one at a time. Because there's so much else that you need to do.

Ratliff: I'm sure that's going to be the case here too. We'll get started and then our organization is committed to looking at what we're doing and to learning from it and changing in response. And so I think that when we get up there and see what the situation is like we'll be responsive to any situation that might arise.

Katz: Thank you. Okay. Further testimony? Come on up. I have three chairs.

Ben Harris: 1536 SW highland Parkway. My name is ben harris. I live on southwest highland parkway. It takes me eight minutes to walk down past this site, which I do for various reasons, at least seven or eight times a week. I'm semiretired, 17 members of our family are scattered throughout Portland homes, but two of our homes are right up above the zoo area. I have traveled those trails, i've come up the marquam trail or as the sign's been saying for the last year, the wildwood trail. I've gone through that site, i've gone across that site, i've gone through most of the attractions, and i'll take an hour or two-hour walk all the time, sometimes I have my 7-year-old grand niece with me, or one of the other members of the family who are going on a little tour or an adventure. So there's a tremendous amount of green space. But I come here now after listening, I was just going to say I was in favor of it, but I also work at the zoo. I'm not talking about any of the things that the zoo people might talk b. I'm talking as an individual, as a retiree of the disney corporation, working on the disney projects in florida, remodeling programs, I used to be in logistics, tables and chairs, how do you organize it, access and egress. When I retired, I got tired of loafing around those hills for about five months in 1996, and my daughter encouraged me to go down to the zoo. Which I did. And which I wanted to go to work to right away. And since march of 1996, i've been working at the zoo. And one of the things I do is I handle during the peak time, all these kids on the buses that come in. Officially the zoo has all these procedures and numbers and the lawyers and the account apartments. They have a lot of things to tell you. But i'm out there in the parking lot four hours a day, five days a week, having -- haven't missed a day of work, haven't been late, because i'm from the old school. And i've person there. [laughter] and i've met not 90 buses a day, i've met 130 buses a day. And i've seen them all come in between 9:30 in the morning and 11:00. And guess what? As one of the gentlemen said, can't we schedule them? These kids have a day's outing. It's planned ahead of time. And guess what? They come in as soon as they can, they travel for a half hour to an hour to two hours, they have a small window of two hours at the zoo. From 9:30 in the morning until 11:00 curing that busy time of late march through the

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end of the month we -- of maybe the middle of now, it used to be the first week of june, now it's the third week of june. We have buses coming in, I have six or seven people, we have two-way communications, a security person in the auxiliary lot and we're trying to safely bring these kids in. We have a wonderful place now to let them off now by the max station. I can unload 22 buses there. 22 buses at a time. And still there's another ten buses coming up that artery way to come in. We have two-way communications, we have people at the lot, and i'm directing, you go here, there, do you have your paperwork, and fortunately over the years. Zoo has been able to work on this program and we can get them in and out. 5,000 kids on a friday night. On a friday afternoon. That's not unusual. The last three weeks of may, the first two weeks of june, we'll have 4500 to 5,000 coming in on those buses. And guess what? There's always five or six groups we didn't know about. Who just decided to come in. So we handle them. We handle the forest center groups. They have a couple special days at the beginning, and everybody comes in the same way, we dispatch them, and they go in and guess what? I can park 55 bus necessary that parking area because we've done it. But it's used for a lot of different things. In the morning during the three months of the summer, the mothers and dads take their kids in their cars, drop off there, the dog and one member of the family is in there, and the little kids are out on the nice play area and the -- a couple of beautiful trees that are adjacent to it. The counselors come outs and collect all these kids who are going to a week of camp. So it's a wonderful experience. My grand niece --

Katz: Sir -- I know you're from the old school, i'm going to give you 30 more seconds because you're from the old school.

Harris: It's a wonderful place. It's a wonderful place before 9 o'clock in the morning. Three months out of the year for kids to meet. From 9 o'clock until 2 o'clock, it's desperate to be used for parking because we're up there until 2 o'clock trying to find a parking space, and the zoo needs this space, the children's center needs this place.

Francesconi: Tony, give him a raise.

Tony Vecchio, Director, Oregon Zoo: I gave him a pat on the back. He's a good man. He does a good job. He does a hard job. That is a difficult job during school season. Thank you for the opportunity to speak to you today. This issue has given me a terrible headache and i'm -- my name is tony, the zoo director. I'm also president of the Oregon zoo foundation, our 501 c-3 nonprofit support group, also on the board of directors at the audubon society and the Portland Oregon visitors association. I think I represent a little bit of each of those institutions today as I speak to you. And i'm going to keep it short because it sounds like you have questions for you. I would like to start with a quote by one of the country's great leaders. The Oregon zoo is a wonderful place to visit and an important asset for the entire pacific northwest. Portlanders have great pride in our zoo which has grown to become one of the world's finest. Vera Katz. How is that for sucking up? Thank you for that quote. That is our mission, to become the very best zoo. There are lots of ways to measure how a great zoo is. There are few ways to measure it. One is by they exception you get from your public. The number of members we have, and the number of visitors that come to the zoo. We now have over 30,000 families that belong to the zoo, 12,000 of them are city of Portland residents. The attendance at the zoo of end of fiscal 1997 was less than a million. At the end of '98 it went over a million and '99, 1.1, and '92 now it's over 1.2. That's my job, is to get more and more people to come to the zoo. I don't know how well I do my job, but I know my staff does their job very well. They make me look good, because attendance is going upper year. This fiscal year we're well ahead of the pace, so I think attendance is just going to keep growing. I think this is a wonderful thing. Is it a problem? Yes, but that's a great problem to have. The zoo is doing so well. A lot of talk today about an empty lot. I have a hard time with that issue. I will tell you this past weekend the first weekend in march, which I still consider the winter, we had over 15,000

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visitors. In fact, 15 thousand 560 visitors this weekend. Saturday and Sunday and March. 47,000 visitors came to the zoo in February. This December we had over 100,000 visitors for the first time in the zoo's history. We broke the 100,000 mark in December. I'm not sure there is a down time anymore. As you can see from the information Cathy gave you, there isn't a month of the year where we don't have days of over 3,000 visitors. I don't see that changing. I'm a passionate conservationist. I am an advocate for open spaces. But the idea of keeping this a parking lot for the zoo doesn't bother me in the least. If you look at this space on the aerial photos, this small piece of land is wedged in between the old OMSI building, the World Forestry Center, a residential area and the road and a parking lot. It's not a wildlife exact waste. This use of this space is a very valuable use. And by allowing this use to continue, it will help more people come to the zoo. And I think we do more for the citizens of Portland and the young people we try to reach with our message of conservation by having them able to come to the zoo by having -- than we could as we would have that as a grassy area. Thank you.

