



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 18th DAY OF APRIL, 2001 AT 9:30 A.M.

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

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

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

- 429** **TIME CERTAIN: 9:30 AM** – Accept the Fremont/Martin Luther King Jr. Boulevard Vision Study (Report introduced by Mayor Katz)

Motion to accept the report: Moved by Commissioner Hales and seconded by Commissioner Francesconi.

Disposition: Accepted. (Y-5)

- 430** **TIME CERTAIN: 10:00 AM** – Adopt the Small Business Opportunity Strategy to define and strengthen the City role in small business development, improve service delivery system, enhance partnerships with other jurisdictions and bureaus to optimize the quality of and access to available services (Resolution introduced by Commissioner Francesconi)

Disposition: Resolution No. 35990. (Y-5)

- 431** **TIME CERTAIN: 10:45 AM** – Direct the Bureau of Purchasing to suspend the Selective Purchasing Rule that prohibits contracts for professional, technical or expert services with firms that do business with the military government of Burma, also known as Myanmar, but urge the governing boards of the City Pension and Retirement Systems to divest from their investment portfolios all stock from companies investing in Burma (Resolution introduced by Commissioner Sten)

Disposition: Resolution No. 35991. (Y-5)

Mayor Katz left after the vote on this item.

- 432** **TIME CERTAIN: 11:00 AM** – Accept the management report for the Office of

APRIL 18, 2001

Sustainable Development Solid Waste and Recycling Program (Report introduced by Commissioner Saltzman)

Disposition: Accepted. (Y-4)

433 Accept and recommend for distribution the City Green Pages, a resource guide for sustainable actions (Resolution introduced by Mayor Katz, Commissioners Francesconi, Hales, Saltzman and Sten)

Disposition: Resolution No. 35992. (Y-4)

CONSENT AGENDA - NO DISCUSSION

Mayor Vera Katz

***434** Authorize a Historic Preservation Fund grant application requesting \$25,000 to develop specialized historic district design guidelines for the Alphabet Historic District and the King's Hill Historic District (Ordinance)

Disposition: Ordinance No. 175483. (Y-5)

435 Grant a limited ten-year property tax exemption to GSL Properties, Inc. for new multiple-unit rental housing known as Phase S of the Yards at Union Station (Ordinance)

Disposition: Passed to Second Reading April 25, 2001 at 9:30 a.m.

***436** Contract with Reward Strategy Group, Inc. to complete a classification and compensation study of City of Portland Professional Employees Association positions and provide for payment of \$58,000 (Ordinance)

Disposition: Ordinance No. 175484. (Y-5)

437 Amend City Code Sections 3.15.070 and 5.08.100 and repeal Sections 5.08.050, 5.08.090, and 5.08.095 regarding travel and miscellaneous expenses effective July 1, 2001 (Second Reading Agenda 425)

Disposition: Ordinance No. 175485. (Y-5)

Commissioner Jim Francesconi

***438** Settle and pay claim of Foster Auto Parts, Inc. (Ordinance)

Disposition: Ordinance No. 175486. (Y-5)

***439** Grant Specially Attended Transportation permits to L an I Transportation, Royal Medical Transportation and Metro Medical Transportation (Ordinance)

APRIL 18, 2001

Disposition: Ordinance No. 175487. (Y-5)

- *440** Authorize an Intergovernmental Agreement between the U.S. Department of the Army and the Bureau of Fire, Rescue and Emergency Services for the loan of emergency response equipment (Ordinance)

Disposition: Ordinance No. 175488. (Y-5)

Commissioner Charlie Hales

- *441** Adopt the Phase I Program of the Northwest Portland On-Street Parking Plan Project, as defined and approved by Resolution No. 35987, and authorize the Portland Office of Transportation to implement the Program immediately (Ordinance)

Disposition: Ordinance No. 175489. (Y-5)

Commissioner Erik Sten

- 442** Authorize the City Attorney to intervene on behalf of the City as a full party in Oregon Public Utility Commission proceeding UE 122, the application of PacifiCorp for approval of Power Cost Adjustment and Power Cost Adjustment mechanism, to present the City view and protect its interest as necessary (Resolution)

Disposition: Resolution No. 35989. (Y-5)

- *443** Authorize Memorandum of Understanding with Clackamas County, Washington County, Multnomah County, the City of Beaverton, the City of Gresham, and the City to form a Consortium for the purposes of applying for Lead-Based Paint Hazard Control Grant funding from the U.S. Department of Housing and Urban Development (Ordinance)

Disposition: Ordinance No. 175490. (Y-5)

- *444** Agreement with Youth Services Consortium to fund activities related to providing a rental assistance program under the Transitions to Housing Pilot Project and provide for payment (Ordinance)

Disposition: Ordinance No. 175491. (Y-5)

- *445** Agreement with Portland YouthBuilders for \$700,000 for a comprehensive youth community service program and provide for payment (Ordinance)

Disposition: Ordinance No. 175492. (Y-5)

- *446** Contract with Enterprise Foundation for \$50,000 for the Enterprise/BHCD Child Care Network Support Project and provide for payment (Ordinance)

Disposition: Ordinance No. 175493. (Y-5)

APRIL 18, 2001

- *447** Contract with NE Work Force Center, Inc. for \$155,000 for the Anti-Displacement Outreach and Education pilot Project and provide for payment (Ordinance)

Disposition: Ordinance No. 175494. (Y-5)

- 448** Amend contract with Murray, Smith & Associates, Inc. changing the termination date to July 31, 2004 (Ordinance; amend Contract No. 30441)

Disposition: Passed to Second Reading May 2, 2001 at 9:30 a.m.

REGULAR AGENDA

Mayor Vera Katz

- *449** Authorize the Mayor to apply to the U.S. Environmental Protection Agency for a two-year grant of \$300,000 to build a market for greenhouse gas-free travel to fund local transportation greenhouse gas emissions-reduction projects (Ordinance)

Disposition: Ordinance No. 175496. (Y-5)

Commissioner Erik Sten

- *450** Agreement with Montgomery Watson to provide consulting services for the Bull Run Water Treatment Decision-Making Process for the Bureau of Water Works, at a cost not to exceed \$597,500 (Previous Agenda 381)

Motion to strike the contingency clause: moved by Commissioner Sten and seconded by Commissioner Saltzman. Hearing no objection so ordered by Mayor Katz.

Disposition: Ordinance No. 175497 as amended. (Y-5)

Communications

- 451** Request of Ed Coughlin to address Council regarding the Airport Conditional Use Approval process (Communication)

Disposition: Placed on File

- 452** Request of Jeff Smith to address Council regarding trolley cars being delivered to Portland (Communication)

Disposition: Placed on File

- 453** Request of Ron Hanson to address Council regarding trolley cars being delivered to

APRIL 18, 2001

Portland (Communication)

Disposition: Placed on File

454 Request of Jerry Ylonen to address Council regarding trolley cars being delivered to Portland (Communication)

Disposition: Placed on File

455 Request of Kathleen Juergens to address Council regarding terrorism in Portland (Communication)

Disposition: Placed on File

456 Request of Richard L. Koenig to address Council regarding nine page affidavit to Chief Kroeker as referred by Captain Robert Kaufman (Communication)

Disposition: Placed on File

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

APRIL 18, 2001

WEDNESDAY, 6:00 PM, APRIL 18, 2001

DUE TO LACK OF AN AGENDA
THERE WAS NO
WEDNESDAY 6PM SESSION

APRIL 19, 2001

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 19th DAY OF APRIL, 2001 AT 2:00 P.M.

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

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

457 **TIME CERTAIN: 2:00 PM-** Consider the application of Williams Communication to install a subsurface fiber optic facility in an existing rail corridor, on private and public rights-of-way, which runs parallel to the Willamette River, between the foot of N Basin Street, on Swan Island, and Cathedral Park (Hearing; 00-00423 CU GE GW)

Motion to uphold the hearings officer's recommendation and make the modifications and clarifications to the conditions in the four areas described, the construction management plan, the utility markers, the planting of trees, and the necessity of obtaining a site development permit: Moved by Commissioner Hales and seconded by Commissioner Saltzman.

Disposition: Approve Hearings Officer's decision as amended. (Y-5)

At 2:15 p.m., Council adjourned.

457-1 Temporarily reassign all City departments and bureaus to the Commissioner of Finance and Administration (Ordinance)

Disposition: Ordinance No. 175498.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

APRIL 18, 2001

Closed Caption Transcript of Portland City Council Meeting

This transcript was produced through the closed captioning process for the televised City Council broadcast and the Office of the City Auditor.

Key: ***** means unidentified speaker.

APRIL 18, 2001 9:30 AM

Katz: Roll call.

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

Katz: Any items to be removed off the consent agenda. Anybody in the audience want to remove an item off the consent agenda if not roll call on the consent agenda.

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

Katz: Mayor votes aye. All right time certain 429.

Item No. 429.

Katz: All right come on up. As you come on up let me share with you again that this just as interstate urban renewal project was a citizen projects so is this that your going to hear about today.

Didn't quite have a 54 member committee but we had a 23 member committee and large public meetings focus groups and I understand that king mark markee that's been quite and silent for months and months and months was reactivated to announce these meetings in the community again let me just say that the portland development commission did it the right way. Again clearly understood what it meant to work with a community and work with neighborhoods so I commend you even before you start. If you recall the albina plan concentrated on nodes mlk is a very long boulevard and so the strategic focus was to identify potential nodes that could work for revitalization whether it was housing or commercial revitalization and your going to hear about a section I still call the nodes, it's a terrible term, sounds like a disease, but it is a geographic section with a potential is very high and where we as a city has come into begin to purchase some land and so that redevelopment can occur. You know the area you know that there are some properties you'll hear about the grant warehouse property and the king mart property and there are others. I invite all of you to take a ride along mlk and take a look at the geography in this vision plan to see what the potential possibilities are. I've said enough I'll turn it over to you now.

Lois Cortell, Senior Project Coordinator, Portland Development Commission: thank you very much mayor katz. My name is lois cortell, I'm a senior project coordinator with the portland development commission. I am very happy to be here today after a long year, a great year to present for your acceptance a vision study for northeast fremont and martin luther king boulevard. I can't over emphasize how this study was founded in the albina community plan and identified this area as a commercial node. The mayor was right on, it's a great opportunity for neighborhood gateway we focused on other nodes up and down the boulevard this one was a central node at the fremont area. Pdc not only began assembling property here we've done the first phase of mlk street improvements between Fremont and shaver and we've had various partnerships with area small business' store fronts and dos predevelopment grants have already happened. This vision study will be the basis of our activity in the 6 block area for the next 3 to 5 years. So it's very important that we've gotten it off to the right start with a lot of neighborhood support. The process included a lot of outreach it did focus on 3 catalyst sites. I can't emphasize that it was significant and important for a lot of other reasons. It happening at the same time as the interstate urban

APRIL 18, 2001

renewal area planning the process gave the community and we have a lot of people from the committee another opportunity to dialog about gentrification and displacement concerns about parking, pedestrian environment and how to increase the participation of local developers and contractors. These were issues at the forefront of their minds and they are imbedded in the guiding principals that are in this vision study. I think it also helped to build some trust with pdc and it got a good number of residents that you'll see in the audience that hadn't been part of the traditional neighborhood association network, got them involved in the vision study and now more involved in their communities. A simple thing like a king food mart sign what to you want to see here. Its amazing how such a simple thing had such a positive reaction. Very quickly, I could not have done it alone, thanks to fellow staff at pdc, tammy tyler-cabezas from our economic development department was involved, christine herman from our housing department, alex dorsey my colleague in development. Also from bhcd dominic boswell and howard cutler were very involved came to a lot of the meetings. And andrea baugh from pdot while he was at pdot.

Katz: where is he now?

Hales: he's in the private sector.

Cortell: he has recently left. We did lose him. He's got a great replacement dan laden who has picked up right where he was and he's very concerned. I immediately, first meeting started talking about left turn lane. Denise whitney the market consultant is here and donna rambuli. I've asked him to give just a 5 minute actually it says 5-7 minute slide presentation. Very quick slide presentation. I thought it was important to bring to life for you the process and the vision. As soon as he's finished I have 2 minutes on implementation and then I'd really like to give the committee a chance to speak.

Don Rambuli: bear with me for about 7 minutes to give a quick run through with this. As lois mentioned we had a crack team of consultants. I think we also had joan brown kline who lead our public involvement process in that. And also javier falconi who was our transportation engineer on some of the critical issues. The study area extends about a block in either side of mlk extending from about shaver street at the north down fargo street at the south. The purpose of the study is three-fold and as you can see

Katz: were not getting it. Why don't you just start and will give you a little more time if we can figure it out.

Rambuli: the purpose of the study, let me just kind of go through this. There are 3 things that we wanted to do. First was promote the implementation of guiding principles. To direct development of pdc's king food mart and beech street parcels was the 2nd part of that. Third was to provide suggestions for the grant warehouse branville showcase. There was an extensive process and involved the community, there were 14 meetings over 10 months of time. Also, 3 public meetings, one of those was an open house a second one of those was a kick-off meeting and finally a public presentation. The committee was over 20 strong, representatives of the community, not only neighborhood representatives but property owners and business people. Other public events included a walking tour to look at the site. The outreach program was formed by and lead by the community. They wanted to look at non-traditional outreach approaches such as you mentioned the idea of using the sign of talking to people who don't speak english, going to churches and trying to get a broader segment of the neighborhood rather than just the usual suspects.

Cortell: there's a great picture of the sign here.

Rambuli: the guiding principles. There are 7 of those. A key to those are a couple and those include supporting existing business' there's a core of very, very vital and strong business' along

APRIL 18, 2001

this segment of the corridor. The prime objective is to make sure that whatever was done didn't distract from those business'

Cortell: you'll find those guiding principles listed on page 9 and 10

Rambuli: I'm going to back up and start with the pieces that are important. This idea about outreach was again to think beyond the usual people that attend these meetings but try to get a broader segment of the population. One of the key ideas Lois thought about was using that marquee which is often not a positive in the neighborhood but did work quite effectively. The guiding principles are 7 of those you see there and as I mentioned the keys are supporting the existing business's strengthening those and not detracting from that and also this notion about wealth creation. We're hearing that in other areas, interstate corridor, mlk, we need to make sure the local residents benefit from this by having employment opportunities there. There was some background information on that. The Albina community plan is the touchstone to all that, it's a neighborhood node and there's some zoning here that became very real as far as our examination of some of these parcels. In particular the grant warehouse site. The north is zoned as ex and the middle is cg and the south is rh. We did an inventory of all the business' we need to know exactly what the lay of the land was. Denise Whitney did market analysis and economic study, identifying the size of the market and what segments are being underserved. In particular there's a strong housing opportunity in this area. Partway through the study there was a need for clarification about some employment uses. Such as call centers. A focus group was convened to talk about that. After that the vision committee focused on 3 specific sites. The first site is site a at the intersection of Fremont and mlk, this has some strategic advantages, we call 100% corner. It also has some constraints, it's a small parcel and no on street parking. It has some access limitations because of left turn lanes. There's some concern that it needs to be compatible with the adjacent development. The market analysis said these would be appropriate considering those constraints and opportunities. The key was to replicate some of the characteristics that were already seeing along mlk. Put in commercial building and garage in the street. Adding some housing

Katz: that's the parking lot

Rambuli: right, behind that. And then having some housing as a transition, so you don't have hard edge against that. Some concern about that as far as the viability of the commercial if we add that housing. Were guardedly saying we should try to do our best to get housing but the reality is it might be a difficult thing to do on this site. As part of the rpf process, there is some minimum requirements that would be suggested. Large windows, door spacing, mlk rather than parking lots.

The second site is at the intersection north west corner of beech and martin luther king boulevard

Katz: did you clean that up?

Cortell: we have. Were working on a bid for a shelter market contractor to demolish that shed and clean it up. It looks bad.

Rambuli: this site is very much similar to the previous one. The advantage here is it does have on-street parking. Recent streetscape improvements have provided on-street parking and that critical if were looking for some sort of anchor tenant. It was hoped that there would be a series of uses that would be appropriate. One would be an anchor tenant such as house ware, such as kitchen kaboodle. Or a jobs creation center such as a call center or a small office suites above that. There was a series of alternatives developed here and similar to the other one we'd keep the larger building engage in martin luther king the parking behind it and possible row houses facing garfield avenue on the back side.

Katz: do you own the piece of property west of the property that you own today

APRIL 18, 2001

Cortell: its at the north where there are 3 lots that we don't own and there's 3 alternatives one with that lot and one without. That property owner came was part of the process and I continue to meet with him regularly.

Hales: pdc does now own the site with the shed on it?

Cortell: the shed and the small single family home and 2 lots on garfield.

Hales: just a footnote, I assume were going to be terminating the billboard contract?

Cortell: the billboard lease, they will go away within 60 days once we have a permit. That's the condition of the lease.

Hales: pdc still has to many billboards, we have to work on that.

Katz: we need to work on that, especially if you give money to people for whatever reasons

Cortell: we've tried to cancel it it's really tough.

Katz: thanks charlie for reminding us.

Rambuli: if you don't pick up the parcel to the north, that building would remain. That might cause a need for the housing to go away to provide adequate parking for an anchor tenant retail. As far as the design character of the buildings, one of the hopes would be strong corner element and active ground floor and mixed use as vertically above that in traditional rather than contemporary architectural forms was hope for this sort of building being developed here.

Katz: is this a design zone?

Cortell: it does have a design overlay.

Rambuli: the third site that we looked at is further to the south and this is roughly from about ivy street down to fargo and about 100 feet deep on the east side of the site. The northern parcel is the grant warehouse site. The southern one is a private parcel that we included as part of the study. This is zoned rh and the hope is to get at least 100 units of housing. This is what the market study came up with uses they thought were important. Think about housing segment that isn't being addressed well in the corridor which is larger units for families. Were hoping to get some sort of use from that. Along with attracting families its important to provide an amenity package that works for families. When we developed the scheme we think about things like what were seeing on the left at russellville where you've got a simple green. Think about home occupations. So if you've got families it might be helpful to have people living and working at home not having to commute. Think of it as a housing project. When we looked at massing there were some ideas about how that might occur and try to take advantage of the strategic exposure on mlk and then transition and soften the development as you approach the single family neighborhoods to the east.

What we also hoped would be an emphasis on green building practices. Stormwater runoff, using material that are sustainable are prime objective that the vision committee had for this site. A reaction we heard time and time again was people wanted to see more traditional forms rather than contemporary art. The second part of the study was to look at

Katz: if you can't do good new designs fall back on the old.

Rambuli: that's right, there time tested designs. The second part was some circulation pieces. Only looking within property lines but looking at the street improvements. Improvements have occurred but there was hope that some of those things over time can be supplemented. There were 3 areas of concern. Northern area is from a failing to beech. The second part was the intersection of fremont and martin luther king. Lower portion adjacent to grant warehouse. The vacant parcel.

Up at the north the hope was as this parcel developed we could get a little bit more relief.

Advocating a wider sidewalk and promoting more additional landscaping tied into that to soften the landscape. There was a strong desire to link the east and west sides of the streets more effectively hope was to provide a pedestrian cross light and additional landscape so its softer.

APRIL 18, 2001

Katz: it slows traffic.