Nancy Goss Duvan, Oregon Zoo: Hello. I'm Nancy, I live at 2102 Southwest Sun Set Drive in Portland. I'm here today on behalf of Mike Burton and a lot of what he has written is repetitious, but I'll read it quickly. I apologize for not being here today in person to testify. I am out of the country. I am sending you this letter to wholeheartedly own Dorso your planning bureau's recommendation and findings and to convey my support for converting the temporary parking lot to permanent status. As you are well aware, parking for the popular facilities at Washington Park has always been at issue and difficult. No question that the light rail station has alleviated that burden somewhat, a consistent 16% of visitors to the Metro Ore Zoo come by light rail. In the summer for the concert series particularly, that number spikes higher. But the visitor numbers spike considerably higher as well. Metro Council has said they wish to seek a more active relationship with Tri-Met regarding the promotion of light rail. We will pursue that vigorously. With the much-anticipated and long sought opening of the Children's Museum, the parking situation will be more pronounced. Additional cars, school buses and touring buses. The lot accommodates those losses -- buses know and overflow. The use of that lot has alleviated neighborhood concerns in the past about overflow onto their streets and into neighborhoods. I just don't see how they can have it both ways. With the conversion status comes better lighting and landscaping of the lot. It is my understanding that the neighbors immediately adjacent that lot have no problem with the plan or are actually endorsing the better look planned for it. The reality is that if the entire Washington Park open space, this small piece would make a big difference to the much used facilities and their visitors but only a small addition to the beauty of the park if not used. Thank you for your time and consideration. I urge your approval. Mike Burton.

Hales: Your staff and consultants took a shot at it, but obviously there's still a lot of questions. Any thoughts you have about everybody celebrating rightfully the arrival of the Children's Museum, and this proceeding to me is just heightened my concern that we're going to be back with this issue because we're going to be the victims of our own success. Can you envision a scenario in which you're going to be forced by demand to charge for parking?

Vecchio: Yikes. No. That's the short answer. We'll tell you, I really expect the Children's Museum to go over really well. The World Forestry Center and the Zoo and the Children's Museum and Portland Parks are working close together and I'm excited about that relationship. I think going -- you're going to see every one of those institutions doing better and better. Your concern, however, what you brought up before, I don't really agree with it that's -- your voice adds concern we don't have a plan yet. But I've seen the plan. We are staffed. You've met Ben now, and Ben is one of the best, but we have other folks out there as well. And you couldn't drive up and park in the Children's Museum parking lot. I will warn you if you drive up in your car and -- in May,

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someone like ben will be up there before you turn your ignition key off. When the zoo is open, that parking lot is staffed by our staff. We work closely with the forestry center and we will work closely with the museum. There are people there all the time. You can't park in the wrong place there all the -- that that isn't an issue. Or a problem. As far as charging for parking, that's a whole big argument that i'm torn. It almost seems like the reason for that argument is business is too good. If you charge people to park then fewer will come. That may make sense if you want to get your numbers down. I don't want to get our numbers down. My job is to get more people to come to the zoo.

Hales: Don't mistake the purpose of my question of the i'm interested in your moat split number going up. But let me ask a question, this larger condition raises, the decision in front of us today is a component of a larger master plan. And we may end up having to return to that larger master plan. So let me ask you the question, and I can -- maybe susan can answer on behalf of the parks bureau, I don't see anybody here from the forestry center, but -- i'm sorry. We do have people here from the forestry department. Let's say my scenario that I just sketched is accurate and that all these facilities are very popular and that you have an enormous parking demand. Do you expect to return to this city council with a modification of the conditional use master plan that seeks more parking spaces as a solution to that increased demand?

Vecchio: It's not on my work plan, no. I will tell you, I pride myself in being a problem-solver. And i'm really frustrated over this. Parking is a big problem for us. And I don't know what the solution is going to be. I heard a suggestion that -- to build an underground parking garage. That is a wonderful solution. I don't see where the money would come. I think we priced that out about at about 45 to \$50,000 a space. I don't know what the long-term solution is. I would welcome working with your council and anyone else that has ideas and insights.

Hales: I could give a quick solution, and that is you'll never solve the parking problem as long as it's free. You'll never solve it. You'll always have more demand than space as long as it's free. Just as any other commodity that's free. It's econ 101. It's as true for parking as it is for doughnuts.

Vecchio: If we charged fewer people could afford to come. That really isn't my intention to make the zoo less accessible to the people of Portland.

Sten: I think the argument is more people would catch the light rail.

Saltzman: We're not talking about impoverished kids not being able to come to the zoo. We're trying to talk about getting the mode split up to take advantage of the tremendous capital investment some 40 to \$50 million that we as a region made to connect the zoo to light rail.

Vecchio: I work with kids in north Portland all the time. And they -- one of the problems we have is getting them to the zoo. Because they don't live on the light rail lane. -- line.

Saltzman: Lit soon. Very soon. What about discounts for people that come by transit? That would help these poor kids get to the zoo too, wouldn't it?

Vecchio: I would be happy to work with city council if you have an idea of how we could do that.

Saltzman: This is an idea we've executed with Portland family entertainment for the pge park in order to reduce the preimpact of visitors to the park, they will show their baseball ticket or event ticket and be able to get a discount on tri-met. In order to deal with the demand management. Yet I see -- I don't sense any willingness of the zoo to embrace either the carrot or the stick. It's nice to say you're willing to work with us, but it's really -- it's in your domain to make those decisions. Doing an incremental parking lot here or there is always the easy way.

Vecchio: It's probably not good politics to get into an argument with you today. [laughter]

Francesconi: No, it's not. So just stop. If your counsel is not going to advise you, I will.

Vecchio: We share the parking lot. I have said before i'm willing to work with tri-met and -- if they want to help. You're talking about me giving away money. That's not smart business. But i'm

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willing to do that if people are willing to help me. Portland parks shares that parking lot, shares the management of that parking lot. Is Portland parks ready to put some money up -- I know commissioner Francesconi thinks that's probably a wonderful idea. Does he have the money in his budget? Probably not. Nor do I.

Saltzman: How do you price the space of open space though? There's a price that if our board member of the Audubon Society you should well appreciate it. It's not easy to quantify. It's a loss of an intangible open space. How do you price that? How do you get that into this equation?

Vecchio: It's the balance -- job. We balance what the needs are. You look at that particular space and the good we can do for the environment with -- by teaching about conservation, the number of people we will reach with our conservation message by letting them use that, you balance that against, what would that space be used for otherwise, I think it's clear, that place will do the most good for the city of Portland and the people of this region as it's being used right now, and has been for the last seven years as a parking lot for the zoo. I don't want to give you the wrong idea, I would be happy to work with anyone that wants to work with me on trying to get light rail ridership. I'm very proud much what we've done so far. We've exceeded the 20-year goals. I think that's great. If Somewynn wants to do even better than that, I'll talk to anyone about that. I've tried to meet with Tri-Met about it. I don't --

Saltzman: Nobody's talking about we should ease up. If we see the goals of course great, but let's keep going.

Vecchio: How about if we extend Fairless Square to the zoo? [laughter]

Katz: Further questions? Let me just say that extension of Fairless Square is a wonderful goal and we're all -- in fact I support Fairless throughout the entire city. But it does take collaboration between Tri-Met and the organizations that benefit from visitations. And we worked long and hard to get some of the extensions of Fairless Square to Lloyd Center, or Fairless Square at the Civic. But that was an agreement between a lot of parties. And I would hope -- we can't do it here and we can't impose that on you today without having those discussions with other interested parties, but I think the question that was asked is a very fair question. This may not be anything that's an emergency today, but certainly down the road it's a conversation and some hard work by everybody concerned that needs to go on.

Vecchio: I'd be happy to work with you.

Katz: Further questions? Next?

Harris: Can I say just one thing? I'm sorry. It slipped my mind before, probably most important thing. For seven years that program has been in effect, maybe 150 to 200,000 children a year coming during that three-month period of time, a satellite parking area like we have there enables you to have a safe unloading zone and then another area where the kids can't get hurt. When you have the old parking -- when you had the old thing there in '96 and '97 with the street a different way, I almost got hit a dozen times with the stop sign in my hand as we were having people come over. But now we've finally got a safe system of unloading and reloading.

Glen Gilbert, Director, Forestry Center: Good afternoon. I'm Glen, the president of the Forestry Center and a father of a 2 and a 4-year-old. Susan is right about how dangerous it would be to put school buses and kids back into the main parking lot. The way she described it, not only I have been there and done it, did it last weekend. It would be a very dangerous situation. As a new comber to Portland, my miles an hour speculative on the site has been -- is not based on experience, however I've three brief points to make. Regardless of what the studies show, I can tell you that several days in February since I've arrived when the lot was full or near full, including last weekend when Clifford the big red dog was visiting the zoo and I couldn't find a parking space when I wanted to work on Sunday, so obviously it's -- the parking lot is needed not even -- just during the

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summer, it's not just 30 days a year. The lot was fairly empty this morning when I came to work, but as we board max to come here today at 1:30 p.m., To the contrary, the main lot was almost full, requiring some people to start to use the temporary lot already. I want to point out the forestry center does provide free light rail passes to all of its employees and I know that the children's museum is going to be doing the same. It is absolutely clear that the lot will be overflowing during the -- at least probably six months of the year. The other thing that hasn't been talked about very much is that there is open space behind this parking lot. It's right next to where my office is. And it is not as big as the parking lot, but if you did want to put more than one table in and a play structure, it could be actually a nice area for people to use and it's sort of between that -- where that neighbor was talking about and where the parking lot ends. We'd be very happy to work with you and with the zoo and with the children's museum on developing that space. Frankly, although you might think of this as open space, and it certainly would look nicer as green space, you would have a place that overlooks a parking lot. And that is not necessarily the best open space. Certainly not where I would necessarily think to take my kids for a picnic when there's eight miles of trails all around. Finally, with the world forestry center about to do a major capital campaign, we like to throw our name into the ring as potentially additional use of the space. And the children's museum about to open in early summer, and sure to be a great success, the problem of parking only get worse. So therefore the world forestry center respectfully requests the city council turn the lot into a permanent facility. Thank you.

Mark Reed, Forestry Center: I'm mark reed, the operations director at the world forestry center, also the chairman of the parking lot operating committee. I've been at the world forestry center for more than 20 years. I remember the pitch and putt golf course on this land before the omsi field that was present before the parking lot was built. With considerable slope and rough ground and a large swampy area, the land was seldom used for picnics gathering or recreation. I've never heard it called picnic acre until this came up. While it could be developed into a nice area, it has service drivers on two sides and overlooks the lovely parking lot, before light rail was built we were often running out of parking. We knew light rail station would eliminate spaces but felt it was best for growth. We explored building a parking structure but were advised that it would be difficult if not impossible to build on this land which is really an ancient landslide. Tri-met built this lot to replace spaces lost by construction. It was understand it would be moved when light rail started running. When the conset of the lot becoming permanent was raced and inspite -- in spite of our need for safe school bus parking we stood by that promise that was made when the original permission was granted. As part of the master plan for the zoo's review process we met with the neighbors and neighborhood representatives and discussed the issue. Everyone at the meeting agreed it was in their best interests to have the lot remain. With these neighbors' support we also greed to support the conversion to permanent. Deciding factor was the significant number of days this additional parking capacity would keep traffic from spilling into the neighborhoods. With the acceptance of the zoo's master plan, tri-met was removed from the obligation to remove this lot. Any cost to remove this lot would likely fall to the city. Without this parking lot, school buses and rvs will be forced back into the main lot creating major safety problems. Without this lot there will be an increasing number of days when the demand for parking exceed our total capacity, including the off-site parking we have and the traffic will block roads and spill into neighborhoods. Without this lot an increasing number of visitor task force will be disappointed and frustrated in trying to reaching the institutions. The city -- with that commitment comes an obligation to provide access to the widest possible range of visitors. Even with our best efforts of promoting light rail it is still not a good alternative for many of our visitors. We will continue to encourage alternatives in an effort to make the institutions available to the most people possible. We ask that you allow this lot

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to remain for safe public access. With the main lot often full and the museum about to open there's no other reasonable alternative.