Rambuli: absolutely. Probably the flashpoint for the community and most interest is resolving the transportation bottleneck at fremont and mlk. The desire is to looking at providing left turn lanes and turn signals north and south bound traffic can flow better at fremont. This has resulted in a secondary problem the congestion has caused cut-through traffic into the side street.

Cortell: were doing a lot on implementation already and I'm happy to answer questions about that but I know time is running short and I really want to let people talk.

Katz: lets hear from the committee members and then as you close, quickly run through the implementation and the suggested timeline.

Cortell: there were a few people who couldn't come and sent letters, I can leave them with Karla.

Bill Lucas: to me the most important thing of this process as a new resident in northeast portland over the last 5 years is the guiding principles. Over the course of this process I've learned more about portland and northeast portland than the things that have happened either well or not well for the last 20 years. I felt the guiding principles really address some of those concerns. Not being an architect I can't tell you what should go where or how tall the buildings should be or what the windows should look like. I can tell you some of the concerns that I have seen in the community as a parent and volunteer with youth in the community. What were not addressing now we will have to address in the future especially some of the young black males in northeast portland. I think that we can build something that has a foundation or framework that can address these things the guiding principles tried to do with living wage jobs. Not trying to displace people from the community which I think will happen. I've seen evidence of that happening with the development in northeast portland. We support the diversity of the community which is the reason I moved to northeast portland, because of being able to be around people who looked and talked like me have shared experiences and the same thing for my children and I think that was important that we have that. Keeping the community diverse is the core of what we tried to do regardless of how tall the buildings are or what kind of windows we have in there. We really want to have that to keep the richness of northeast portland.

Francesconi: let me follow up with one questions. What in this proposal or project, what's in it for young black males?

Lucas: the living wage jobs, the questions being addressed in the process of what is this going to do for the youth. There was some discussion with mccoys village. With kids at sei. Those questions were brought to the table. Its not perfect, its not going to address everything but the fact that those questions are brought to the table is enough to say were really concerned about this what are we going to do. One other thing I'm involved with is crisis team, schools in northeast portland. I think this is part of that, this is part of youth development in that community it will leak out to the schools. You have more people who feel like they have a voice, that their concerns can be heard. A lot of problems in the schools we have in northeast portland is that people have felt not heard, felt ignored. I think this is part of that whole process of finding, basically heal some of the wounds that are in the community.

Betty Walker, 3124 NE 17th: I wanted to add my voice to the report to have something done about mlk and fremont and a left turn sign arrow preferable and I was disappointed in 1980 when they were making the left turn signs off of mlk for the first time and they didn't do the one's onto that. I guess it didn't fit into the program. Its 20 something years later and I hope it's time that we deal with it. With a left had signal preferable, but I did hear an idea of releasing them at different times. Its done in other cities, all the traffic going east would be released at one time and they could turn north or south on mlk or straight ahead and then they'd do the other direction. I wanted

APRIL 18, 2001

that that be dealt with, I know it's hard to get in the transportation budget and so forth but I wanted to ask. And also the housing on the back of the king side of there's a debate as to whether they should have on the back of the lot to make it go into the community better.

Daina Hamer, 3622 NE Grand Avenue: I wanted my first remarks to go toward what the process with the committee was like. I really believe that this plan represents this communities vision for this piece of property. We all came to the table with various opinions, points of views and agendas.

There was a remarkable of respect that was paid to each and everyone of us in terms of hearing each others issues and collaborating on coming up with solutions. We felt pretty strongly about the housing and we have tremendous concerns about the impact of traffic on that particular site, because of the left turn in and left turn out on both sides, which is going to force traffic into the neighborhoods.

Katz: thank you for participating.

Jennifer Marsicek, 4208 NE 8th. Portland: I'd like to thank Lois Cortell of PDC and the entire consultant team for their dedicated work on this project. It's not always easy to consolidate the ideas of a large group and produce a product that is a true collaboration. Supports the vision study after several months and many meetings, a solid set of goals and ideas backed by a strong set of guiding principles has developed. The time for action on the items is now. Over the past few years I've seen several pdc properties along the boulevard studied with varying levels of public and private involvement. The wimer warehouse rfp which will now be incorporated into this study and the king commercial study occurred with different degrees of and pdc involvement, but yielded results that were expressions of residents sentiments as is the case of this vision study. Residents now await action on all of these plans. I urge the adoption of this plan and its timely completion along with of those already approved. I ask for pdot support and continuing to approve the driving and walking experience along the boulevard. A left turn lane and signal needs to be added at fremont as well as additional pedestrian crossing up and down the boulevard. On street and alternative sites for parking should also be a priority. The neighbors in king welcome the opportunity to comment and participate in the future development of this part of the city and would like to see those efforts born out. As the public entity charged with the boulevards economic revival pdc must now take its studies through completion and develop the land it owns according to the results of the visions associated with them. The boulevards continued positive growth depends on it.

Rocky Polzin, 224 NE Shaver, Portland: A resident and representative of King Neighborhood, district 5. Concerned about the intersection of fremont and mlk. Became slightly handicapped and found out it is impossible to make it across the intersection in the time allowed by the lights. Adding a turn signal would increase the time and safety for our pedestrian walkway. Only 1 block from that intersection is an elderly retirement home, by not having access to cross to the new facility to be built there is criminal. Secondly, the housing buffer is a concern. By allowing this buffer even if it's live-work areas, that is really necessarily needed in northeast portland. We do not have those type of facilities, this would allow a more friendly more vibrant neighborhood. Want to thank and appreciate all the help that pdc and the consultants have done on this job and the allowance of time to get out our concerns. Normally processes like this our considered very rushed and cold. This one turned out to be a very friendly and open discussion. Thank you.

Katz: it warms my heart to hear those words. This is a question for pdc. There's a work live place in northwest portland. I'd love to find out to what extent the places have been occupied and what kind of business' are occupying the space. To get a better handle on the notion of a work-live place.

APRIL 18, 2001

Cortell: as we move forward we will have more specifics.

Nancy Johnson: not on the committee, but attended 95% of the meetings. Saw more community, neighborhood and city involvement, than I have seen in the whole 10 years that I have been in portland. Greatly want to thank the committee and pdc, lois cortell for putting up with everybody. The plan they are presenting today is a very good one and should be forwarded on to it's completion. Again, the traffic signal at fremont and mlk, something needs to be done about it. A twenty-minute wait between 4 and 6 p.m. at night is atrocious. Being part of the neighborhood and knowing that housing for seniors and new families is needed. If that buffer behind king food mart will get the 5 or 6 extra houses will be a bonus to the neighborhood.

Francesconi: was there any disagreement on your committee about the need for the left turn signal, left turn lane?

Johnson: no.

Polzin: that was the very first thing we agreed on from the very beginning.

Johnson: the opposition came from odot.

Katz: why am I not surprised. Thank you. Though I must add they were very good partners in the community solutions along mlk.

Christine Charneski, 232 NE Fargo, Elliott Neighborhood: we didn't really vote, but did accept the plan and general concept. Regarding the process we did have a steep learning curve. The community learned a lot, to work further on development plans. Commend the team for sticking it out with us and worked together, this came out well. The site at ne fremont and mlk, would the housing offset or make a commercial success impossible. I don't know if that's true. I think that there are a lot of designs and tenants that we can seek for. This neighborhood needs bagels, good juice, good coffee this neighborhood would sustain. The Grant warehouse, ever since the superfund effort began, the neighborhood has a strong interest in doing something there. Not just a standard development site, but doing something green and innovative. Regarding living wage jobs, I would like to see, if that site becomes acquired, is looking at coordinating with other existing programs, enterprise zone or what have you. To build capacity as were generating that project, for entrepreneur programs bringing people together with the live-work ideas. The whole committee is committed to building wealth within the neighborhood. Bring people into these projects.

Edwina Wasson, 6519 N Haight: Thank the committee. Supportive of the project. Recognizing the guiding principals that are outlined in this process as were doing the rfp's and the development in the area. Particularly preserving and enhancing the racial and ethnic mix of business' and housing in the study area. Avoid involuntary displacement of African Americans and other minority groups, low income families who reside or have business' in this study area. Housing, not everything on the boulevard needs to be low income. Moderate income range is appropriate and needed as well. In support of business' and what your addressing later today on small business development. Business' need to be owned and operated by people in the community as well as other minority groups.

Marla Smock, 4037 NE Garfield: The committee work was excellent in this case. Emphasize that we continue to struggle with infill development and how its connected and built in our neighborhood. Need to work harder on that. The connections across Martin Luther King, pedestrians trying to cross the street is difficult. Any work that can be done to improve that situation would be much appreciated.

Katz: most of the infill development in the single-family ownership are exemplary. There are some infill developments that are on the borderline. What were you referencing?

APRIL 18, 2001

Smock: I agree with you that much of the single-family resident housing infill is pretty good. A lot of what we see in the duplex, four-plex situation is still even in design overlay areas a real struggle.

Cottrell: this is a group that did not want to disband.

Katz: you've got an honorary member. The lady with the Hershey sweatshirt.

Cottrell: nancy camedect. It was a huge group and we've already had our first implementation meeting and they want quarterly meetings to monitor us. They will insist that we do this. We've already begun site preparation work on pdc sites, distributed the new green building goals to the committee. The first implementation meeting to start talking about that. We've begun meeting with the elliott neighborhood to talk about expansion of the urban renewal area around the grant warehouse as a potential way of bringing in tax increment resources to that project as well. Larry hecht was not able to be here for this meeting and very supportive and active.

Katz: thank you. Questions by the council.