Barbara Walk, Marquam Nature Park/40 Mile Loop: 1891 SW Hawthorne Terr., 97201. I'm barbara walker. I have two very direct connections to this site. One is the march qualm trail, 40-mile loop joined wild wood trail right behind this sighted. The second is i'm a board member of the world forestry center. I happen to be the -- to be this morning talking to glen, our new president, because he was new and we were discussing things that were our minds and learned about this for the first time. I said to him, that's amazing. At the mash qualm board meeting last wednesday, parks, three parks natural -- naturalist came to our meeting to ask us where we thought the most pressing need for environmental restoration remediation was. And they had in mind we'd give them lots of sites. We said, there's one that's so much worse than anything else, we want to tell you what it is. And this is the trashed site behind what's going to become the children's museum, which is now a trashed ecologically as well as littered and so forth. What used to be a beautiful the ravine, the that comes down from behind the big box lock of the back of the old omsi building toward the off ramps and we ask and the frontage road -- we ask the naturalists if we could help them and get friends of trees to help us, and we've talked to them about this kind of thing, to -- with park bureau supervision, revegetate this for native vegetation. And we believe that it would be an incredible site not only because it's trashed and it's there, but also because it is in two-minute walking distance from all the school children who go to the forestry center or to -- who will come to the children's museum to see how we're planning and why we're planting and trying to restore areas that have been degrade and abused. So then I learn about this issue, and I said, do you mind if I come with you? They said no. That's fine. I'm here to tell you that I believe that less than -- tony hit this on the very last bit of this -- my passionate plea to you is to recognize that we have, on less than an acre of land, sandwiched between two parking roads, two buildings and a parking lot, we have a better chance to get the next generation believing as we all want them to do in the restoration and respect and the love for things through programs that school buses of children will learn at the forestry center, the arboretum, the zoo, and the children's museum. There are picnic places that we all have gone to in hoyt arboretum and immediately above the vietnam shelter. There is a space for more picnic tables behind. Right now the march couple trail as it comes from the zoo, the overramp bridge across up to behind the -- until it comes to the forestry center, really looks more like a trail to an outhouse. We would love to do something with that. It's not our property, and with this we get the chance to weigh in. We would love to do that. I believe that's a better use of park dollars than to tear up the parking lot, replace it with vegetation that could be better put in a place where it's teaching the lesson, and --

Gilbert: Can I add one lost thing? We would be interested in exploring the extension of fareless square, giving discounts to people who come to the forestry center if they ride light rail, as well as -

Katz: Good. That's very positive. Thank you. Anybody else want to testify.

Erick Hoffman: My name is eric hoffman, i'm a direct neighbor at 1920 southwest highland road. I just have a couple of brief comments, primarily clarifications. Also for the record, i'm also a board member of the southwest hills residential league. Which as well -- there are two neighborhood association that's represent the directly affected neighbors. And that's the southwest hills residential league and the sylvan highlands neighborhood association. And I want to clarify that both associations have not really taken a position on this issue. I'll explain that somewhat. And then there's five of us who are the direct -- most directly affected neighbors and we haven't taken a very strong position on this as well. Now, I point this out, I commend arlington heights for bringing forward this discussion, the discussion on transportation issues and the discussion on open space is one that I strongly encourage and look for the further debate on this. The arlington heights

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does not speak as a voice for the directly affected neighbors, and so I just want to clarify that. The directly affected neighbors and in our neighborhood associations have debated this issue, and it's a real dilemma for us. Open space is good, we weren't particularly happy about the past promises possibly being turned around on us. That did not please us as well. But we also believe that the zoo and the other facilities in the region have become extremely popular, and there was a point there where our neighborhood became intollerable with parking problems. In our defense, the zoo over the years has become a greatly improved neighbor and have worked very closely with us on helping overcome and mitigate the impacts of this. And I think we're somewhat of the opinion now that the parking lot is part of that mitigation. But it's tough to argue against open space. I'll also clarify, there has been some testimony that the lot is empty many times when people drive by. I'll point out that that's as an agreement with the directly affected neighbors. That that is the auxiliary lot. We're very concerned about the influence of crime that the lot could cause, and they have worked with us to make sure that that is not the primary lot and not used except in peak periods. So I think that concludes my testimony. Except for one thing, I know there is some discussion here about paid parking. I would ask you -- that's something we've debated about as well. I would ask you to imagine from our standpoint what will paid parking do to our neighborhood? There are people who will very clearly want to avoid it, and we welcome the debate, but you can understand that we would be extremely concerned about the discussion on paid parking. Thank you very much.

Katz: Thank you. Anybody else? All right. You have five minutes for rebuttal.

Stamp: Good afternoon again. I heard some talk about old school. I'm from the new school. We have inhered a planet fore rivers caught fire and salmon runs decline and we're trying to do something different in the new school. Tony's right, this isn't a bird sanctuary. I don't think anybody said it was. It was a people sanctuary, a place where people came and had a picnic on a nice sunny, flat, open free ground. These are people that didn't want to pay 6.50 to use tony's open space. But as tony said, he doesn't want to cut the bottom line, because that's his revenue stream. And I respect that. But we've got to think outside the box. This is the new millenium. We can't be thinking like the old school about how to solve environmental problems and how to get light rail -- use light rail's maximum effectiveness. I heard people talk about neighborhood impacts. That's an enforcement issue. That's not really before us. If people are going to talk in the neighborhood, then you ticket them. I heard some talk about 3,000 persons is the magic number for overflow. Unfortunately that's not the data that their own application says. Here, table 3-b says typical weekend day, daytime attendance, 3,114, peak hour demand, 473 lots. With a supply of 960, that equals 49%. I'll take that appeal to luba any day of the week. We talked about the children's museum. They say they're going to use 250,000 -- I support the children's museum. My firm actually donated quite a bit of money to the museum and so i'm not hear bad mouthing the children's museum. I think it's a great idea using an unused space. That place has been closed since 1992. So they're coming in there, making good use of it. But the children's museum says, hey, look. We don't need land use approval because our impacts are different. We're going to be using off-peak hours. So don't make us bailed parking structure. Don't make a condition of approval on to us where we have to mitigate our parking impacts because we don't really have any. Yet the zoo is having, woe is us, the children's museum is coming, it's going to make it worse. You can't have it both ways. If they're a land use applicant that is going to create impact, the city has afternoon obligation whether they're going to come into that building without going through land use review. That's only fair. Talk about bus parking. Bus park assisting showing up with a little dog and saying, aren't we cute, can't vote against us. But this suspect about having kids park -- come in buses and be safe. This is about where you park in empty -- an empty bus after the kids