Francesconi: so this hovey study, the economic analysis explaining what the business opportunity are for entrepreneurs, has that been distributed to business folks and to the community

Cottrell: I've actually started, I've only done one block so far but we formed a new partnership with psu outreach program

Francesconi: I think he's here

Cottrell: Cody. I walked with gary brown, we have a separate analysis that I distributed, it's on the website and there's a summary in the document.

Francesconi: your going to give that to everybody along the business's along mlk

Cottrell: yes. There's a great wish list that the committee compiled from the vancouver-williams study the king study and this study

Francesconi: along interstate, the new urban renewal district to be, they've done a door to door survey of all the business' and they've identified all the african-american, latino, asian business', have we done this here? Do you know the numbers, the break down?

Cottrell: I do not know the numbers. The map has a pretty detailed listing of ever single business we could figure it out very quickly. It's certainly diverse and we accepted it at its phase and continuing strength in that diversity.

Francesconi: if you could do that, that would be good. Now do you have a way to recruit business' into this area? Is that part of the strategy?

Cottrell: we do have an economic development department, I think robert and roberts is here. Tammy tyler-cabasis was pretty active, she's our business retention person. We hope that these projects will bring in new business in the pdc owned sites

Francesconi: in terms of eddie burn, the person who owns the property across the street

Cottrell: eddie bynum

Francesconi: now there's an african american owner of that property

Cottrell (cont.): yes, were doing an analysis right now.

Katz: I just want to enlighten of those questions for everybody, commissioner francesconi is familiar with this. Page 41 and 42 has the tools between the city bureaus. Not all of them fit well, there are the ifs and maybes. Commissioner sten is also keeping an eye on the use of land trusts to lower the cost of housing. We've also talked about the use of land trust for commercial development so that we can lower the cost for african american ownership. Those are the tools we need to be aggressively using them. I'll take a motion to accept the report

Hales: so moved

Katz: second

APRIL 18, 2001

Francesconi: second

Katz: roll call

Francesconi: This is terrific. It's very exciting you deserve a lot of credit for the staff work that was done of this. The people on the committee are nodding their heads yes behind you. We need to reward the citizens and improve the area by doing that left turn lane on fremont. Two commissioners go through that intersection every morning. We've had very good studies done by citizens and things don't happen. This is a specific thing we can do to reward the citizens and improve the area. I appreciate the citizen's work on housing including market rate housing along here. That is a strategy to create wealth in the community provide housing to people that need it and support the businesses. Transportation improvements and housing, including market rate housing are some of the best strategies to support small businesses in neighborhood business districts. I want to commend this committee, it's not universally accepted in lents that housing is a good strategy to help the local businesses. It's a way to create wealth in the community. In addition to talking about the what, the windows, the street improvements the traffic improvements, housing, it's the who that we are trying to benefit. Eddie deserves for us to try to help him, there's a success story without government help and he has some businesses there. We need to build on that and identify those other entrepreneurs. Support them with technical assistance, training help, capitol help, entrepreneurial help and do it in a more intentional way. Thank you for this project. Aye.

Hales: this is a great piece of work. The kind of collaboration the mayor and pdc now is increasingly know for. In the past pdc was known for not working well with neighborhoods. We reversed that and people get the opportunity as you have in this case to improve it. Thanks for doing a great job and having this good collaborative working relationship with a team of consultants who do great work, neighborhood and staff. We talked a lot about the importance of some of these projects and it does have an important effect in growing commercial businesses there and creating entrepreneurial opportunities for people in the neighborhood. It has an important effect on jobs and a symbolic effect as well, creating jobs for the young people, a critical task. It says a lot to young people and everybody else when the community invest in a place, puts money into public works and has people put money into private investment. It says the larger community cares about this place and the people that live there. It's a commitment to the area and the people. There's no argument between the members of the committee and the city about the left turn lane. The whole council is interested in finding new local revenues to pay for these kind of projects. Aye.

Saltzman: This is great work. I commend pdc and the committee. A concern is there is an entrepreneurial economy out there, the young up and comers who have the idea. A problem both current and prospective businesses are encountering is that they are losing out on property acquisitions to pdc. Pdc has the properties and the business idea, yet no clear game plan, when this property would be available to them, under what circumstances, what's going to happen to it. Are we bidding against businesses that want to start today. Aye.

Sten: it is an admirable piece of work. There's a lot of things coming together. Compliments to the citizens and staff who worked on this. I've been eager to get moving on trying to work with the mayor and find some money to do the housing and the commercial. This is a good strategy. The best of technical work and community development issues and organizing people around a vision. This vision is achievable. It's a very exciting opportunity for both business and housing. Thank you. Aye.

APRIL 18, 2001

Katz: I wasn't aware that we bought the corner lot on beach. The sooner we clean that up the better. King mart and the issue with the grant warehouse I'm aware of, I wasn't aware of that so congratulations for doing that. It's my hope that when there is pdc money involved in property and there is a billboard erected the sooner we eliminate it the better. We need to identify the displacement that has occurred in businesses, renters or homeowners along the study area. We hear about it we see pictures, but we don't get a sense of what actually is occurring, I'd appreciate you looking into it. It would be nice for us to know the ownership of parcels where we have an out of state slum landlord. Some of us are still not happy with the design overlay along mlk. I want the implementation group to force us to review the design elements and improve on them. I've heard from all of you the development of entrepreneurship. It is our ability to build capacity for innovation. Those are good words, I'm not sure how you do that where you do it. As you begin thinking about entrepreneurship and building that how do we build capacity for innovation. It its not happening in our schools, high schools or community colleges where should it be happening. I invite all of you interested in planning, land use, housing and small businesses, if your not satisfied with the law enforcement area and concerned about it. I invite all of you to participate in hope and hard work at the Lutheran church every Thursday at seven o'clock. Aye. Thank you everybody.
430

Item No. 430.

Francesconi: we have already begun our small business strategy with the prior presentation. We have a good diverse group of folks here to testify. I want to briefly outline the history of this. The reasons for this and the city already does a lot for small businesses, in my view it's a little disjointed. This is an effort to pull it together and be more specific about it. The economic benefits, 85 percent are small businesses and they pay taxes. We need more business revenue to support parks and schools and other things. The studies from michael porter, michael kingsley and others show that small businesses help re circulate money in our community, as opposed to it going somewhere else. If this corner is more vibrant with businesses it creates a better sense of place for the neighborhoods. Small businesses are an opportunity to create wealth in a more equitable manner than we currently are doing. If we provide these opportunities through combinations of working with the african american chamber, the hispanic chamber, bob stoll, cascadia to try to create wealth more intentionally in people that have been cut off. I was trying to understanding myself and meet people I don't normally see at city hall. I walked about 22 business districts including this one on mlk and fremont asking them what they thought about the city and what the issues were. I've been visiting cities in conjunction with other things and read about best practices. Boston's program has a detailed main street program to supplement the downtown development strategy. They do storefront improvements, retail security initiatives coordinating police with the business districts. They have a marketing campaign that the city helps finance for all the local business districts during Christmas time, as a way of getting more shoppers into the business districts. They have job recruiting and retention in all the business districts and so does the city of san diego. They have a business assistance team, where all the bureaus are in one spot. They go out to targeted business districts and offer help from the city and hook up with other businesses. We've assembled a team led by sam adams, myself, robin from pdc, jim wadsworth, Cecilia heron who I'd like to thank from licensing, steve rudman and howard cutler from hcd. Sue klobertanz from bureau of purchasing. One think we've accomplished is to get a team together to learn what were doing and try to focus it. I'm pleased it's in pdc, that's the only place it belongs. We unearthed a report pdc did in 1986 by patricia Scruggs. Documented the city needs, did a survey of small businesses and identified these same issues that I've listed in boston, etc. the main thing in

APRIL 18, 2001

the study is that there's a perception, not necessarily a reality that the City of Portland doesn't focus enough on small business, that we care more about the large employers and I've heard about tax abatement to large employers. What are we doing for the small business that are here was Patricia's main conclusion in 1986 and one of the things we were trying to address. We've had some success's already the business portal that Cecelia worked on and Patricia Scruggs has analyzed and was amazed describing it as one of the best she's ever seen, and came up with ideas on how to improve it. Not to create a new program, but focus on what we have, add some value, work with some partners and create more opportunities for equitable distribution of wealth, improving the business districts and helping small business.

Jim Wadsworth, Director, Bureau of Licenses: in 1994 prosperous Portland which defined the city's role in business development was adopted by council. It states the city must recognize the importance of small businesses to the Portland economy and emphasizes the efforts that support and nurture their retention and growth, the city should promote and enhance the special character and identity of Portland's designated commercial areas. Improve access to government programs and process for minority owned business. A subsequent small business needs analysis requested by the PDC reiterated the prosperous Portland recommendations which the resolution before you proposes. In December of 1999 the Bureau of Licenses, Housing and Community Development, Purchasing and PDC along with various commissioners staff began meeting to access and recommend what actions might be taken by the city to enhance our small business support. In January 2000, representatives of the Oregon Economic and Community Development Department joined the city group meetings and began looking at business support efforts that could be more consistent less duplicated, more cost effective and broader access to government services for small businesses. In May of 2000 the Bureau of Licenses received a funding commitment from OECDD to begin development of a business portal which would connect businesses to available services across the spectrum of government and not for profit. The portal was developed with reusability in mind so that whatever we develop for Portland could be reused by other jurisdictions with minimal additional expense. The project included market research which supported the direction that we took with the portal and gave us additional insight to small business needs. In January of this year the business portal www.BusinessinPortland.org was up and running with connections to over 60 agencies offering over 300 services, available on a 24 hour day 7 day a week basis. Used by not only the businesses but also by agencies and Bureau personnel who have contact with businesses. In February of this year a draft business opportunity strategy that would reside in PDC but would maintain that across the city, city-wide collaboration. We seek your approval to formalize the work that we've begun to enhance the city's small business assistance and service delivery.