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have gotten off their unloading zone and are off in the zoo. This is not an issue about safety. And the thinking on this has been so far -- i've heard nothing that represents any sort of out of the box thinking. They're just saying, gosh, we've got more a lot of buses, we need more parking. There hasn't been any talk about whether these busesque park offsite or use the northern part of the lot. They could retool that lot into an auxiliary parking lot, rip out the car parking space and turn night a bus lot. And an rv lot. We do -- you can do the same thing they're doing with this lot. They just don't need this land to do it. They also limit the number of bus these come per day. One day out of the year they've got 80. But on average there's probably 20 or 30 by their own estimates. And if you limit it to 30 a day, or you have 30 in the morning, 30 in the afternoon, to do that, you can stagger the buses. The idea is you get people out of their land rovers and out of their ford suvs, and get them thinking about taking light rail. Another gentleman said they disagreed with the 30-day number that I had thrown out, saying, gee, it's used a lot more than 30 days. That's because the zoo isn't enforcing their, only use when it everything sells full policy. As someone testified, it's open any time you want to get in it. And of course people are going to use it, especially people going to forestry center and children's museum, because it's the choset point. -- closest point. But the point that i'd like to make is that the zoo's own data that it submitted in its transportation master plan says, 30 days. And so that's what i'm going on. That's the evidence in the record. You have to have substantial evidence in the record to support a land use decision, and that's the evidence. That's the reason I use that number. Now, we had a lot of talk about whether this is actually needed. Let's assume it is actually needed. Let's say there is a lot of cars coming here. Then you have to ask, does this really solve the need? I heard tony talk about balancing. He says, well, we need it in the balance. But on balance, it's only 120 spaces. What kind of problem does that solve? If we really have long-term impacts, I suggest we think about long-term solutions and not just a little stop gap measure, reminds me of the dutch boy sticking his finger in the dike to hold back the dam bursting. If we have a problem we need to come up with a long-term solution. Now, in that record, if you do -- if you must in cyst on placing this parking lot here, I suggest a condition of approval. We reevaluate the permanance of it in the future. Maybe a bond measure can be passed to provide long-term parking if it's need for now, I don't think it is needed. I think light rail fills the gap. We paid \$40 million for light rail, I think it's time we make an investment in having people use it. And with that, i'd like to turn it over --

Katz: Time's run out. Sorry. Council members have questions of staff? Or anybody else?

Sten: This may not be relevant, but what's your position on the testimony that there was a sense that a deal is a deal and there was testimony that the neighborhood during the conditional use came to a conclusion that they changed their position and would support this?

Stamp: I'm probably the wrong person to ask.

Sten: I'm trying to get a sense of the neighborhood priorities.

Stamp: My understanding --

Sten: Obviously some are not supportive.

Stamp: What i've heard from the people that i've talked to is they felt like a deal was a deal and they were promised, and they felt very much alienated by the fact that the government basically goes back on their promise. So i'm not sure -- I don't have the background to answer that with any degree of accuracy, but that's my sense.

Sten: Does the neighborhood have any -- this is not lapped use, does the neighborhood have any position that you know of on -- to the extent the parks bureau has money to spend where they want it spent in their neighborhood? Is it a costly proposition to turn it back to open space? If you want to be sure that's the way people are arguing, that's where they want the money spent. You are talking pragmatically about reusing things and all sorts of things, we were talking about spending a

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lot of money to restore this if that's the way -- if the neighborhood wins out. And that's money that clearly won't come out of a magic pie, it will come out of someplace else.

Stamp: Tri-met had the original duty to take the lot out. And when the lot was made permanent, I understand there was some deals cut as to who all would pay for it. But keep in mind that the parking lot was actually paved over before any sort of appeal period ran. It was a fairly brazen move. I remember when they hired me to look into this, I went up there, and it was already paved and I couldn't believe it. I said, gosh, no developer in his right mind would pave something when their land use approval isn't even final. It turns out the court of appeals said, hey, this was not done legally. Right now that's an illegal use, the lot, so I don't know where the funds would come from. We can work on that.

Sten: I'm going to have to vote on the land use. I was just making a slim attempt to problem solve, but I can see where it's going.

Stamp: I don't have any quick solutions.

Katz: Thank you, gentlemen. Does council want to ask anybody else questions?

Hales: I'm ready to make a motion. I think the motion is actually not the usual approval or denial of an appeal, because this is a remand issue. So let me take a shot at this and see if I get it right. I'm going to move that the council approve the parking lot and this is a tentative decision, and bring back findings revised findings to the original decision which support that decision. Is that the right motion, frank? Will it's not actually --

Hudson: This is a de novo hearing, so I think new evidence, so we have to basically make a new decision.

Hales: So I'd move the city council approve a conditional use decision in favor of the parking lot and bring back findings to support that decision.

Francesconi: Second.

Katz: All right. Discussion? Roll call.

Hales: I want to talk a little bit about that before.

Katz: You know, we change it sometimes, sometimes you want to talk, sometimes you don't. I went too quickly. Discussion.

Sten: I don't have a proposal, but I want to test something with the council members, particularly the two that are forwarding this and seconding. I'm not saying it's all your fault, Oregon zoo, but I'm dissatisfied with the economic incentive approach to using light rail. I think we've seen better strategies at venues all throughout town, and what I'm searching for is whether there's any reason to put some more conditional approval upon this that can be revisited if we don't, and I think the city has to be part of this, if we don't get more aggressive about -- or -- I'd like to put some teeth into trying to look at economic incentives. Maybe that's completely inappropriate. That's why I'm asking the question.