Baruti Artharee, Interim Executive Director, Portland Development Commission (PDC): over the past 12 years or so I've had 2 major civic passions, affordable housing and small businesses. I spent 20 years in the private sector. Thanks to Commissioner Francesconi and the Mayor for finding a way to make this a line item in the budget. This item will provide an opportunity for small business to provide advocacy for their issues and causes and a chance to organize the constituency that's out there. And reinforce and help the market of existing programs that we already have. There is a real thirst in the community for information and assistance in the small business area. I encourage your support within PDC.

Katz: what did they say they needed and wanted from government?

Artharee: we didn't spend a lot of time on questions and answers. We talked about the Cascadia revolving fund. Receiving start up capitol, operating capitol and technical assistance, writing a

APRIL 18, 2001

business plan, how to go to a bank and apply for loans. There is a need for management training, operations training.

Katz: robin go ahead and share with us what your thinking was when working with commissioner Francesconi

Robin Roberts, PDC: I started this job in july of 1999. one of the early studies I came across we commissioned with pat Scruggs and a joint one with joe courtwright and pat Scruggs on small business. What they said then is still relevant today we have a lot of different resources in this city available to small businesses, but never in any easy access manner. Small business is important to oregon's economy as well as portland's economy. This strategy is an opportunity to explore the needs of the small business community. In working with small business a lot of it has to do with outreach. Owners do not have the time to walk away from their business, it's important how we reach them, the business portal is one step in that direction. The proposal is designed to leverage bhcd and pdc and the bureau of purchasing and state and federal resources and private sector from the chambers to app we all do things for small businesses and we want o coordinate those efforts. We are finalizing a scope of work with pat Scruggs to support this program. Marketing assistance needs to be there and technical assistance, everything from developing better bookkeeping tools to how to do inventory control and payroll and access to capital.

Katz: Okay, questions.

Sten: Is there a breakdown on what the monies are proposed to be spent on? Somewhere is there a budget?

Roberts: we have a preliminary budget

Katz: you have a preliminary budget and if I recall correctly is \$194,000 –174,000 or 194,000 help me out

Wadsworth: I think its 194,000 right now

Katz: amazing isn't it

Roberts: the proposal was at 205, the budget that we developed in the proposal commissioner sten was at 205 so we need to scale that one back, its for one full time officer who is high enough level to go up and do the kind of coalition building, identifying resources and so forth. Possibly a second position, possible contracting some of that work out. It included some funds to do some marketing and community outreach. I'd be happy to leave a copy of this draft. The reasons we want to contract with Scruggs is to refine this.

Sten: so is for example the 35,000 strategy you submitted to us calls for funded in that 194,000 to technical assistance.

Katz: no, I couldn't do it.

Sten: but we don't even know what were going to do with the 194 specifically, but were not going to do the technical assistance.

Roberts: we do have that laid out in the proposal

Sten: I guess I'm just concerned we might be doing a second position but you don't know if you are at the expense of something that's already rolling on the technical assistance piece. I don't want to micro-manage, but its hard to approve something without a budget and then have a request come over to expand a budget.

Roberts: the original request was for 2 positions, plus some funds for and now is actually a \$275,000 request. At 198 you have to go back and rethink that. It may mean one full-time position and doing some contracting for the partnership such as the cascadia process, etc. so again it's a substantially lower amount than the original budget request

APRIL 18, 2001

Katz: and if I recall correctly we tried to piece this together, there's some one time monies with ongoing monies and by piecing it together we were able to get it to 194. part of the job is going to have to be to clearly spell out what the work plan is going to be.

Roberts: commissioner sten its an extremely valid point. The amount that we have to work with we

Sten: its not clear in the strategy that was submitted to us whether what's funded and what's isn't

Francesconi: I thought that the budget was attached to the small business strategy that we gave you, the last page 5. We appreciate the almost 200,000 that's in the mayor's budget. The 35,000 for cascadia was option a, the 35,000 for the Hispanic chamber was option b, those were not funded in the mayors budget. Were open to trying to work it through with the 200,000 to fund other things. The problem is were asking pdc to come up with a small business strategy to take of all the business districts that are not in tax increment districts. The only way we fund economic development is through tax increment.

Sten: so the technical assistance through cascade matches an add package to this budget

Roberts: that was the original proposal. As we go through this work scope if we decide to hire one person and maybe one of the cascadia outreach, is something we want to explore and look at.

Sten: at this point your not recommending doing that if your funding level is 200,000

Roberts: its going to be tough, unless we can find other resources which were always going to look for

Katz: I don't want to get into budget discussions, I'm going to be presenting the budget next week, remember were cutting folks.

Robert Stoll: several years ago I was one of the original investor in albina community bank. Few years ago we found with albina bank as a regulated bank it cannot provide a lot of seed money to small businesses. 3 or 3 ½ years ago I started doing a study to see if there was a need in north/northeast Portland for capital for small business entrepreneurs that they could not get through banks. I knew such funds were available on the west side of Portland but not north/northeast Portland. Howard Shapiro, ted gilbert, bob walsh put together a fund that we call Portland community investors, currently merged into a fund in seattle called cascadia revolving fund. We provide funds to small business, particularly women, minority entrepreneurs. We've been in operation over 2 years and through the Portland office we've place over a million dollars of private non-profit funds. This small business initiative is a great plan. The technical assistance, option a, there is a lack of ability to have bookkeeping or accounting assistance to present in a coherent way.

Katz: let me ask council if they would like to extend bob's time

Stoll: there is a huge need for technical assistance. The proposal is we would raise half of the money for this technical assistance person. And the city put in the other half.

Katz: to what extent have you or your colleagues worked with the small business programs at the community colleges to provide that kind of technical assistance, are they not reaching the population that needs to be

Stoll: there's two different kinds of technical assistance here. We worked closely with brad robinson and the fabulous psu business outreach program. The focus of that program has been in marketing. Our fund is a revolving fund, we invest in the company's and they pay us back and we reuse that money.

Katz: I'm trying to reference the small businesses development assistance centers located at the community colleges that are being paid to do a lot of that, if that's not working why

Brad Robertson, Director of the Business Outreach Program, Portland State University: we have an outreach office in the community which is bwami at skidmore and Williams. The sbdc

APRIL 18, 2001

network does a lot of fine work. There is not a lot of sbdc in north and northeast Portland. They may be moving to northeast Portland

Katz: to the cascade campus

Robertson: I'm not sure. We are more involved in the marketing and management operational side with some financial analysis and help. The direct involvement of a financial provider can be of great benefit to these companies as they grow. A key determinate of an effective relationship is the presence of trust, it takes a long time to develop.

Katz: before we get to the next testimony, commissioner Saltzman and I need to be at a growth management committee that starts at 11:30. they are discussing industrial land supplies and development.

Hales: I need to leave at 11:50

Saltzman: I can move my time certain at eleven to next week, the green pages and the solid waste

Katz: 432 and 433, that would be wonderful

Saltzman: what does next week look like

Moore: its full next week in the morning

Saltzman: I'll run through them real quickly

Katz: well try to accommodate, but we don't usually do this, this is an impact issue we need to get input from a lot of other citizens

Sten: we can do 431 very quickly, there's people here, there may be a no vote on 450, we may need to vote on that with more than 3 people

Edwina Wasson, 6003 NE Martin Luther King Jr. Blvd., Portland: mine is more concern and questions than statements per say. I'm excited about the small business opportunity strategy. Small businesses have been neglected and in reality if all small businesses in the united states shut down we would cease to function. My concern is with the budget constraints and recognizing some of the jobs and economic development right now only 198,000 has been funded for small business assistance. How does this strategy dovetail the governor's small business council and if there's a duplication.

Francesconi: I've got it, we have a letter from oed because we want more of their money to help implement this.

Wasson: that's what I was hoping, that some of the money coming from the governor's

Francesconi: but for that amount of money we need to do a lot more. We need to do more in the area of technical providers, who's good and who isn't. not do we need it. Help with the permitting process, marketing those specific things that we do that we not study.

Wasson: that's my major concern. When I went to the conference a major concern was getting through all of the red tape all the permits and having it streamlined lined down. Not creating more bureaucracy in order to make that happen

Katz: anyone else, lets keep it to 2 minutes

Francesconi: on this other item, commissioner sten may have been referring to me on the no vote, if we run over and we lose council members, I'll vote yes

Arnold Cogan, Downtown Development Committee, Chairs for Association for Portland

Progress, 520 SW Yamhill #1000: here to express the support of app for commissioner Francesconi proposal for small business opportunity strategy. Almost three quarters fall into the category of small business. Of the 3,000 businesses in the downtown area a significant majority of those are small. My firm Cogan, Owens, Cogan is one of those. All are crucial to the city's economy they are the backbone of the commercial districts that help define neighborhoods and our

APRIL 18, 2001

livability. we in small business wear many hats. There's a conflict between the needs of such multi-tasking individuals and the requirements of government regulations and programs no matter how well meaning. Understanding them and working through them takes a lot of time. If this strategy had been in place 26 years ago when Elaine cogan and I started our consulting firm it would have been a huge help to us. Finding a bank sympathetic to small business was almost impossible. We want to commend commissioner Francesconi and the rest of the council and encourage you to adopt this proposal. Thank you very much.

Danny Crossman, President of Hawthorne Boulevard Business Association, 2607 SE

Hawthorne Blvd, Suite C: former instructor for the small business management program at Mt. Hood Community College. And I've been a counselor at Portland community college for small businesses. I hardly endorse this proposal. Its absolutely needed, the perception of small business is the city doesn't care about them and view them as the enemy.

Robert Butler, 226 SW Park Side Dr., Portland: the perception is small business doesn't get as much attention as large business and I have to agree. A letter of testimony from the bureau of licenses to the revenue committee and the house, his staff testified to what I call the prejudice against small employers for the City of Portland is about ten million and the county portion is 9 million dollars. I disagree with the figures, I think there inflated about 50 percent. The point is there is an unequal playing field in this city for small employers verses large employers because of the tax code that commissioner Francesconi enforces. That certain owner's compensation is not deductible for a small employer is he owns 5 percent or more of the company. There is a 19 million dollar penalty if you happen to own 5 percent more of your company in congregate for the entire city and for Multnomah county. This creates a huge unequal level playing field against small employers, I know of no other place in the united states that does this prejudicial taxation. To level the field more taxes will have to come from large employers and that's why your not leveling the playing field because of the political reality. My point is that this is a token gesture as to helping small business out of a 19 million dollar problem. I'd rather his offices concentrate on eliminating the prejudices against small employers, realizing that is something bad for history for generations.

Bruce Feathers: small business owner, company located on mlk and northeast Portland.

Featherlite the company I own is a nationally certified minority firm. My advocacy for small business can be best articulated by my own experience. 18 years working for fortune 500 companies and today I sell to them. We bring those dollars into northeast Portland and to martin luther king and deposit into the albina community bank. Our customers are mcdonalds, burger king, olive garden, red lobster, outback steakhouse and more. I started in 1998 with the sole purpose of wanting to participate from my standpoint in this albina community plan. And execute my own strategy for social entrepreneurialship and help it become the norm in our community. Create jobs and internships for youth. Assist our employees with home ownership. In the by-laws of our company to return a profit sharing initiative where we return 10 percent of our profits to some organization that's helping the community. We want to create a coalition like ours to participate in this initiative. A problem, while we have benefited from things the banks were able to do to help us get started there's only certain things that banks can do. We were a beneficiary of cascadia revolving fund to a certain extent in the company's growth, they can only go so far. I want to advocate a continued need among small business and particularly those the ethnic business in the area along mlk and the things the city's trying to do there. There's clearly a need for equity capitol which is something we don't move in those circles it's not available to some minority firms. Pdc and other agencies of the city have programs that reach out but don't do enough or can't do enough.

APRIL 18, 2001

Humberto Reyna, 2402 NE Oregon St., Portland, 97232: Buenos dias, good morning, I'm sure that Buenos dias is not heard here often enough. I've been a small business owner for over 25 years. I am the immediate past president of the Hispanic chamber and current member of the board of directors and it is in that capacity that I'm here to speak. Hispanics in the past have been the invisible minority, group not just Oregon, but the whole united states. The Hispanic chamber is dedicated to working with all members of the community to increase the economic advancement of Hispanic owned businesses in the Portland metropolitan area. Our latest census information, Hispanics are the largest group nationally and in the state of Oregon and have been for several decades. The number of Hispanics has doubled in the last 10 years and the number of Hispanic owned businesses reflect that increase as evidence of the visible businesses of Hispanic owned companies throughout the city. The challenge to the city is to be sure Hispanics are not left out of the states economic prosperity and growth. The Hispanic chamber is the only organization that focuses exclusively on assisting Hispanic owned businesses in the region. Most of which are small and vulnerable to seasonal economic fluctuations and most lack technical assistance of all sorts. The Hispanic chamber is committed to helping these businesses to stabilize and expand and to make it easier to start up new Hispanic enterprises. We will continue to work with both public and private organizations to increase networking and trade for Hispanic owned businesses and other businesses in the community and increase the availability of economic development program services and resources such as loans, lines of credit. Increase involvement by improving social and economic conditions in the Portland area through educational forums and meetings. Support Hispanic students who are going to be future business owners and community leaders. We support the proposal and would be happy to link with them to continue the services to small businesses.

Francesconi: you have no staff person now, right?

Reyna: no, all our efforts since we started nearly 6 years ago has been through volunteer efforts through the board and chamber members.

Francesconi: your approaching other organizations to help you with staffing, if the city gave resources, if you had a staff person, can you give us some assurances that it would not be used for social purposes, but aimed at technical assistance, training, education, emerging and existing latino businesses.

Reyna: the chamber has never been about a social service organization. Were about business and promoting business in the Portland area. 100 percent of the money given for scholarship is used for scholarship. This is the same approach we would use in money received from the city. To provide staffing to the services that I outlined.

Katz: this is not a budget hearing, so I'm not going to permit any of this.

John Shepanek, CEO and owner of Oil Can Henry's, Portland, 97214: we are a franchisor and operator of quick lube facility in Portland and 5 other states. When I bought the company in 1989 we had 3 centers, as of today we have 58 either open or under construction. This city and community has been great to us. We recently opened a center at grand and halsey, some of the challenges we had were with the permit process. Small business needs an advocate in the permit process, to shepard the process from the beginning to the end. We appreciate being here.

Paul Schuback, 3003 SE Milwaukie Ave.: here to thank you for doing something, renewing interest in small business. I'd like to see continued support for small businesses to know what the updates of new rules and regulations and new taxes are.

Roy Jay, 516 SE Morrison: came to support the small business strategy and applaud the council for making the initial step, even though the amount of money is not sufficient. It's a start. I am the executive director of the Oregon business network, successfully mentoring small business, tutoring

APRIL 18, 2001

and working with sbdc's and minority and women businesses for the past couple of years. Came to lend our support without cost.

James Posey, 117 NE Stanton: here to express favor for this process and program. Concerned about the inequity of the tax structure to small business and minority businesses and how you approach this. There's quite a bit of hypocrisy relative to these kinds of programs like pdc's façade program where a lot of money has been spent on mlk and no one has asked people in the community could do some of that work. The truth of the matter is we need the work and access to what makes money. For example Coast janitorial was privy to the eight a program, a set aside program for small businesses. That sustained them and gave them a launching pad to...

Katz: he's shaking his head, that's not true

Posey: that's okay, in reality a lot of these businesses that have these kinds of programs that allow them to have sustainable work, income gives them the opportunity to take care of these issues around technical assistance, another sore point with me. Your not even evaluating and holding people accountable for the dollars that your giving for the technical assistance. For example if someone is providing technical assistance it should be linked to their technical ability to help that business. Access to capitol, take some of that big city budget give it to albina bank and ask them to conform to the laws to make sure that minority businesses have access to that money. The cost of money is to high. Small businesses are the ? work for employing people. Why do you continue to do that, that's the hypocrisy I'm worried about.

Katz: roll call

Francesconi: bob butler has one important point that businesses are paying tax, we ought to give them something back and this is only the beginning a small part. He's wrong about the owners compensation part. We've indexed and exempted micro businesses from that tax completely, most of that tax is paid by the large employers. We do need to do more this is a beginning step and we have a lot more to do. I want to thank rob degraff from the association for Portland progress, Bernie foster from the skanner, bob stoll deserves a spirit of Portland award for putting this deal together, roy jay for his work with the African American community chamber of commerce, gaef costillo. After many meetings we discovered we have businesses who want to create their own businesses, we have the talent. Small businesses is not for everyone, the pressures are not for everybody but the opportunities are enormous. we can do more in this area, not in just tax increment. Aye.

Hales: good cause. Aye.

Saltzman: good work. Aye.

Sten: commissioner Francesconi thanks for digging into this, this is a tough field and this is a great step in the right direction. Aye.

Katz: Aye. Thank you. 431.

Sten: do you want to do that afterward.

Katz: hold on. Let's take the ordinances first.

Item No. 449.

Katz: anybody want to testify on that. Roll call.

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

Katz: mayor votes Aye. 450.

Item No. 450.

Sten: mayor its and organizational issue. I'm not sure whether this opens up for a hearing or not as a previous agenda. We did have a hearing on it. There were several questions to report back on very quickly. The issue of using oni for outreach. We dug into the contract and were remiss in not

APRIL 18, 2001

looking at the sooner. I've worked with commissioner Saltzman. There's about \$68,000 that's scheduled to do public meetings and outreach. What we've agreed to is to work with oni to do that work next spring. This is a 15 month project. The size of the contract, it's a \$597,000 contract, a large one to many subcontractors. As I've looked at it I'm comfortable making this recommendation it's a project to design close to a billion dollars worth of investment over the next several decades in the region. There was some standard language in the contract that allows for a 25 percent contingency increase without the council's approval and I'd like to make a friendly amendment to strike that from the ordinance. We have prepared with very detailed presentation on every aspect of this if people would like it. Given the time I'd move to a roll call.

Harry Auerbach: you need to approve the amendment if your going to make it.

Katz: I need a motion.

Sten: I would move that we strike the contingency clause.

Saltzman: second.

Katz: any objections, hearing none so ordered. Anybody dying to testify on this? This was carried over. Roll call.

Francesconi: I think Commissioner Sten is doing a terrific job trying to keep the water rates down. This is the first time I may disagree with him on something. If it was more than this treatment decision, but a broader discussion on infrastructure, I would easily, eagerly agree or if it was a little cheaper I would agree. But I am goint to vote no.

Hales: aye.

Saltzman: I want to thank commissioner sten and the water bureau for warking with o and e to get some of the recommendations that we have made and looking at how outreach can be better handled for our bureau projects. Aye.

Sten: aye. I will have to revote this, though, because it is going to fail with the emergency clause.

Katz: I think that we are going to be all right. I am going to give him an opportunity to change, did you vote?

Sten: aye.

Katz: and the mayor votes aye. Commissioner Francesconi did you want to change your vote and explain your vote?

Francesconi: it will pass clearly now 4 to 1, and because of the sake of the emergency clause, which I didn't consider at the time I voted, I now change my vote to aye. To allow it to go in the same time frame if that makes any sense. I don't want to slow this down.