Francesconi: I appreciate you asking the question. I was -- I think it would be inappropriate. I think they need the parking lot for reasons I'm going to say. But the zoo is part of this with the world forestry center and the parking lot. I heard concerns about this. And so through the -- flew the parking lot committee, that's the place to have this discussion. Because it really -- it's all of our responsibility, not just the zoo on this lot. So I'll interject that, because I think we're going to have to look at not only the zoo, but what is the -- does the children's museum zoo do, and create a plan policy. So we'll have to do it through the parking lot committee. If we can't get there in terms of agreement, then we'll have to figure out a way for the council to look at that question. I don't know how that would be, but I don't think we should do this now without running this through the parking lot committee. But I was going to commit to the council to raise the question through the parking -- -- continue our discussion? Identify yourself for the record.

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Hathaway-Marxer: Susan hathaway. As a member of the parking lot committee, kathy represents the zoo, mark reed is the chair of the group now and he represents the forestry center, we have had many conversations about economic incentives to get people to come to the hill on light rail. And i'm -- I expect we'll have more.

Hales: I guess my frustration --

Saltzman: My frustration and -- is many conversations doesn't lead to anything. We've had many conversations as long as everybody is looking at their operational budget and saying, doing this costs me money and the only one who didn't say that was the forestry center, you're the only one to step up to the play and said you would be willing to look at a discounted admission for those riding transit. Everyone sells saying we're willing to talk about it, but it's going to cost us money. And if tri-met is not part of your equation, I just don't have any comfort that this -- we're not going to be back at the next master plan update looking at another parking lot and having the same discussion about why you can't charge for parking, why you can't do discounts on admission, you can't build up, build underground. Give us this next increment of land --

Kicunis: There's nowhere else to put parking spaces. Cathy --

Saltzman: You can say that now, but five years from now there could be somewhere else.

Katz: Thank you.

Saltzman: Give me some assurance --

Hathaway-Marxer: I think we're taking direction.

Saltzman: Give me an action plan and a date to come back to us.

Hathaway-Marxer: We have a plan. And those options are components of the plan. We haven't - - we've had great success with the ridership so far, and if we have to get to those spots to keep it up or get folks to the zoo, then sure, those will be on the table. But right now --

Sten: If I voted against this and you lost those spots, would you be in a position would you step the next steps? 96 incentives? Is this parking lot what's keeping you from that? I don't think that's what you mean to say.

Kicunis: The zoo paid \$5 million towards that station. We're not not financially committed to having people ride light rail. We're paying \$430,000 debt service every year and world forestry center is contributing a little bit. But we're committed to it. We are committed to its success. I have two whole folders worth of stuff I can't show that you shows how we hammer our visitors with taking light rail. So far we haven't seen the need to have to do that to exceed what our 20-year goal has been, and we'd like to exceed our 20-year goad, but we're not there yet. And --

Sten: What was the 20-year goal? I never saw that written down, but I keep hearing it.

Kicunis: 20%. Actually something said -- some transportation's plans fully had it at 10, but --

Sten: That's a good number.

Gilbert: One of the problems with doing some kind of a discount other than just the sheer economic impact is it becomes extremely difficult to administer since in order to make it effective you have to market it, you have to say make this choice when you're going to come to an institution to take light rail and we're going to give you a benefit. If you just offer, show us your pass at the gate, they've already made their decision of how they're going to come to the institutions. So in doing it ahead, the problem becomes as you start advertising that it's cheaper this way, I would guess on a given day a significant percentage of the people in the parking lot that drove cars have a tri-met pass they use for their daily work commute. So they can show that. And we tried working with tri-met to come up with some kind of mechanism such as a coupon or ticket or something they might pick up down on the platform which would then prove that indeed they came that way and they were not cooperative with coming up with that, because there wasn't an easy way. And we

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still feel there may be benefit to that, but the logistics have been very difficult to make it effective at making people make a decision to use light rail over a personal car.

Katz: And it's difficult because they don't buy the ticket ahead of time as they do at the civic stadium.

*****: Some people do, but a lot of people have a pass. I have a pass. If I go to the zoo can I use to it get a discount.

Francesconi: We can prepare a report, we can have an informal on this. I can bring the children's museum, I just don't think we know enough to put thighs kind of conditions on this lapped use right now. I'll do that if council -- i'll do it.

Hales: A simple condition, if we approve this today but that we get a report back on all these options?

Francesconi: I just said i'd do that.

Saltzman: I know, but i'm trying to make -- has the ability to have more force and effect than sort of a verbal commitment.

Francesconi: I promise that I will do it.

Katz: Blood.

Saltzman: Why can't we put something in there? We can't we codify it --

Francesconi: It's not necessary.

Saltzman: Can't it be a condition of a master plan approval?

Hales: Frank is looking nervous.

Hudson: Excuse me. A final decision has to be made by april 11th. That's our drop-dead date.

Katz: Susan?

Saltzman: Do we have the ability to attach a condition to an approval of this approval today?

Hudson: Yes.

Katz: All right. I hear a motion that commissioner Hales made that was seconded. Further discussion?

Saltzman: I guess I would make an amendment. The amendment would be that the -- we make this approval with the proviso that we have a report back from the parking lot committee one year from today -- today that gives us updates on -- definitive answers to the issues of charging for parking, providing discounted admissions for those who arrive on transit. And any other creative options to reduce single occupancy vehicle demand.

Sten: Second.

Katz: Let me just jump in. Normally would I support something like that, but tri-met is not on the parking lot committee. You can't get this done without your transit agency. They have to participate in this, and it takes hard work, folks. It doesn't come by a motion. And my hope is that we get that work done and that tri-met is at the table and they hear loud and clear from the city, and then we need to figure out some way of supporting that. So my hope is that commissioner Francesconi puts the committee together, but also brings tri-met to the table.

Francesconi: I just gave that responsibility to commissioner Saltzman. [laughter]

Katz: Let's get a roll call on the amendment.

Olson: On the amendment, not the motion?

Katz: The amendment -- just the amendment.

Francesconi: No.