Katz: I appreciate that. For people who are watching and listening, this is a courtesy that council members extend to the rest of the council, and it is greatly appreciated because what would happen, this would just be carried over to the next week. Aye. Motion carries. We got rid of the ordinances where we needed everybody on here. 431. I've got to take the time certains.

Item No. 431.

Sten: I want to introduce this quickly and ask our panel to please be brief. A couple years ago the council voted to prohibit the city from doing business with firms that have contracts with burma. It was done to make a statement about human rights issues and a lot of the problems that have been going on. Since that time there's a lot of litigation on these issues and the supreme court has struck down a parallel resolution they didn't actually strike down our ordinance, but they struck down something that was relatively similar. In talking with the activist who are working on this issue and thinking it through I've come to the conclusion that, unfortunately because I think is was a good policy statement that the best thing to do is to withdraw that ordinance. In doing so I'm also putting forward a policy statement that recommends, not requires pension funds that we do

APRIL 18, 2001

business with seriously consider at our urging divesting from those same companies stock. A smaller step, of course this can't require that but I think it's the right statement to make. I'm trying to find a way to keep the policy statement alive in a somewhat hostile supreme court decision on this issue.

Katz: we ask you to keep your testimony to 2 minutes. Thank you.

Aung Win Kyi, 1625 SE Bidwell, Portland: I am an exiled student who studied in geography major at Rangoon University at the time of nation-wide pro democracy movement in 1988. Last December I went back to Thailand. A women he knew suffered mental problems. Her husband passed away and when her 17 year old son was arrested and was sent to the front line as a porter, and a human mine detector and died in the battle field. She has no one to take care of her. We are putting our money in pension and retirement to ensure our future in the purpose of taking care of ourselves and to use that in doing noble thing when we are getting old. I don't want those noble money to support in the bloody hand. Please take account on my testimony and I urge the governing board of the city's pension and retirement system to divest from their investment portfolios all stock from companies investing in burma.

Jeff Hiller, NE Portland: I'm a photographer and web developer. This situation in burma is dire. In February 2000 I visited Myanmar for 3 weeks on a photo assignment to document the current situation there. Myanmar is not on a tourist map, but the place remained etched in my mind from a previous visit in 1987. at that time it was even more isolated due to tourist restrictions, one was only allowed a 7 day visa and most of the country was off limits. Since then the military government has eased these restrictions in order to generate foreign currency to boost their economy. Myanmar has one of the worst human rights records throughout the world there is no freedom of press, the universities are now only beginning to open their doors after 4 years and forced labor initiated by the government is still widely practiced. It would be naive to think that the free enterprise at this point would encourage democracy, quite the contrary. The military controls all the business going in and out of the country. The economy is in a state of ruin and corruption is rampant. Former university professors earn much higher wages as tour guides. The average salary is 30 dollars a month in burma. While government officials drive around in imported suv's costing more than 50,000 dollars. During my last visit I spoke with hundreds of Burmese people and I had the chance to visit many of them in their homes. People from many walks of life, shop owners, students, Buddhist monks, university professors and rickshaw drivers. I'm not a Burmese expert nor particularly political for that matter. But after returning from burma and directly witnessing the beauty and kindness of the general public its hard not to be moved. I ask council members recommend that the city's pension fund divest from companies that are in burma. Thank you.

Jennifer Shiprack, SW Portland: I traveled to the Thailand burma border last year with a volunteer group. I lived with refugees that were fleeing the oppressed military dictatorship of burma. My experience with the mon people, who are one of the ethnic people in burma awakened me to a lot of the harsh realities of dictatorial countries. I stayed with a women named mateen who had fled burma with her son in order to be able to feed him and teach him the mon language. Her husban still lives in burma, but she and her son risk their lives to try to go see him. I also stayed with peope named soymeyen and soontorn, two brothers that I'll never forget. They escaped burma out of fear. Some of their relatives were participating in the resistance army. And their brother was put on display in his hometown as the villagers stood around the army brutally murdered him to show the villagers that if they didn't follow orders this is what would happen to them. Soymeyen was beaten by the army for speaking his mon language. The military has ruled

APRIL 18, 2001

Burma since 1962 and has committed violation of forced rape, torture, forced labor, killings, extortion and seizure of property and live stock. 35 U.S. senators sent a letter to President Bush asking him to continue the sanctions that were placed on Burma in 1997. The United Nations passed a resolution calling on Burma to end forced labor. The European Union on April 9th voted to renew 6 months of sanctions on Burma. To prevent foreign companies from funding the military dictatorship, Aung San Suu Kyi, the Nobel Peace Prize winner and one of the most prominent women leaders in the world, has asked companies to pull out of Burma and companies that have pulled out are Pepsi, Arco, Texaco, Anheiser-Busch, Segrams, Motorola and only a few more remain. Today we are requesting that Portland join the cities of San Francisco, Los Angeles, and Minneapolis, in passing a resolution to determine if the cities' employees' pension funds invest in companies that are still doing business in Burma.

Katz: Thank you. Anybody else want to testify on this? Roll call.

Francesconi: Thank you for the persistence in the advocates on this and Commissioner Sten and Bob Durston continuing to pursue this. I hope our senators were 2 of the 35, if not we should send this resolution to them and pursue it more aggressively through our federal delegation. Aye.

Hales: Aye.

Saltzman: Good work, pleased to support this. Aye.

Sten: I want to thank Becky Chiao, an intern in my office who put all this together. She has energy to send this to the senators and follow up. These kind of local actions ultimately play a big roll in toppling. (tape ended) Aye.

Katz: ...in South Africa, during the 70's and 80's, so I'm very honored to vote aye. You don't need me, let me run upstairs and see where we are on that, is that all right.

Saltzman: Okay.

Hales: I can stay. Were at 432, 433.

Item No. 432. and 433.

Hales: Dan, what did you want to do with these?

Saltzman: We do have some people here to talk about the solid waste, some citizens real quickly. I wanted to take this opportunity, the reason both these items are on the agenda is because Earth Day is coming up this weekend and it seems like an appropriate time to celebrate an accomplishment we've made here in the city of Portland on our recycling. We're head and shoulders above the rest on the amount of solid waste we recycle. We should be very proud of that.

The council set goals we should achieve as a city, and 2000 was the year that the council directed the program to achieve a 54 percent recycling, diversion rate. Our report for the year 2000 was just finished and it shows the fact that we reached that number. It's a milestone and a result of a long collaborative effort on the part of citizens, garbage haulers and recyclers. The next step is to continue working with our partners to achieve 60 percent goal for the year 2005. Staff will report back this summer on how we're going to reach that goal. Today we have 3 people who helped us reach our goal, Bob Cassidy, owner of Cassidy's restaurant, Jeff Murray, Far West Fiber, Doug Anderson, manager of Metro Waste Reduction Planning and Outreach Division.

Doug Anderson, Regional Waste Reduction Manager, METRO: Here to compliment you on your efforts to date and urge you to stay the course. We often hear that Oregon's goals of 50 percent by 2000 can't be made without the Portland region. And the Portland region can't make it without the city of Portland. The theme is it takes a partnership to do that. We are very fortunate to have the city as a partner in this. Leadership has never hesitated to push that envelope. Very pleased that Metro is joining with the City of Portland putting programs and hard dollars at our next

APRIL 18, 2001

milestone which is organic waste. I look forward to continuing to working with you. Thanks for the job well done and keep up the good work.

Bob Cassidy, Owner, Cassidy's Restaurant: I have participated in this process going back to the work group that made recommendations to the recycling program as it is. The process has been great. I want to cite Lee barrett and bruce who had our advisory committee and susan Anderson, and previously sue keel.

Jeff Murray, Association of Oregon Recyclers: we are quite a mix of various interest businesses. Recycling advocacy groups, refuse haulers, recyclers and processors. Were here today to congratulate the City of Portland in achieving 54 percent waste recovery goal. And to reaffirm our commitment to working with the City of Portland. Getting to 54 percent was not easy and getting to 60 percent is going to be that much harder. We would like to offer our assistance in achieving this goal.

Hales: others that want to testify on this item if not. Vote to accept the report. 432 roll call.

Francesconi: this is a terrific thanks so congratulations to the bureau and our partners and to commissioner Saltzman for continuing to pursue this. Will get to 60 percent under his leadership with your help. At some point I hope were still looking at the issue of residential rates, commercial rates. We need the green building fund as an incentive. I still believe it should be commercial folks providing it not residential. Aye.

Hales: so far so good. Aye.

Saltzman: I want to say not only good work from all Portland citizens, businesses but also good work to our office of sustainable development staff who Sheppard this progress through many years, they deserve a lot of credit for making Portland head and shoulders above every other city in the country. I'm very pleased. Aye.

Sten: it's very encouraging. I'm a Cassidy's enthusiast and I didn't know you were doing the right thing. I'm definitely encouraged to eat there. The food was enough but this is even better. Aye.

Hales: item 433.

Item No. 433.

Saltzman: again in the spirit of earth day coming up this weekend and picking up on the previous resolution we dealt with respect to disinvesting in burma. About how individual actions can make a difference were here today to release officially the city's green pages. A collaborative effort of several bureaus in the city, the office of sustainable development, bureau of environmental services, water and transportation among others all collaborated in the creation of this book. A new guide for the individual and community action to improve air and water quality and to conserve energy and natural resources. The guide will be distributed through the bureaus, various outlets, community centers, neighborhood coalition offices, you can call or access our website. Thank the staff who spent a lot of time working on this effort; tim braun, Linda Dobson, matt emlen, Linda ginenthal, brian hoop, Jeanne kraje, tim lichen, curt Nichols, Margaret nover, judy ranton and bruce walker.

Hales: anyone want to testify on this item. Then will take the vote.