Hales: I'm going to not support the amendment, because -- I made this worse in our discussion. We got a whole series of management issues here, and we've got a land use issue here. And the management issues, lord nose, need attention, and seeing all the awkward supposes to my questions, I think for me helped confirm that, that we've got serious management issues up here in

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this parking lot. But attaching them to this particular lapped use decision -- land use decision doesn't make sense to me. It's not the right tool to use to solve that problem. No.

Saltzman: Well, I think the way to get tri-met to the table is to simply have compelling directive of this nature, and I believe if they're not at the table that will clearly become the focus of the report a year from now, and the city will have all the ammunition -- ammunition in the world to make sure tri-met is at the table. This may be mixing policy with land use, but I guess I believe in trying to make a holistic {prof}, and we've certainly heard the problem. It the tragedy of the commons -- it's the most classic example i've seen. Everybody is using this resource and nobody is stepping up to the plate to try to take a responsible management for this resource with anything other than expand the comments. So I believe this is an amendment that can hopefully get people off the dime and start moving from beyond simply having more discussions and more discussions to really focusing in on solutions and what it takes to get to those solutions. Aye.

Sten: Well, I understand the argument from everybody's individual point of view, but i'm not satisfied yet that we've gone as far as we should on the economic incentives. I don't really see the problem with requiring a report back in a year. That's all it is. Aye.

Katz: I'm going to vote no. I absolutely agree with commissioner Saltzman the work needs to be done, but tri-met needs to be at the table. So ifer they're not at the table the report is going to come back that they need to be. So what I would rather see is commissioner Francesconi who said that he would take this task on, I don't envy him. I know we worked with the convention center expansion and with a lot of other issues with regard -- in -- and all of you on the civic stadium, it's hard and long work, but everybody needs to be at the table. I trust commissioner Francesconi will do that. He may be sorry that he offered that assignment for himself. But he said he would do it and I believe him. And I hope it comes back in less than a year. No. All right. Now a vote on the motion.

Olson: On the motion to tentatively approve the conditional use.

Francesconi: I'm going to vote aye for the following reasons. I'm trying to address the concerns raised in the lapped use, the case, the court of appeals and not other things, although at the end I want to make a couple other comments. There are significantly fewer parking spaces, 125 less than when the light rail station opened. Despite the fact there's been a 28% increase at a time when the zoo is exceeding their goal for light rail ridership. At a time when we're going to increase the demand by having another facility there, namely the children's museum. So you've got less parking, more ridership, exceeding the goal, and another competing facility, the children's museum. So i'm having a little trouble understanding some of this. Yes, the -- we need to do more even to encourage mass transit. And the way to do that is through the parking lot commit, and I won't go back into that. I do think the zoo has been better managed. In fact the cooperation with the children's museum and the world force friday center has improved since tony's become the manager of the zoo there. Were some issues, but frankly tony stepped up to try to address these things. And we actually appreciate it. The children's museum, folks, we do need to do more on light rail. And mass transit. And the veto car. And -- streetcar, and flexible bus routes, and auto van trips. But the reality is people still park. This is a reality. And so we need to support our vital institutions when they're not asking for more parking than was approved already. It's not that i'm asking for more parking. We have more vital institutions, and the whole idea is to have these institutions serve our citizens. Including all of our families. The idea, and I got a little testy, the idea that a time that we have added 550 acres, including 200 acres, 150 acres in northwest and southwest Portland in the exchange with the schools, and we've added park land where people really can use it or habitat value where it can be really used. I didn't notice some of the critics coming in to testify in support of these measures when we added this. The idea that the habitat value that we've added

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in northwest/southwest and then criticizing the park staff and others for a parking lot that's been paved over, what we're trying to do in the new millenium and the new age and this new century, is accomplish multiobjective uses. That's what we're trying to accomplish. That's what we need to accomplish. And the multiobjective at the top needs to be the environment. Absolutely. But educating the children at the zoo who can attend that for this parking lot in a multiobjective approach at the time we're purchasing this other park land, we make a dangerous mistake if you -- if you create litmus tests and you use this parking lot as a litmus test. You create an absolutely dangerous precedent. How can we ever come together as a community and as a city when you do that? I am confident that the majority of our citizens, including neighbors sitting right behind you, who are nodding their heads affirmatively, who live right next to the zoo, right behind you, right behind you, who live right next to the soar, right next to that parking lot, understand what we're trying to accomplish here. Maybe I haven't been good enough in communicating it, but clearly it's not the top-down approach. It's going to be a citizen involvement approach. Which we're trying to take and trying to address. Aye.

Hales: I think a number of people here probably sense the eye rony and actually the difficulty for me and -- in supporting this decision and making this motion. I think all of you know my belief about automobile storage and what happens when you design your community around storing cars versus pedestrians. And I think you all know how I got to work today. And so this -- if this -- this has got to be the first time I ever made a motion in support after parking lot, and it's -- let's hope it the lost. But I want to talk first about why i'm maybing that decision based on the criteria and -- in front of us and then talk about the management issues that aren't jermaine to that decision. And that is, our conditional use criteria, I went back and reread that section of the code again, because I needed to remind myself, our conditional use requirements don't say this use is conditional, approve it if you feel like it after the proponent makes their case. Our conditional use criterias say, this use is conditional. If they meet the conditions, approve it. And i'm a very fervent believer that although our code is imperfect, we need to follow it whether we make decisions and if we don't like what we get, we go back and change the code. What the criteria are, and I want to quote them, because I think they'll lead to findings, one is that the proposed use is consistent with the intended character of the specific os zoned area. And with the purpose of the os zone. Well, this specific area, and the os zone, by the way, is our catch-all zone. It's not about green grass. Pioneer courthouse square is zoned os. The Portland international raceway is zoned os. It's public space -- and forest park is zoned os. That's why it says, the specific area. Well, long ago, we made a decision as a community that this specific area is a multipurpose entertainment and educational place and we made a very good decision to serve witness transit. And i'm not satisfied with the mode split. We'll get back to that. But this is a regional facility where people can come from all over for recreational and educational purposes. That's the specific character, and there is some amount of parking required for that intended character to be carried out. Second criteria, adequate open space is maintained in the area, yes, of course there is. There's still hundreds of acres of passive open space within ten minutes walk of this site. And so there are other chiropractor tier ya as well. I think when you look at the way our conditional use decision is set up, it is, have this met the requirements to get their approval, yes, they v so that's why a fairable decision I think is warranted in this case. To the management issues, one of the reasons i'm willing to make the decision in front of us is that I think regardless of what we say here today, that we as a community are going to call the question on whether this parking scheme is going to work much longer. And oh, by the way, if it's uncharacteristic for me to support parking lots, it's also uncharacteristic for me to talk about precedent in land use cases, but i'll do it this once. I'll never vote for another parking space in this area. Or maybe actually you could probably take -- at least in this area, i'll