Francesconi: this is actually a terrific thing. We talked about getting business all in one spot, this is what this is. In reading this page 17 through 19 the facet if it leaks one drop per second you can lose up to 30 gallons a day, that's a lot of money and resources. Aye.

Hales: nice work. Aye.

Saltzman: aye.

Sten: I agree this is terrific. Aye.

APRIL 18, 2001

Hales: we have some citizens who've waited patiently to do their communication to us. 451.

Item No. 451.

Moore: he cannot make it.

Item No. 452.

Jeff Smith, North Portland: I'm a member of the international longshore & warehouse union. Everyone should have a copy of a letter I sent. I promised commissioner hales that I would not read that letter. I have some problems with the role between our port and our city people. Were unloading some trolley cars in the port of Vancouver, Washington. We have a great bulk facility here in Portland we need those cars delivered here in Portland. Commissioner hales and I talked about it and he gave me some incite on why they were not. We need to try to have the city and the port work together and be more sensitive toward these kinds of things. I'm not assured why they were taken there. I'm going to let the rest of my time go to ron hanson.

Ron Hanson, Lake Oswego: I'm here today representing ilwu local 8. were the workforce, the union that does the loading and unloading of the ships in the harbor. I'm here today to voice our displeasure and to impress upon the council that using the port of Vancouver, usa for receiving portland's trolley cars was a mistake. Oversight possibly but a mistake. Were not against the trolley cars, it's a great thing that we endorse 100 percent. We dissatisfied with the cars being off loaded in the port of Vancouver. The shipping business is very competitive, everybody is looking for a better rate. Rate charges are very small, not a lot of room to negotiate those charges.

Downturn in trade right now a lot of commodities that we use to ship are not being shipped any longer, like logs. Lumber use to come into the port of Portland now comes in containers. It sends a negative image to the port of Portland, like we can't do it, do it as well or our rates are to high which is far from the truth. Terminal 2 was built as a special commodity terminal. We have to be competitive, were losing wages, tax revenues, warfage and supportive industries involved in the trade. We ask you that the shipment now in progress be diverted from Vancouver to Portland.

Hales: we appreciate you bringing this concern to us and the message was received. We'll do anything we can to promote and encourage, we can't require, that ship to unload in Portland instead. I'll be happy to work with you and put the full court press on and try to get that done. You understand the limitations that were operating under.

Smith: commissioner hales we spoke on the phone I invited you to our membership meeting it's the 2nd Wednesday of may. It would be nice if you could be there. I'll get back to your office on that. Our membership has a lot of questions and answers it would be nice if you could be there. You contact bob lipscomb with the port and try and get a little more dealings with the port. We do about 100,000 containers a year in Portland vs LA that does 4 million a year. We are a break bulk port.

Hales: we'll see what we can do and I look forward to working with you on that. Sorry we missed the first chance we'll see if we can catch the 2nd one.

Item No. 454.

(no show)

Item No. 455.

(could not make it)

Item No. 456.

Hales: come on up Richard.

Francesconi: do you need us here when you read this? Can we just leave?

Richard L. Koenig: Richard koenig

Hales: you need the cameras but do you need us?

APRIL 18, 2001

Koenig: well actually only part of this, you have officially received the nine page affidavit. But I'm going to speak to a couple more contemporary issues, You're getting a copy of the crime report. Mr. Auerbach didn't know what to do with it, jeff rogers didn't know what to do with it. In talking with the assistant district attorney, he says, well, it looks like the investigation is complete, everything is in order, yeah, i'll take that. So there you have that. Another contemporaneous issue, I was fortunate enough last thursday evening not to have to make a presentation in front of piiac. I was scheduled, but I didn't know what the rules were. I thought since the allegation was that I couldn't have a hearing or I couldn't have an investigation initiated because I complained too much, I thought, maybe I should check out the rules here. And so I asked, do american citizens relinquish rights in this forum? Because obviously if I didn't -- if I have a right to complain, it probably shouldn't have been held against me and iad investigations not perform because I complain. And no one knew. They wouldn't answer the question. So I have put that question to you folks in writing, and you'll be getting it, but I want that to be part of the record. At this point i'm just going to continue putting this in the record for the benefit of the folks out there.

Francesconi: Are you going to let us go?

Koenig: You guys can go.

Hales: The council will automatically adjourn at the end of richard's presentation.

Koenig: Oh, okay. You can stay. I see. Go ahead. Here it is. Starting at paragraph 29, a little context around this. I had been to the police precinct in northeast Portland, and was kind of weirdly treated. So I went back and I met with the same individuals, sergeant stevenson, who had given me until the count of three on the previous occasion to get out. He was presented a page of language from the Oregon supreme court in the matter of state versus ameron. The relevant message being that officers do not issue lawful orders to leave if the subject is only exercising protected rights. In the most civil manner I could muster under the circumstances, I told him that this would probably save him a lot of time and trouble in the future. Within one minute of arriving, and that's documented on the face of the arrest report, and before he was even willing to take this gift, this message from the supreme court from my hands, sergeant stevenson arrested me. And he alleged in his report that I attempted to engage him in conversation, closed quote. The charge was criminal trespass in the second degree. Under the circumstances cited in the arrest and related reports, my attorney could not understand the basis for a trespass charge arising from a visit to the public or publicly accessible precinct lobby. And he arranged to have the public nature of the premises videoed for the jury's benefit. Karla, was that the bell?

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

APRIL 19, 2001

APRIL 19, 2001 2:00 PM

Katz: roll call.

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

Katz: present. Item 457.

Item 457.

Katz: Who is making the presentation?

*****: Kate green.

Katz: Is she here? Is that you?

*****: That's not me.

Moore: We're waiting for kate green. She had to run downstairs. Kate green is coming.

*****: Here she is.

*****: There she is.

Katz: Kate green, where are you? Who are you? There you are.

Katz: So you are going to do like --

*****: A five-second presentation.

Katz: All right, everybody, we're ready. Kate green, whoever she is, is here. Go ahead. Did you read the item?

Moore: Yes.

Kate Green, Office of Planning and Development Review (OPDR): With the office of planning and development review and the -- I was intending to present you some slides about case lapped use case 00423, which is a greenway goal exception conditional use and greenway review. In the interest of time we're going to let you know that we have worked out some revised language with the applicant regarding conditions, and we asked that the council adopt the hearings officer's recommendation of approval with those revised findings. If you have any questions or would like me to go into detail, i'd be happy to do that.

Hales: Unless the council has any questions, or you wanted to make further presentation on top of the staff's report that we have, I think we can deal with it by motion and get you on your way.

Katz: Jeff? Come on up.

*****: The only reason --

Katz: I know. We cut --

*****: We're in agreement on something, a procedural issue.

Hales: Come on up susan.

Katz: Come on up.

Susan Feldman, OPDR: What the procedural is, the ordinance says that you are adopting the hearings officer's recommendation. And we would like you, after looking at the hearings officer's recommendation, we have some conditions that we want to substitute.

Hales: Which you've given us.

Feldman: which we've given you. So this ordinance needs to reflect its the hearings officer's findings and conclusions, but with the amended recommendation by you. And is that something that you can actually adopt today?

Hales: Yes.

Feldman: Because they are anxious to get their permits.

Katz: We can adopt --

Feldman: We can amend an ordinance in council?

APRIL 19, 2001

Katz: Why don't you very quickly describe for whoever is watching us and listening, without going through all the slides, the revisions.

Feldman: Well, I don't -- jeff?

Jeff Bachrach, representing William Communications: Jeff bachrach for the record, representing williams communication. They are on the conditions of approval, and we agreed with staff that they are -- they're really in the nature of clarifications. There's reference to a greenway corridor that really should reference the developed rail corridor. They're quite semantic. The only one that has any -- i'll mention is staff has asked, and this was not in the decision, that williams not use above-grade utility markers in areas that might become part of the metro trail. So in those areas they'll use flush with the ground markers. And that was in the -- reflected in the hearings officer's decision. So that was a change. And really everything else was just semantics to be sure there's no confusion.

Katz: Okay. Is there anybody in the audience that wants to testify on these conditions changes? Or on this hearing? No.

Feldman: Well, wait. There is a letter that we just got apparently, or that parks got that we didn't know about from metro. So it must have come to our office and parks. Metro does not want above-grade markers for the fiber optic cable, and we thought that we wrote -- rewrote the condition to take care of this, that it would not be in an alignment, but apparently they want to request that the company remove our modify them as needed when the trail is constructed.

Bachrach: I can tell you that's not a problem for the company. These are markers that are easily put in and put out, and if -- I can have several ways to give you that assurance, if there's an above-ground marker and sometime in the future metro comes along, it's not a big deal to easily pull it out and put 90 flush with the ground.

Katz: The markers, when necessary, will be pulled out and will be whatever markers if any will be flush to the ground. All right? Everybody's nodding in agreement.

Hales: I don't think -- I think we don't need to further reference that.

Feldman: That's fine. You said it in public, right?

Katz: It's on the record.

Bachrach: I'll be out there pulling myself if I have to.

Hales: We'll issue you the tools. I'm going to move that we, having dispensed with the hearing, since there's no one that's requested to testify, i'm going to make a motion that we uphold the hearings officer's decision -- uphold the recommendation and then make the modifications and clarifications to the conditions that have been distributed dealing in the four areas described, the construction management plan, the utility markers, the planting of trees, and the necessity of obtaining a site development permit. Those four items are addressed in the document that's provided by staff today. So with those revisions to the findings and conditions, i'd move that we support the recommendation of the hearings officer's.

Katz: I do hear a second?

Saltzman: Second.

Katz: Any discussion? Roll call.

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

Katz: Mayor votes aye. We stand adjourned.

At 2:15 p.m., Council adjourned.