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never vote for another parking space. So we're done. This is it. We're going to have to manage the resource of limited parking. The theory that we've been operating under is that scarcity and hassle is good enough. To push people on to transit. I don't think it's going to work anymore. I think we're going to have to start charging for parking. And I think we're going to get to that decision someday soon, probably not too long after the museum opens. A summer or two from now. We're going to have to face that question. Because we've got other regional facilities like the convention center, also managed by metro, and the zoo, i'm sorry, and the trail blazers arena and the expo center at a remote location, also managed by metro where we charge for parking. We're going to have to charge for parking in a place where we have less an thousand spaces for a world forestry center, a children's museum and a zoo. So whether they're ready to do it today or not, to me i'm cavalier about that, because we're going to have to do it. And we as a community are going to have to do that up there, and I think people know that. That's why we built booth and gates. So we're going to get there sooner or later and I think it will probably end up being sooner. We have a serious management issue and the neighborhood is right to question whether or not our words and our deeds are matching. But that's where we have to match them, is in the management issue. On the minimum requirements of the conditional use decision, they've met them. That doesn't mean the management of this will be held to those same minimal standards. Aye.

Saltzman: As you can tell, i'm very skeptical about this whole proposal. Part of me, I don't like how this happened. I do think there's real merit to the notion when you make a commitment to somebody that something is done on a temporary basis and come back and make it permanent, it does undercut the credibility of all of us in government and public institutions overall. So that part bothers me extremely. And I served on the west side light rail citizens advisory committee as a citizen, and I know about the extensive debates and commitments that went on and the substantial will that went into making this incremental investment to do the deepest light rail station transit station in the country. Which is a remarkable achievement. When you think -- talk about education, people about what a zoo is about, what a force 30 center is about, think about the added benefit of what it means to kids to see 2 million years of fossil history, to come up through a transit system, to take a transit system the zoo to start hard wiring those types of travel patterns as opposed to to the way we got to the zoo, in the back of a station wagon or minivan here's an opportunity you ought to capture, and you're not because you're not thinking big enough. You're simply thinking near term. I'm heartened by commissioner Francesconi's committment to have a report to us in a year about how to resolve these issues and how to go beyond simply, we're willing to park, to we're willing to figure out solutions. And if there's solution that's require further involvement of the city, we'll know it, and I think our sites will be focused and narrowed about who needs to be at the table to make these things work. That may include us. I do after hearing the testimony, I believe we need this lot. As I said, i'm disappointed in how we're getting here, but I believe there is a real need and i'm very disappointed in everybody's unwillingness to really imbrace more creative solutions than the typical suburban response, which is, we need more surface parking. And we need to be as I said, that's a very disappointing response and I guess I would echo what commissioner Hales has said, although maybe he meant to say he said he'll never vote to support another parking space here, I would maybe say i'll never vote to support another parking space that's not vertical either above or below the existing parking spaces. In other words, no more incurs into the open space and i've got to say, if anybody is listening to the raid 0 or tv, we all know about disney land's new adventure, and how can they -- it happens to be built on their old parking lot which was probably 40 acres of parking. If even disneyland can do away with their parking lot and still charge people 40, \$50 per person to get in the gate, we ought to be able to figure out how to put some modest incentives to get more people there to go beyond our transit split goals. We don't need to stop at

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the goals. And I -- we invested a lot of money in this station and in this system and we ought to be more creative and not just resort to the old tragedy of the commons. It's somebody else's problem, it's all of our problem, it's somebody else's problem. We'll sit around and talk about it some more. So i'm going to vote to do this expansion. But I look forward to this report and as I said this, is the last time i'll vote for a horizontal parking space at the zoo. Aye.

Sten: This is one of these votes where i'm looking for a different choice than yes or no and I don't quite have it. I am going to support the motion for just a couple of reasons. I do think it's very close on the numbers, but I think the zoo makes the case. The reason i'm centering lug with this is two reasons. I think the open space case is a very good one. I find it very compelling. I also think that i'm very troubled by this -- the way the deal was changed. And the fact that some people feel like they had a deal as part of this and it didn't happen. On the other side, there are fairly pragmatic reasons. I do think there's going terror more cars coming with the new attractions, and I think this parking lot is going to be extraordinarily expensive to tear up and move out, and the -- on the main land use case I think they make the numbers. On the policy case, I have a hard time seeing that the best priority at this point is to rip this thing out and also I did -- I have been struggling, I can't quite dredge it up in the memory banks, I did vote for the master plan overall piece, so I feel a bit of a hypocrite if i've changed my mind after the zoo has -- and i'm pushing on you hard, but I think you've been aggressive in implementing the transit plan. I think the piece that's missing at this point, I think we have to consider the parking part of the whole experience that you're getting when you're up there and I think we have to reprice the whole package so that if you decide not to park, you pay less than if you decide to park, but find a way, I think there are ways to -- if you look at the whole piece, structure it so it doesn't have an adverse impact. I think we've got to be careful with throwing poor kids around haphazardly on all sides of this argument. There's penalty of ways to get a bus to the light rail line, but if -- if you've got five kid and you -- and it's coming with you maybe you're taking a few people, it's a buck each way or more, you're talking about ten, 15 bucks to catch the max up there and free to park. As long as that's the economics, I don't care how much you encourage people, i'm not going to spend 15 ducks to catch the max with a big group of people when it's agree to park. -- free toe park. So we have to step up and say, behavior is learned through economics, and we've got to create the economics differently and that can be done in a way that doesn't have an adverse impact on poor people. But it's going to have to be that part of the price of admission is the price to the parking lot and you readjust accordingly. So it's with some hesitancy, but I think at this point I feel compelled to support the master plan that I supported the first time around. Aye.

Katz: It's all been said. Aye. [gavel pounded] thank you and we stand adjourned.

At 5:30 p.m., Council adjourned.